



Magistrates Court (Malta)
As a Court of Criminal Judicature
Magistrat Dr. Francesco Depasquale LL.D., LL.M. (IMLI)

The Police
(Inspector Jonathan Ferris)

Vs

Msgna Khasay

Today 13th October, 2015

The Court;

Saw the accusations on behalf of the Director General (Malta Customs) brought against Msgna Khasay, of 27 years, son of Khasay and Welesh, born in Adirasi (Eritrea) on the 01st January 1988 and without a fixed address, holder of Italian Travel Document 063639;

And charged him for having on the 12th October, 2015, at the Malta International Airport, upon his arrival from Rome by flight number VY 6260, knowingly, failed to declare to Customs, when he passed through the Blue Exit with 77 packets x 250 grams each packet – **Nakhla Water Pipe Tobacco.**

This **tobacco**, the importation of which is prohibited and/or restricted and/or limited, have a **Value of €635.25, Excise Duty due €626.40, and also Import Duty and Value Added Tax (VAT). Amounting to €475.80 and €312.74 respectively,** which Duties and Tax were not paid or secured.

On behalf of the Commissioner for Revenue, is accused for having on the 12th of October 2015, at the Malta International Airport, upon his arrival from Rome by flight number VY 6260, knowingly, failed to declare to Customs, when he passed through the Blue Exit with 77 packets x 250 grams each packet – **Nakhla Water Pipe Tobacco.**

This **tobacco**, the importation of which is prohibited and/or restricted and/or limited, have a **Value of €635.25, Excise Duty due €626.40, and also Import Duty and Value Added Tax (VAT). Amounting to €475.80 and €312.74 respectively**, which Duties and Tax were not paid or secured.

The Court is also hereby kindly requested that, in pronouncing judgment or in any subsequent order, sentence the person/s convicted, jointly or severally, to the payment, wholly or in part, to the Registrar, of the costs incurred in connection with the employment in the proceedings of any expert or referee, within such period and in such amount as shall be determined in the judgment or order, as per Section 533 of Chapter 9 of the Laws of Malta.

Heard the accused admission.

Gave him time to reconsider his admission, having consulted his lawyer, confirmed his admission.

Thus finds the accused guilty and after having seen the law, finds the accused guilty of all the accusations, condemns him to a period of imprisonment of 2 months and fines him a multa of €3,306.60 being the multa related to the import and exise duty not paid of which €1,102.20 is payable directly to the customs department as well as a multa of €938.22 being the multa related to the VAT not paid of which €312.74 is payable directly to the VAT department.

The court also orders the confiscation of all the water pipe tobacco which was found in the possession of the accused.

Dr. Francesco Depasquale LL.D., LL.M. (IMLI)
Magistrat

Marisa Bugeja
Deputat Registratur