



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

**MAGISTRATE DR.
ANTONIO MIZZI**

Sitting of the 16 th June, 2006

Number 515/2006

The Police
(Inspector Angelo Gafa')
vs
Jiahui Wu, son of Xiao Ru,
born in Chongqing, China
on the 16th July, 1984
and
Da Lian, son of Huai Bin,
born in Jiangsu, China
on the 17th June, 1983

The Court,
Having seen the charges proffered against the accused
for having in these Islands, on the 25th May, 2006 and in
the previous months, by means of several acts, even if at
different times, that constituted violations of the same
provisions of the law, and committed in persuance of the
same design, without authorisation, used another
person's access code, password, user name, electronic

mail address or other means of access or identification information in a computer;

JIAHUI WU, alone, is also charged for having in the same period and under the same circumstances, without authorisation, disclosed a password or any other means of access, access code or other access information to any unauthorised person.

The Court has been requested that besides awarding the punishments prescribed by law, orders the seizure of the exhibited items.

Having seen the note filed by the Attorney General whereby he gave his consent that this case be tried summarily.

Having seen the records of the case of the 26th May, 2006 where the accused admitted to the charges as proffered.

Having heard the prosecuting officer and the defence counsel of both the accused with regard to the punishment which is to be meted out.

Consequently, the Court finds both the accused guilty of the charges as proffered. With regard to Jiahui Wu, having seen sections 18, 337C(1)(i)(h) of the Criminal Code condemns him to a term of imprisonment of two years. Having seen section 28A of the Criminal Code orders that such punishment be not applied unless the accused commits a further offence punishable by imprisonment within a period of four years from today. With regard to Da Lian, having seen sections 18, 337C(1)(i) of the Criminal Code condemns him to a term of imprisonment of two years. Having seen section 28A of the Criminal Code orders that such punishment be not applied unless the accused commits a further offence punishable by imprisonment within a period of four years from today. Moreover, the Court orders the seizure of the exhibited items.

Informal Copy of Judgement

< Final Judgement >

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