



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

**Magistrate Dr. Monica Vella LL.D., M.Jur**

**The Police  
(Insp. Jonathan Cassar)**

**vs**

**Alexander Terence Smith**

**Today, 31st March, 2016**

The Court;

Having seen the accusations brought against:

**Alexander Terence Smith**, holder of United Kingdom of Great Britain and Northern Ireland Passport No 534671509;

**Charged** with having on the 29<sup>th</sup> March 2016, in the Maltese islands:-

1. Imported or caused to be imported the psychotropic and restricted drugs without due authorization, in breach of the Medical and Kindred Professions Ordinance, Chapter 31 of

the Laws of Malta and the Regulations for the Control of Medicines, L.N. 22/1985 as amended;

2. Imported, or caused to be imported, or took any steps preparatory to import any dangerous drug (*cocaine*) into Malta in breach of section 15A of Chapter 101 of the Laws of Malta;
3. Had in his possession the psychotropic and restricted drugs without a special authorisation in writing by the superintendent of Public Health, in breach of the provisions of the Medical and Kindred Professions Ordinance Chap 31 laws of Malta and the Drugs (Control) Regulations, Legal Notice 22 of 1985 as amended, **which drug was found under circumstances denoting that it was not intended for his personal use;**
4. Had in his possession the drugs (*cocaine*) specified in the First Schedule of the Dangerous Drug Ordinance, Chapter 101 of the Laws of Malta, when he was not in possession of an import or an export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of paragraphs 4 and 6 of the Ordinance, and when he was not licensed or otherwise authorised to manufacture or supply the mentioned drugs, and was not otherwise licensed by the President of Malta or authorised by the Internal Control of Dangerous Drugs Regulations (G.N.292/1939) to be in possession of the mentioned drugs, and failed to prove that the mentioned drugs was supplied to him for his personal use, according to a medical prescription as provided in the said regulations,

and this in breach of the 1939 Regulations, of the Internal Control of Dangerous Drugs (G.N.292/1939) as subsequently amended by the Dangerous Drugs Ordinance Chapter 101, of the Laws of Malta **which drug was found under circumstances denoting that it was not intended for his personal use;**

The Court is being humbly requested to order the accused for the payment of the costs incurred in connection with the employment in the proceedings of any expert or referee, in virtue of article 533(1) of Chapter 9 of the Laws of Malta;

Having seen all the documents exhibited by the prosecution;

Having seen the records of the case;

Having explained to the accused the charges against him;

Having heard the accused plead guilty to said charges in today's sitting, and this in the presence of Defence Counsel Dr. Noel Bartolo, thus upon such guilty plea the Court can only find the accused guilty as charged;

Having warned the accused of the legal consequences of such guilty plea and having given the accused further time to reconsider his guilty plea and having heard the accused reconfirm his guilty plea during his arraignment before this Court and thus said guilty plea was registered in the acts of today's sitting, the 31st March, 2016;

Having seen the conduct sheet of the accused representative only of his conduct during his stay in Malta;

Therefore the Court, having seen Chapter 31 of the Laws of Malta, L.N. 22/1985 as amended, Article 15A of Chapter 101 and Chapter 101 of the Laws of Malta, commits the accused to a term of imprisonment of four (4) years imprisonment from today and to a fine of ten thousand Euro (€10,000).

The Court explained to the accused his obligations arising out of this judgement.

*(ft) Magistrate Dr. Monica Vella LL.D., M. Jur.*

(ft) Angelo Buttigieg  
Deputy Registrar