



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

**MAGISTRATE DR.
CAROL PERALTA**

Sitting of the 11th July, 2012

Number. 703/2012

The Court:

Having seen the accusations brought against the accused Ukic Tomislav holder of Croatian Passport Number 3790838.

Accused that:

1. On the 10th of July 2012 at Grand Harbour Marina Birgu, as a Master, owner of any cargo, ship and /or a person responsible of any vessel, namely 'Odette', which he had in his interest the safety of life, the prevention of pollution to the marine environment, the effective and efficient control of such pollution and the protection of the property of others failed to comply with such obligations;
2. And also on the same date, place and circumstances, as the person responsible of the ship or any vessel, namely 'Odette' has failed to ensure that no

substance is discharged or allowed to escape into the ports, internal and territorial waters of Malta;

3. And also on the same date, place and circumstances, as the person responsible of the ship or any vessel, namely 'Odette', has failed to report, when it was in his responsibility for immediate reporting to the Authority of any emergency situation, whether already existing or perceived to be developing, or of the presence of any substance in the internal and territorial waters;

4. And also on the same date, place and circumstances, as the person responsible of the ship or any vessel, namely 'Odette', has discharged, leaked or run into the waters of any harbour or into any part of the internal waters or of the territorial waters of Malta from any vessel or any place afloat, or from any place on land, or from any apparatus used for transferring petroleum or other oils from or to any vessel, any petroleum or other oil or any mixture containing petroleum or other oil.

Read the documents;

Heard the evidence;

After having seen the Articles 5, 6 and 7 of Sub-Legislation 499.12 and Article 228 of Chapter 9 of the Laws of Malta.

This Court finds the accused guilty of all charges brought against him, and fines him €233 which has to be paid within six (6) months as from today according to Article 28H of Chapter 9 of the Laws of Malta.

< Final Judgement >

Informal Copy of Judgement

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