



Court of Magistrates (Malta) as a Court of Criminal Judicature

THE POLICE (INSPECTOR NICHOLAS VELLA) V. IRENA LOZANOVSKA (ID. 192150A)

MAGISTRATE: DR. VICTOR G. AXIAK

11/07/2023

THE COURT,

Having seen the charges issued against the accused:

As you have been charged that on the 28/11/2022 at about 10.40hrs at Triq Is-Salina, Naxxar,

(1). You drove vehicle No.JAE572 when it was not licenced by the Authority for Transport in Malta to be used on the road. (Vehicle licence not renewed). (Sec.15(1)(a)(3) Chap.65).

(2). You drove vehicle No.JAE572 when it was not covered by a policy of insurance in respect of third partly risks. (Sec.3(1) Chap.104).

Having heard the witnesses summoned before it and having considered the testimony that was produced, that is, the testimony of EO 227 Juan Mizzi and Stephen Cachia (affidavit - Transport Malta);

Having seen all the acts of the case;

Having heard final submissions made by the Prosecution and the Defence;

Is giving the following

Judgement

From the testimony of **EO 227 Juan Mizzi** it results that on the date, at the time and in the place indicated on the summons, Irena Lozanovska (ID. 192150A) had been driving a vehicle (Subaru Vivio) with registration number JAE 572.

From the affidavit of **Stephen Cachia** (Transport Malta) it results that on the date in question the vehicle was registered on Ms. Lozanovska but its road license had expired on 31 October 2022 and was subsequently renewed on 29 November 2022.

The first charge has therefore been proven by the Prosecution.

With regard to the second charge, the accused failed to discharge the burden imposed on her in terms of law (Art. 3(1A) of Ch. 104) to prove that there was a policy of insurance in force with regard to her use of the vehicle on the day in question. Therefore this second charge has also been proven.

Decision

For the abovementioned reasons, having seen the relevant article/s of the law (Chapter 65 Art. 15(1)(a) and Chapter 104 Art. 3(1)) the Court finds the accused guilty of the charges brought against her and fines her the amount of two thousand four hundred euro (€ 2,400) payable in twenty-four (24) equal monthly instalments in accordance with Art. 14(2) of Chapter 9 of the Laws of Malta.

In addition to the fine, the Court disqualifies the offender from holding or obtaining a driving licence for a period of twelve (12) months and eight (8) days (Ch. 65 Art. 15(3), Chapter 104 Art. 3(2A)).

**V.G. Axiak
Magistrate**

**Y.M. Pace
Dep. Registrar**