



**Court of Magistrates (Malta)
As a Court of Criminal Judicature**

Magistrate Dr. Doreen Clarke LL.D.

Today, 5th May 2018

**The Police
(Inspector Justine Grech)
VS
Nicholas James McLeod**

The Court,

Having seen the charges against Nicholas James Mcleod, holder of British driving license number MCLEO807135NJ9UR14.

Charged him with having in these islands on the 5th May 2018:-

- a. Had in his possession the psychotropic and restricted drug without a special authorisation in writing by the superintendent of the Public Health, in breach of the provisions of the Medical and Kindred Professions Ordinance Chapter 31 of the Laws of Malta, and the Drugs (Control) Regulations Legal Notice 22 of 1985 as amended.
- b. 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 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 the Dangerous Drugs (G.N. 292/1939) as subsequently amended by the Dangerous Drugs Ordinance Chapter 101, of the Laws of Malta.

Having seen the order of the Attorney General for these proceedings to be heard summarily by this Court sitting as a Court of Criminal Judicature.

Having seen that the defendant admitted the charges brought against him, and that he confirmed this admission of guilt even after having been given time to reconsider his plea.

Having seen the documents filed by the prosecuting officer.

Having heard the submissions regarding the penalty to be meted out.

Having considered

That defendant admitted the charges brought against him; these are consequently sufficiently proven.

With regards to the penalty to be meted out the Court took into consideration the nature of the offences of which the defendant is being found guilty, his cooperation with the investigating officer, and his admission at the earliest stage of these proceedings.

Wherefore the Court, after having seen sections 40A and 120A of Chapter 31 of the Laws of Malta and the regulations of Legal Notice 22 of the year 1985, and parts 4 and 6 and section 22(2) of Chapter 101 of the Laws of Malta and the regulations of Legal Notice 292 of the year 1939, on his admission finds defendant guilty of the charges brought against him and whilst condemning him to a fine of five hundred Euros (€500), by application of section 22 of Chapter 446 of the Laws of Malta is discharging him on condition that he does not commit any other offence for a period of eighteen months.

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he commit an other offence in the period of eighteen months.

DR. DOREEN CLARKE
MAGISTRAT