



CRIMINAL COURT

**THE HON. MR. JUSTICE
JOSEPH GALEA DEBONO**

Sitting of the 12 th October, 2009

Number 15/2009

**The Republic of Malta
Vs
Noor Faizura Azura Binti Md Lias**

The Court,

Having seen the bill of indictment no. 15/2009 against the accused Noor Faizura Azura Binti Md Lias wherein she was charged with:

1) After the Attorney General premised in the First Count of the Bill of Indictment that in the beginning of March of the year two thousand and eight (2008) the Drug Squad police were investigating the involvement of the accused in drug-related offences including conspiracy to deal in drugs. Subsequently on the seventeenth (17) March of the year two thousand and eight (2008), Drug Squad police were informed by immigration police at the Malta International Airport that the accused had arrived in

Malta on flight AZ884 from Madrid via Milan. The accused was detained on arrival and when searched, she was found to be wearing a corset around her waist which was discovered to contain a substance suspected of being an illegal drug in accordance with our law.

That it transpired from the investigations that on the (17) March of the year two thousand and eight (2008) and in the preceding months, the accused Noor Faizura Azura Binti Md Lias, decided to start trafficking illegally in cocaine. The accused had conspired with other persons to carry the drugs concerned in a corset worn around her waist, so as to pass on packets of the illegal substance to another individual upon her arrival in Malta. The accused would receive a considerable amount of money for such service rendered, amounting to thousands of Euros. It transpired also that she had previously travelled in order to carry out such activity in a similar fashion and each trip, including the one leading to her arrival in Malta on the seventeenth (17) March of the year two thousand and eight (2008), was carried out with the intention to deal in the drug carried as above. Fortunately the accused was arrested by the police on the date of her arrival that is on the seventeenth (17) March of the year two thousand and eight (2008) in the abovementioned circumstances. In fact, following the necessary analysis carried out by forensic experts, it resulted that the packets carried consisted of cocaine in the aggregate amount of one thousand and twelve grams (1012grams), which drug is considered as an illegal substance in accordance with our Law, and which substance found on the person of the accused, carries the total street value of between sixty thousand eight hundred and four Euro (€60,804) and one hundred and six thousand and fifty seven Euro point sixty cents (€106,057.60).

By committing the abovementioned acts with criminal intent, Noor Faizura Azura Binti Md Lias rendered herself guilty of conspiracy to trafficking in dangerous drugs in breach of the provisions of the Dangerous Drugs Ordinance.

Wherefore, the Attorney General, in his capacity, accused Noor Faizura Azura Binti Md Lias of having on the seventeenth (17) March of the year two thousand and eight (2008) and in the preceding months, by several acts even though committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, guilty of conspiracy to trafficking in dangerous drugs (cocaine) in breach of the provisions of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta) or of promoting, constituting, organising or financing the conspiracy; demanded that the accused be proceeded against according to law, and that she be sentenced to the punishment of imprisonment for life and to fine of not less than two thousand three hundred and thirty Euro (€2330) and not more than one hundred sixteen thousand and five hundred Euro (€116,500) and to the forfeiture in favour of the Government of Malta of the entire immovable and movable property in which the offence took place as described in the bill of indictment, as is stipulated and laid down in sections 9, 10(1), 12, 14, 15(A), 20, 22(1)(a)(f)(1A) (1B)(2)(a)(i)(3A)(a)(b)(c)(d) and 26 of the Dangerous Drugs Ordinance and regulation 4 and 9 of the 1939 Regulations for the Internal Control of Dangerous Drugs (Legal Notice 292/39), and in sections 18, 23 and 533 of the Criminal Code or to any other punishment applicable according to law to the declaration of guilt of the accused.

2) After the Attorney General premised in the Second Count of the Bill of Indictment that owing to the nature of the circumstances which took place on the seventeenth (17) March of the year two thousand and eight (2008) and during the preceding months, as indicated in the first Count of this Bill of Indictment, as well as on the basis of an admission of the accused herself, it transpired that the accused wilfully and knowingly travelled to Malta from Madrid via Milan on Flight number AZ884, whilst carrying throughout the whole trip, an illegal drug which later on was analysed as cocaine and which substance is illegal in accordance with our law. The accused admitted to have taken such a flight on other occasions during the

preceding months and always knowingly for the same purpose. The accused gave her full consent to take the flight concerned, whilst being fully aware of the purpose and the contents of the packets containing the illegal substance which she had carried hidden in a corset strapped around her waist so as to bring same to Malta. Effectively if the immigration police and the Drug Squad Police failed to notice the accused upon her arrival, the contents of these packets would have been transferred to third parties in Malta and would have been trafficked for financial gain.

The accused was not in possession of any licence or authorisation issued under the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta), which authorised or permitted in any way the importation of the dangerous drug concerned by the accused.

Cocaine is a dangerous drug specified and controlled under the provisions of Part I, First Schedule, of the Dangerous Drugs Ordinance. Noor Faizura Azura Binti Md Lias was not in possession of any valid and subsisting import authorisation granted in pursuance of the said law.

By committing the abovementioned acts with criminal intent, the accused Noor Faizura Azura Binti Md Lias rendered herself guilty of meaning to bring or causing to be brought into Malta in any manner whatsoever a dangerous drug (cocaine), being a drug specified and controlled under the provisions of Part I, First Schedule, of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta), when she was not in possession of any valid and subsisting import authorisation granted in pursuance of the said law.

Wherefore, the Attorney General, in his capacity, accused Noor Faizura Binti Md Lias of having on the seventeenth (17) March of the year two thousand and eight (2008) and in preceding months by several acts even though committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, guilty of meaning to bring or causing to

be brought into Malta in any manner whatsoever a dangerous drug (cocaine), being a drug specified and controlled under the provisions of Part I, First Schedule, of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta), when she was not in possession of any valid and subsisting import authorisation granted in pursuance of the said law; demanded that the accused be proceeded against according to law, and that she be sentenced to the punishment of imprisonment for life and to fine of not less than two thousand three hundred and thirty Euro (€2330) and not more than one hundred sixteen thousand and five hundred Euro (€116,500) and to the forfeiture in favour of the Government of Malta of the entire immovable and movable property in which the offence took place as described in the bill of indictment, as is stipulated and laid down in sections 10(1), 12, 14, 15(A), 20, 22(1)(a)(1B)(2)(a)(i)(3A)(a)(b)(c)(d), and 26 of the Dangerous Drugs Ordinance and regulation 4 and 9 of the 1939 Regulations for the Internal Control of Dangerous Drugs (Legal Notice 292/39), and in sections 18, 23 and 533 of the Criminal Code or to any other punishment applicable according to law to the declaration of guilty of the accused.

3) After the Attorney General premised in the Third Count of the Bill of Indictment that having imported on the seventeenth (17) March of the year two thousand and eight (2008) into Malta, the dangerous drug cocaine in breach of the provisions of Chapter 101 of the Laws of Malta, as described under the first and second count of this Bill of Indictment, Noor Faizura Azura Binti Md Lias, consequent to the suspicions raised to Police and immigration police, was physically searched and was found to be wearing a corset wherein she was hiding 2 packets of cocaine in the aggregate amount of one thousand and twelve grams (1012grams). The substance found carries the total street value of between sixty seven thousand and eight hundred and four Euro (€67,804) and one hundred and six thousand and six fifty seven Euro point sixty (€106,057.60). The accused herself admitted that these drugs were intended for trafficking which amount is in itself indicative that the illegal substance was

too great to be intended merely for personal use. The accused also admitted to having carried similar packets on two other occasions previous to the date above indicated and for the same purpose.

Cocaine is a dangerous drug specified and controlled under the provisions of Part I, First Schedule, of the Dangerous Drugs Ordinance. Noor Faizura Azura Binti Md Lias was not in possession of any valid and subsisting import authorisation granted in pursuance of the said law.

By committing the abovementioned acts with criminal intent, the accused Noor Faizura Azura Binti Md Lias rendered herself guilty of possession of a dangerous drug (cocaine), being a drug specified and controlled under the provisions of Part I, First Schedule, of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta) when not in possession of any valid and subsisting import or possession authorization granted in pursuance of the said law, and with intent to supply in that such possession was not for the exclusive use of the offender.

Wherefore, the Attorney General, in his capacity, accused Noor Faizura Azura Binti Md Lias of having on the seventeenth (17) March of the year two thousand and eight 2008 and in preceding months, by several acts even though committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, guilty of possession of a dangerous drug (cocaine), being a drug specified and controlled under the provisions of Part I, First Schedule, of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta), when not in possession of any valid and subsisting import or possession authorization granted in pursuance of the said law, and with intent to supply same in that such possession was not for the exclusive use of the offender; demanded that the accused be proceeded against according to law, and that she be sentenced to the punishment of imprisonment for life and to fine of not less than two thousand three hundred and thirty Euro (€2330) and not more than one hundred sixteen thousand and five hundred Euro (€116,500) and to the forfeiture in

favour of the Government of Malta of the entire immovable and movable property in which the offence took place as described in the bill of indictment, as is stipulated and laid down in sections 9, 10(1), 12, 14, 15(A), 20, 22(1)(a)(2)(a)(i)(3A)(a)(b)(c)(d) and 26 of the Dangerous Drugs Ordinance and regulation 4 and 9 of the 1939 Regulations for the Internal Control of Dangerous Drugs (Legal Notice 292/39), and in sections 18, 23 and 533 of the Criminal Code or to any other punishment applicable according to law to the declaration of guilty of the accused.

4) After the Attorney General premised in the Fourth Count of the Bill of Indictment that owing to the nature of the circumstances which took place on the seventeenth (17) March of the year two thousand and eight (2008) and during the preceding months, as indicated in the first three counts of this Bill of Indictment, as well as on the basis of an admission of the accused herself, it transpired that the accused wilfully and knowingly imported the aforementioned drug (cocaine) with the intention to pass on the same illegal substance to another person or persons and being fully aware that the said drug would be trafficked against the law. In fact the accused herself informed authorities that she had carried out the same activities on two previous occasions without being detected by the police. It further results that she would be paid considerable sums of money for her involvement.

Cocaine is a dangerous drug specified and controlled under the provisions of Part I, First Schedule, of the Dangerous Drugs Ordinance. Noor Faizura Azura Binti Md Lias was not in possession of any valid and subsisting procurement, manufacture, exportation or importation authorisation of such illegal substance, duly granted in pursuance of the said law.

By committing the abovementioned acts with criminal intent, the accused Noor Faizura Azura Binti Md Lias rendered herself guilty of having on the seventeenth (17) March of the year two thousand and eight 2008 and in preceding months, by several acts even though

committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, sold or otherwise dealt in an illegal substance (cocaine), without a license by the Minister responsible for Health or without being authorised by these Rules or by authority granted by the Minister responsible for Health to supply the drug mentioned (cocaine), or without being in possession of an import or export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of Part VI of the Ordinance, and without being licensed or otherwise authorised to manufacture the drug or without a license to procure the same.

Wherefore, the Attorney General, in his capacity, accused Noor Faizura Azura Binti Md Lias of having on the seventeenth (17) March of the year two thousand and eight 2008 and in preceding months, by several acts even though committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, sold or otherwise dealt in an illegal substance (cocaine), without a license by the Minister responsible for Health or without being authorised by these Rules or by authority granted by the Minister responsible for Health to supply the drug mentioned (cocaine), or without being in possession of an import or export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of Part VI of the Ordinance, and without being licensed or otherwise authorised to manufacture the drug or without a license to procure the same; demanded that the accused be proceeded against according to law, and that she be sentenced to the punishment of imprisonment for life and to fine of not less than two thousand three hundred and thirty Euro (€2330) and not more than one hundred sixteen thousand and five hundred Euro (€116,500) and to the forfeiture in favour of the Government of Malta of the entire immovable and movable property in which the offence took place as described in the bill of indictment, as is stipulated and laid down in sections 9, 10(1), 12, 14, 15(A), 20, 22(1)(a)(2)(a)(i)(1B)(3A)(a)(b)(c)(d) and 26 of the Dangerous Drugs Ordinance and regulation 4 of the

1939 Regulations for the Internal Control of Dangerous Drugs (Legal Notice 292/39), and in sections 18, 23 and 533 of the Criminal Code or to any other punishment applicable according to law to the declaration of guilty of the accused.

5) After the Attorney General premised in the Fifth Count of the Bill of Indictment that with reference to the arrest of the accused on the seventeenth (17) March of the year two thousand and eight (2008) and especially in the preceding months before the seventeenth (17) March of the year two thousand and eight (2008), with reference to the circumstances mentioned in the previous counts of this bill of indictment, in the course of investigations leading up to the arrest of the accused it further transpired that Noor Faizura Azura Bint Md Lias was also involved in the exportation of considerable sums of money from Malta back to Spain where the illegal ventures originated from.

That it resulted that these sums of money represented payment for the drugs being carried by the accused, hence emanating from the drug trafficking conspiracy and drug-related offences as referred to in the previous counts to this bill of indictment which undoubtedly constitute criminal activity. The accused herself admitted about the transfer of such money from Malta back to Spain and confirmed knowledge of the illicit source thereof. She also informed police that the sums of money transferred in that fashion amounted to between fifteen thousand and thirty thousand Euro (€15,000 - €30,000) and that previous to her arrest, she had carried out such transfers on another two separate occasions which tallied perfectly with the occasions when she visited Malta for the purpose of committing the offences mentioned in the first four counts of this bill of indictment.

By committing the abovementioned acts the accused Noor Faizura Azura Binti Md Lias rendered herself guilty of carrying out acts of money laundering by:

i) converting or transferring property knowing or suspecting that such property is derived directly or

indirectly from, or the proceeds of, criminal activity or from an act or acts of participation in criminal activity, for the purpose of or purposes of concealing or disguising the origin of the property or of assisting any person or persons involved or concerned in criminal activity;

ii) concealing or disguising the true nature, source, location, disposition, movement, rights with respect of, in or over, or ownership of property, knowing or suspecting that such property is derived directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

iii) acquiring, possessing or using property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

iv) retaining property without reasonable excuse knowing that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

v) attempting any of the matters or activities defined in the above foregoing paragraphs (i), (ii), (iii) and (iv) within the meaning of Article 41 of the Criminal Code;

vi) acting as an accomplice within the meaning of Article 42 of the Criminal Code in respect of any of the matters or activities defined in the above foregoing subparagraphs (i), (ii), (iii), (iv) and (v).

Wherefore, the Attorney General, in his capacity, accused Noor Faizura Azura Binti Md Lias during the months preceding the seventeenth (17) March of the year two thousand and eight (2008), by several acts even though committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, of rendering herself guilty of carrying out acts of money laundering by:

i) converting or transferring property knowing or suspecting that such property is derived directly or indirectly from, or the proceeds of, criminal activity or from an act or acts of participation in criminal activity, for the purpose of or purposes of concealing or disguising the

origin of the property or of assisting any person or persons involved or concerned in criminal activity;

ii) concealing or disguising the true nature, source, location, disposition, movement, rights with respect of, in or over, or ownership of property, knowing or suspecting that such property is derived directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

iii) acquiring, possessing or using property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

iv) retaining property without reasonable excuse knowing that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

v) attempting any of the matters or activities defined in the above foregoing paragraphs (i), (ii), (iii) and (iv) within the meaning of Article 41 of the Criminal Code;

vi) acting as an accomplice within the meaning of Article 42 of the Criminal Code in respect of any of the matters or activities defined in the above foregoing subparagraphs (i), (ii), (iii), (iv) and (v).

Demanded that the accused be proceeded against according to law, and that she be sentenced to the punishment of imprisonment of not less than three years but not exceeding fourteen years or to a fine (multa) of not less than twenty three thousand two hundred and ninety three Euro and seventy three cents but not exceeding two million and three hundred and twenty-nine thousand and three hundred and seventy-three Euro and forty cents (€2,329,373.40) or to both such fine and imprisonment, and to the forfeiture in favour of the Government of the proceeds or of such property the value of which corresponds to the value of such proceeds, as is stipulated and laid down in sections 2, 3(1), 3(2A)(a)(i), 3(3) and 3(5)(a)(b)(c) of Chapter 373 of the Laws of Malta, and articles 18, 41(1)(a), 42, 23, 23B and 533 of the Criminal Code, or to any other punishment applicable according to law to the declaration of guilty of the accused.

Having seen all the records of the case, including those of the compilation of evidence before the Court of Magistrates (Malta) as a Court of Criminal Inquiry;

Having seen the application filed by the said accused on the sixth October, 2009, whereby, after declaring that she was filing a guilty plea to the charges brought forward in her regard in the above referred to Bill of Indictment, requested that this Court orders a pre-sentencing report on the accused and that the two investigating inspectors, namely Dennis Theuma and Paul Vassallo be summoned to give evidence with regards to the plea in mitigation of punishment;

Having seen its decree of the 7th. October, 2009, whereby it rejected the first request but upheld the second request and ordered that the two police inspectors be summoned to give evidence on accused's plea in mitigation.

Having seen that in today's sitting the accused, in reply to the question as to whether she was guilty or not guilty of the charges preferred against her under the five counts of the Bill of Indictment, stated that she was pleading guilty thereto;

Having seen that this Court then warned the accused in the most solemn manner of the legal consequences of such statement and allowed her a short time to retract it, according to Section 453 (Chap. 9);

Having seen that the accused being granted such a time, persisted in her statement of admission of guilt;

Now therefore declares Noor Faizura Azura Binti Md Lias guilty of all five counts in the Bill of Indictment, namely of having:-

1. On the 17th March, 2008, and in the preceding months, in Malta and outside Malta by several acts even though committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, been guilty

of conspiracy to trafficking in dangerous drugs (cocaine) in breach of the provisions of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta) or of promoting, constituting, organising or financing the conspiracy;

2. On the 17th March, 2008, and in preceding months at Malta International Airport by several acts even though committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, been guilty of meaning to bring or causing to be brought into Malta in any manner whatsoever a dangerous drug (cocaine), being a drug specified and controlled under the provisions of Part I, First Schedule, of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta), when she was not in possession of any valid and subsisting import authorisation granted in pursuance of the said law;

3. On the 17th March, 2008 and in preceding months, by several acts even though committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, been guilty of possession of a dangerous drug (cocaine), being a drug specified and controlled under the provisions of Part I, First Schedule, of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta), when not in possession of any valid and subsisting import or possession authorization granted in pursuance of the said law, and with intent to supply same in that such possession was not for the exclusive use of the offender;

4. On the 17th March, 2008 and in preceding months, by several acts even though committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, sold or otherwise dealt in an illegal substance (cocaine), without a license by the Minister responsible for Health or without being authorised by these Rules or by authority granted by the Minister responsible for Health to supply the drug mentioned (cocaine), or without being in possession of an import or export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of Part VI of the Ordinance, and without being

licensed or otherwise authorised to manufacture the drug or without a license to procure the same;

5. during the months preceding and on the seventeenth (17) March of the year two thousand and eight (2008), by several acts even though committed at different times but constituting a violation of the same provisions of law and committed in pursuance of the same design, of rendering herself guilty of carrying out acts of money laundering by:

- i) converting or transferring property knowing or suspecting that such property is derived directly or indirectly from, or the proceeds of, criminal activity or from an act or acts of participation in criminal activity, for the purpose of or purposes of concealing or disguising the origin of the property or of assisting any person or persons involved or concerned in criminal activity;
- ii) concealing or disguising the true nature, source, location, disposition, movement, rights with respect of, in or over, or ownership of property, knowing or suspecting that such property is derived directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- iii) acquiring, possessing or using property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- iv) retaining property without reasonable excuse knowing that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- v) attempting any of the matters or activities defined in the above foregoing paragraphs (i), (ii), (iii) and (iv) within the meaning of Article 41 of the Criminal Code;
- vi) acting as an accomplice within the meaning of Article 42 of the Criminal Code in respect of any of the matters or activities defined in the above foregoing sub-paragraphs (i), (ii), (iii), (iv) and (v).

Having heard submissions of Defence Counsel and of Counsel for the Prosecution regarding the plea in mitigation for the purposes of punishment;

Having heard the evidence of Inspector Dennis Theuma who testified that in this case accused cooperated with the Police in attempting to effect a controlled delivery, albeit unsuccessfully. as well as the evidence of accused herself who described the circumstances of the case and her financial problem. .

Having considered in the accused's favour:-

1. the fact that she admitted her involvement and knowledge of the drug importation of 2 packets consisting of cocaine in the amount of 1012 grams., possession and conspiracy to traffic in drugs at a very early stage of the Police investigations, albeit that she was caught red-handed and had very little option of doing anything else;
2. her admission of guilt before this Court at the first available opportunity , namely upon being served with the Bill of Indictment ;
3. as well as the fact that her criminal record in Malta is clean; and
4. that she cooperated with the Police in attempting to effect a controlled delivery, albeit unsuccessfully.

Having on the other hand considered that: -

1. the accused had offered her services for the illegal importation into these Islands of a very substantial consignment of cocaine, i.e. 1012 grams of cocaine of a purity of 40% with a street (retail value) value in the region between Euro 60,804, and Euro 106,057.60, with the dire consequences that this would have caused among the local population had it not been intercepted by the Customs and the Police at the Airport;
2. that she did this purely for financial gain, as results from her statement to the police, albeit because she was in financial straits;
3. that the incident of the 17th. March 2008 was not the first one when she imported drugs into Malta but at least the third occasion when she did so.
4. that in this case – unlike previous cases - accused is also being found guilty of the serious offence of money laundering in that she carried the proceeds

of her illicit activity on the two previous occasions, outside Malta.

5. having also considered that the punishment should also serve as a deterrent to like-minded persons who are involved in similar operations of drug importation and trafficking in these Islands ;

Having considered the relevant case law of our Courts and of foreign courts regarding pleas in mitigation of punishment in cases of an admission of guilt at an early stage of the proceedings;

Having considered that the Prosecution and Defence agreed that, for purposes of punishment, the First and Second Counts of the Bill of Indictment regarding the crimes of conspiracy and importation respectively, should be absorbed in the offence of unlawful possession of drugs under circumstances which indicate that said drugs were not intended for the exclusive use of the offender, contemplated in the Third Count of the Bill of Indictment as well as in the charge of trafficking contained in the Fourth Count of the Bill of Indictment as they served as a means to an end for the commission of the offences under the said Third and Fourth Counts of the Bill of Indictment in terms of Section 17 (h) of the Criminal Code (Chap.9) ;

Having seen articles 2, 3(1), 3(2A)(a)(i), 3(3), 3(5)(a)(b)(c), of Chapter 373, and articles 9, 10(1) 12, 14, 15A, 20, 22(1)(a)(f)(1A)(1B)(2)(a)(f)(i)(3A)(a)(b)(c)(d), and 26 of the Dangerous Drugs Ordinance (Chap.101); Regulations 4 and 9 of the 1939 Regulations for the Internal Control of Dangerous Drugs (L.N. 292/1939) and Sections 18, 23, 23B, 41(1)(a), 42 and 533 of the Criminal Code ;

Now therefore condemns the said Noor Faizura Azura Binti Md Lias to a term of imprisonment of fifteen (15) years, and to the payment of a fine (multa) of seventy thousand Euros (€ 70,000), which fine (multa) shall be converted into a further term of imprisonment of two (2) years according to Law, in default of payment ;

Furthermore condemns her to pay the sum of eight hundred and seventy one Euros and one Euro cent (€ 871.01) being the sum total of the expenses incurred in the appointment of Court Experts in this case in terms of Section 533 of Chapter 9 of the Laws of Malta;

Furthermore, orders the forfeiture in favour of the Government of Malta of all the property involved in the said crimes of which she has been found guilty and other moveable and immovable property belonging to the said Noor Faizura Azura Binti Md Lias ;

And finally orders the destruction of all the objects exhibited in Court, consisting of the dangerous drugs or objects related to the abuse of drugs, which destruction shall be carried out by the chemist Mario Mifsud, under the direct supervision of the Deputy Registrar of this Court who shall be bound to report in writing to this Court when such destruction has been completed, unless the Attorney General files a note within fifteen days declaring that said drugs are required in evidence against third parties.

< Final Judgement >

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