



**QORTI TAL-MAGISTRATI (MALTA)  
BHALA QORTI TA' GUDIKATURA KRIMINALI**

**MAGISTRAT DR.  
MARSEANN FARRUGIA**

Seduta ta' l-4 ta' Marzu, 2013

Numru. 499/2011

**The Police  
(Inspector Dennis Theuma)**

**vs.**

**Terry Embleton**

The Court,

Having seen the charge brought against Terry Embleton, 56 years, son of Thomas and Betty nee Burrige, born on the 26<sup>th</sup> May 1970 in Sutton in Ashton UK, residing "Kelly Flats", Flat 1 / New Jersey Apts, Flat 1, Qawra Coast, Qawra and holder of British passport bearing number 208583525 and holder of identity card number 42059(A)

Charged with having on these Islands on the 13<sup>th</sup> December 2011 and during the preceding five months before:

1. produced, sold or otherwise dealt with the whole or any portion of the plant cannabis in terms of Section 8(e) of Chapter 101 of the Laws of Malta;
2. had in his possession (otherwise than in the course of transit through Malta of the territorial waters thereof) the whole or any portion of the plant cannabis in terms of Section 8(d) of Chapter 101 of the Laws of Malta, which drug was found under circumstances denoting that it was not intended for his personal use;
3. had been in possession of the restricted and psychotropic medicine (Ecstasy) when not authorized accordingly, in breach of the Medical and Kindred Professions Ordinance Chapter 31 of the Laws of Malta and the Regulations on the Control of Medicines (Legal Notice 22 of 1985) as amended;
4. had in his possession (otherwise than in the course of transit through Malta or the territorial waters thereof) the resin obtained from the plant cannabis, or any other preparation of which such resin formed the base, in terms of Section 8(a) of Chapter 101 of the Laws of Malta.

The Court was also requested to apply Section 533(1) of Chapter 9 of the Laws of Malta, as regards to the expenses incurred by the court-appointed experts.

After having heard the evidence and seen the all the records of the case, including the order of the Attorney General in virtue of subsection two (2) of Section 22 of the Dangerous Drugs Ordinance (Chapter 101), and the order of the Attorney General in virtue of subsection (2) of Section 120A of the Medical and Kindred Professions Ordinance (Chapter 31) for this case to heard by this Court as a Court of Criminal Judicature;

After having seen the note of final submissions of the prosecuting officer.

After having heard the oral final submissions of the parties.

Considered that:

### **Considerations on Guilt**

The relevant facts of this case are as follows:

1. On the 13<sup>th</sup> December 2011, police officers forming part of the Drugs Squad went to carry out a search and arrest warrant in the residence of the accused.

2. Prior to actually executing the warrant, a certain Luca Zerafa was seen coming out of the residence of the accused. After being followed by the police he was searched and he was found to be in possession of a small plastic bag containing a substance, which in these proceedings resulted to be cannabis grass.

3. After arresting Luca Zerafa, the police officers executed their warrant of search in the residence of the accused, where he was found together with his wife Kerry Embleton. Upon entering the residence, the police officers duly cautioned the accused.<sup>1</sup> The police found *inter alia* the following drugs and drug related items: 74 sachets of plastic containing a substance, which during these proceedings resulted to be cannabis grass, one ecstasy tablet, one digital kitchen scales, a bonk, a resin grater and two roaches in an ashtray. 73 of the sachets were found in a plastic container on the table, and another sachet was on the table near the box. The accused voluntarily took full responsibility for all the items found and seized inside the flat. The police also found a wallet with about €200, which the wife of the accused said were being kept aside to pay the rent of the residence, and this amount of money was not seized by the police.<sup>2</sup>

In his statement, the accused admitted that he has a high dependency on cannabis, but insisted that all the cannabis found at his residence was for his personal use. He said that he consumes 3 packets of 0.6 grams cannabis grass every day. He admitted that some time before he was arrested, he gave to Luca Zerafa a packet of cannabis grass, but insisted he gave it to him for free and this happened only once.<sup>3</sup>

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<sup>1</sup> See evidence of PC 891 Oscar Baldacchino at page 65 of the records of the case.

<sup>2</sup> See evidence of PC10 Trevor Cassar Mallia at page 78 of the records of the proceedings and evidence of PS 579 Antoine Micallef at pages 86-87 of the records.

<sup>3</sup> See statement of accused at page 7 of the records of the proceedings.

In view of the above, the exercise which has to be undertaken by this Court is to analyse whether the charges brought against the accused have been proved by the prosecution beyond reasonable doubt. For this purpose, the Court is going to examine the evidence brought in respect of each charge.

1. *dealing in the cannabis plant*

As already stated above, in his statement the accused admitted that some time before he was arrested, he gave to Luca Zerafa a packet of cannabis grass, but insisted he gave it to him for free and this happened only once.<sup>4</sup> This is enough for the charge of trafficking to be proved according to the level of proof required in criminal law, because in terms of Section 22 (1B) of Chapter 101 of the Laws of Malta, the word “dealing” is defined as follows: *“For the purposes of this Ordinance the word “dealing” (with its grammatical variations and cognate expressions) with reference to dealing in a drug, includes cultivation, importation in such circumstances that the Court is satisfied that such importation was not for the exclusive use of the offender, manufacture, exportation, distribution, production, administration, supply, the offer to do any of these acts, and the giving of information intended to lead to the purchase of such a drug contrary to the provisions of this Ordinance.”* Hence, for the crime of dealing in drugs to take place, it is not necessary that the accused gave the drugs against an onerous title – even if he gave the drugs to a third party gratuitously, the crime of dealing with drugs still subsists. This interpretation was upheld by the Court of Criminal Appeal<sup>5</sup> on the 26<sup>th</sup> August 1998 in the case **The Police v. Marvin Cachia**, wherein it was held that *“Il-Qorti tosserva qabel xejn li meta wiehed ikollu d-droga (f’dan il-kaz raza tal-cannabis) u jew jaqsamha ma’ haddiehor (anke jekk mhux ghall-flus jew xi korrissettiv iehor) jew jippermetti lil haddiehor li juza minnha, ikun hemm it-traffikar skont il-ligi.”* An informal English translation of this *dictum* is as follows *“First of all*

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<sup>4</sup> See statement of accused at page 7 of the records of the proceedings.

<sup>5</sup> Presided by Judge V. De Gaetano

*the Court observes that when a person has in his possession drugs (in this case cannabis resin) and he either shares it with another person (even if not against payment of money or some other form of compensation) or he allows another person to make use of it, there is “dealing” according to the law.”*

In this case, Luca Zerafa confirmed the statement he made to the Police Inspector on oath before a magistrate. In his sworn statement, Luca Zerafa said that he got to know from third parties that the accused sold cannabis grass, and that since August 2011 he had bought cannabis grass from the accused on 5 different occasions. Zerafa said that the accused used to charge him €25.00 per packet, and the accused used to tell him that each packet contained 1 gram of cannabis grass, but Zerafa suspected it contained less.<sup>6</sup> Zerafa repeated this version of facts on oath in these proceedings. He also said that he was arrested after he had just bought a packet of cannabis grass from the accused.<sup>7</sup> Contrary to what the defence maintains, as already stated money was found in the search of the residence, but since the wife of the accused said they were they were saving it to pay rent, it was not seized.<sup>8</sup> In his statement, the accused denied that he ever sold drugs, and insisted that he gave the packet of cannabis grass to Zerafa gratuitously.<sup>9</sup> This Court had the opportunity to see the witness Luca Zerafa give evidence before her, and has no reason to doubt the veracity of his evidence.

In fact in his evidence, the expert appointed by the Court, Pharmacist Mario Mifsud, said Dok DT 7 – which is the packet of cannabis grass found in the possession of Luca Zerafa<sup>10</sup> - contained 6.02 grams, and its plastic packing was similar to the plastic packets in Dok KG1 (the 74 packets found in the possession of the accused). Also the weight of the herbal cannabis in Dok DT7 was in the

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<sup>6</sup> See Dok OD1 at page 16 of the records of the proceedings.

<sup>7</sup> See evidence given by Luca Zerafa at pages 33-36 of the records of the proceedings.

<sup>8</sup> See evidence of PC10 Trevor Cassar Mallia at page 78 of the records of the proceedings and evidence of PS 579 Antoine Micallef at pages 86-87 of the records.

<sup>9</sup> See statement of the accused at page 7 of the records of the proceedings.

<sup>10</sup> See evidence of Inspector Dennis Theuma at page 22 of the records of the proceedings.

range of at least 68 out of the 74 packets found in the possession of the accused. Also the ratio of the chemicals found in the cannabis plants were very similar with regards to all the samples of all the herbal cannabis found in the 74 different packets. The purity of Dok DT7 was also in the range of the purity found in the other 74 packets. Consequently, Pharmacist Mifsud could not exclude the possibility that the herbal cannabis found in Dok DT7 (i.e. that found in the possession of Luca Zerafa) did not have the same origin as the other 74 packets found in the possession of the accused.<sup>11</sup>

Furthermore, Inspector Jesmond J. Borg – who was the first inspector to speak to the accused – testified that after the accused refused to take legal advice,<sup>12</sup> and after he had cautioned the accused with his right to remain silent, the accused admitted that he had the drugs not solely for himself but that he used to share some of the drugs and traffic drugs with others, so that he could maintain his habit.<sup>13</sup>

The Court is making it clear that it is not taking into consideration the evidence of the other police officials regarding what the accused told them during the search at his residence, because at that point, although the accused had been cautioned about his right to remain silent,<sup>14</sup> it does not result from the records of the proceedings that the accused was informed of his right to seek legal advice, prior to speaking to the police.

However, as already stated above, before the accused started speaking to Inspector Jesmond J. Borg, he was informed with both his right to seek legal advice (which he refused) as well as his right to remain silent. And hence the Court is taking into consideration as well the evidence

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<sup>11</sup> See evidence of Pharmacist Mario Mifsud at pages 235-236 of the records of the proceedings.

<sup>12</sup> See Dok DT4 at page 31 of the proceedings, containing the signed declaration of the accused of his refusal to take legal advice prior to interrogation.

<sup>13</sup> See evidence of Inspector Jesmond J. Borg at page 105 and 107 of the records of the proceedings.

<sup>14</sup> See evidence of PC 891 Oscar Baldacchino at page 65 of the records of the case.

of Inspector Borg as regards to what the accused told him.

It is true that the witness Xanthe Norstad, who lived for about 10 weeks<sup>15</sup> with the couple Embleton and who has known them for around 4 years, confirmed on oath that the accused does not sell drugs.<sup>16</sup> But the same witness also said that she got to know that the accused abused of cannabis roughly two (2) years before,<sup>17</sup> and when asked whether she knew from where the accused got the drugs she replied *"I don't know because I don't see him going out buying it. I did not get involved. I had abused long time ago and I don't want to go near it."*<sup>18</sup> Since this witness *ex admissis* did not want to get involved in the drug habits of the accused, and did not even know from where and when he obtained the drugs, despite the fact that she was a close friend of the accused and his wife, and for a short while was living with them, in the considered opinion of this Court, her statement that the accused does not sell drugs in the circumstances is not credible.

The witness Christopher George Farrugia, who has known the accused for about 4 years, also states that he is not aware that the accused sells drugs.<sup>19</sup> But from his evidence, there is no indication of how close was his friendship with the accused. In fact when asked by the defence lawyer whether the accused ever told him from where he bought the drugs, the answer was *"No, I never ask those questions."*<sup>20</sup> This indicates that even this witness did not want to get involved in the drug problem of the accused, and in fact his evidence is very superficial. Hence, in the considered opinion of this Court even the statement of witness Farrugia that the accused does not sell drugs is in the circumstances not credible.

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<sup>15</sup> See evidence of Xanthe Norstad at page 130 of the record of the proceedings.

<sup>16</sup> See page 135 of the records of the proceedings.

<sup>17</sup> See page 137 of the records of the proceedings.

<sup>18</sup> See page 136 of the records of the proceedings.

<sup>19</sup> See page 292 of the records of the proceedings.

<sup>20</sup> See page 293 of the records of the proceedings.

The witness Kelly Agius, who has known the accused for about 5 years, states that the accused has a serious drug addiction problem.<sup>21</sup> He states that he is not aware that the accused bought drugs to resell them and that the drugs were for his own use.<sup>22</sup> But despite claiming to be a close friend of the accused, the witness did not know from where the accused got the drugs.<sup>23</sup> Although this witness said that he used to go to the Embleton's house once or twice a week and stay there from two (2) hours to a half a day, he said he never say anything related to illegal habits, nor did he see or observe anything illegal.<sup>24</sup> In the considered opinion of this court, this witness was not telling the truth. All witnesses, including the accused himself in his statement, admit that the accused had an addiction to cannabis, and so it is impossible that this witnesses stayed in the company of the accused at the latter's house for hours every week for 5 years and never saw him abuse cannabis or saw his bonk. His affirmation that the drugs in possession of the accused were for the personal use of the accused is even less credible.

In view of the above considerations, the Court is satisfied that the prosecution has succeeded in proving this charge of dealing in the cannabis grass beyond reasonable doubt.

*2. Possession of the Cannabis plant in circumstances denoting that it was not intended for his personal use.*

As already stated above, the accused was found in possession of 74 packets of cannabis grass. In the conclusion to his report, the expert Pharmacist Mario Mifsud stated that he found traces of THC on electronic balance, cannabis crusher, the like wooden pipe and also two used like home-made cigarettes. The plant material that was in the 74 packets in exhibit 115/12/12 and 115/12/05 respectively were found to be herbal cannabis, marijuana. The total weight was 46.01 grams. The purity

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<sup>21</sup> See page 296 of the records of the proceedings.

<sup>22</sup> See page 299 of the records of the proceedings.

<sup>23</sup> See page 296 and 299 of the records of the proceedings.

<sup>24</sup> See pages 302 - 304 of the records of the proceedings.

was 11.3%. He also worked out the retail price for the 46.01 grams of herbal cannabis and one tablet MDMA (ecstasy) and it resulted that it amounted to 1137 Euro.<sup>25</sup> When the expert was asked what is the average normal purity that one would expect to find in such a drug, he answered *“Normally in plant material it is about 5 or 6% but this was very good quality.”* He also stated that *“... if we work from the 46.01 grams you work about 150 joints.”*<sup>26</sup>

The expert pharmacist also stated that a person normally consumes about 3 to 4 joints a day, with this particular purity of the cannabis grass.<sup>27</sup> He also stated that out of the total of 74 packets, 68 packets were in the range between 0.54 and 0.66 grams and 6 packets ranged between 0.71 and 0.96 grams.<sup>28</sup>

In cross examination, the expert pharmacist said that one would need about 200 to 300mg of cannabis grass to make one joint.<sup>29</sup> He also stated that the intake from a pipe does not require more consumption of cannabis grass than from that consumed in a joint, *“because it all depends on the purity of the drug. It all depends on the quality of the drug itself. And this was a very good quality drug.”*<sup>30</sup> As he later explains *“If the quality is high, you consume less.”*<sup>31</sup>

In his statement, the accused said that he consumes daily three (3) packets of 0.6 grams each.<sup>32</sup> According to the expert pharmacist Mifsud, one joint or dose in a pipe requires 200 to 300mg of cannabis grass. This means that one packet of 0.6 grams is equivalent to 2 doses. Hence, if as alleged by the accused he was consuming 3

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<sup>25</sup> See report of Expert Pharmacist Mifsud exhibited as Dok MM1 at page 237 of the records.

<sup>26</sup> See evidence of Expert Pharmacist Mario Mifsud at page 233 of the record of the proceedings.

<sup>27</sup> See evidence of Expert Pharmacist Mario Mifsud at page 234 of the record of the proceedings.

<sup>28</sup> See report of Expert Pharmacist Mario Mifsud marked as Dok. MM2 at page 238 of the proceedings.

<sup>29</sup> See evidence of Expert Pharmacist Mario Mifsud at page 256 of the record of the proceedings.

<sup>30</sup> See evidence of Expert Pharmacist Mario Mifsud at page 258 of the record of the proceedings.

<sup>31</sup> See evidence of Expert Pharmacist Mario Mifsud at page 2634 of the record of the proceedings.

<sup>32</sup> See statement of the accused at page 7 of the proceedings.

packets of 0.6 grams each, it means that he was having 6 doses of cannabis grass per day. This amount is already in excess by 33% to the normal average dose indicated by the expert pharmacist, who as already mentioned above, said that a person normally consumes about 3 to 4 joints a day, with this particular purity – a high purity - of the cannabis grass. Even if for the sake of argument, this Court accepts as true the assertion of the accused that he was consuming 6 doses of cannabis grass per day, because – for the sake of argument only -due to the long years of abuse of this drug, his body became more tolerant to it, the Court is not morally convinced that all the 74 packets of cannabis grass were all intended for the exclusive use of the accused, and this for the following reasons:

1. if one typical dose of cannabis grass per day is 200mg to 300mg, one would have expected the cannabis grass to be divided into packets of about 300mg each, ready for the abuse of one dose. Instead, in his statement, the accused said that he uses the electronics scales to make small packets of around 0.6 grams each.<sup>33</sup> In fact, as already stated above, 68 out of the 74 packets found in the possession of the accused were in the average range of 0.6 grams, and the other 6 packets ranged between 0.71 and 0.96 grams. The explanation given by the accused simply does not make sense, because if he was weighing the cannabis grass to use for his own consumption, one would have expected to find packets in the range of 0.3 grams each, and not of 0.6 grams each, which means that the accused had to open the packet and measure again half the weight of that packet to obtain a dose of around 0.3 grams.
2. The packets of cannabis grass were all found in 74 individual practically identical packets – very convenient for selling. If the accused had the intention of consuming all the cannabis grass himself, one would have expected that he would have prepared the dose for 2 maximum 3 days in advance at most – if he was consuming 6 packets a day – then one would have expected to find 18 packets

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<sup>33</sup> See statement of the accused at page 7 of the proceedings.

of single doses (0.3grams) ready in packets, and the remaining cannabis grass in one single bag.

3. Expert pharmacist Mifsud said that the total weight of cannabis grass found was 46.01 grams, and the retail price of this drug together with one tablet ecstasy (which was also found in the possession of the accused) amounted to €1137. In his statement, the accused said *"I was paying 23 euros per gram of cannabis grass and I buy once a month, however I do not remember the exact amount I normally buy."*<sup>34</sup> First of all the Court does not believe the latter part of this assertion, namely that he does not know how much he normally buys. If he has a heavy cannabis addiction, as he would like this Court to believe, he would certainly know not only how much he consumes per day, but also an average of how much he buys per month. If the Court sticks to the amount of consumption and the price, the accused himself admitted in the statement, this would mean that, the accused consumed 3 packets of 0.6 grams per day or 1.8 grams per day. If one takes 1.8 grams per day and multiplies it by 30 days, it would make 54 grams, and if he was buying the drug at €23.00 per gram, that means that he used to buy €1242.00 (€23 x 54 grams) worth of cannabis grass per month. According to his own statement the accused has been unemployed for the past one month and a half before arrest and that his wife is also unemployed, he receives no social or invalidity benefits either from Malta or from United Kingdom and he has to pay €350 per month rent for his apartment, and he has no other money saved in Malta or abroad, and in fact the only money found during the search was less than €200, which his wife said were saved to pay the rent. In his statement, the accused said that he managed to finance his drug habit by doing *"small odd jobs like washing garages, washing cars and anything out of which I can get some cash"*.<sup>35</sup> The Court does not find this explanation credible at all, and in the circumstances, the only way in which the accused could finance the €1242.00 per month for his

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<sup>34</sup> See statement of the accused at page 7 of the proceedings.

<sup>35</sup> See statement of the accused at page 7 *retro* of the proceedings.

drug addiction, is by selling the cannabis grass to third parties.

4. As explained above from the evidence of witnesses Luca Zerafa and Inspector Jesmond Borg, it results that the accused used to sell cannabis grass to third parties. In the light of the above considerations, in the opinion of this Court, the prosecution has proven up to the level required under criminal law, this second charge, namely that the 74 packets of cannabis grass found in the possession of the accused were not all intended for his exclusive use.

### *3. Possession of a restricted and psychotropic medicine (Ecstasy)*

In his report and evidence, expert pharmacist Mifsud said that the tablet found at the residence of the accused contained the substance MDMA, which is ecstasy.<sup>36</sup> This is not denied by the accused, and in his statement he admitted that the ecstasy pill was given to him as a present for his last birthday.<sup>37</sup>

Hence this charge has been proven according to law.

### *4. Possession of Cannabis resin*

In his statement, the accused admitted that he also abused of cannabis resin, apart from cannabis grass.<sup>38</sup>

Hence this charge has also been proven according to law.

## **Considerations on Punishment**

As regards the punishment, the Court took into consideration the fact that the accused has a clean criminal record in Malta and has a clean criminal record in the United Kingdom.<sup>39</sup>

All charges against the accused have been proven according to law. The first two charges are that of drug trafficking – the transfer of possession from the accused to the witness Luca Zerafa and other third parties of the

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<sup>36</sup> See evidence of expert pharmacist Mifsud at page 233 of the proceedings.

<sup>37</sup> See statement of the accused at page 7 of the proceedings.

<sup>38</sup> See statement of the accused at page 6 *retro* of the records of the proceedings.

<sup>39</sup> See minute of Prosecuting Officer at page 308 of the records of the proceedings.

cannabis grass – and the second charge of having been found in possession of 74 packets of cannabis grass in circumstances which indicate that the packets were not all intended for his exclusive use. Although these two charges are separate, one can consider that one of them, that is the aggravated possession could have been designed for the commission of the first charge – drug trafficking, and consequently in terms of Section 17h of the Criminal Code, the Court is going to mete out one punishment, taking into account the fact that the punishment contemplated by law for both crimes is identical.

However, in meting out the punishment, the Court is also going to take into account the considerable number of packets (74) of cannabis grass found in the possession of the accused, the total weight of which was 46.01grams, and that its purity was high, and which would have yielded, according to the expert pharmacist 150 joints.

The Court is also taking into consideration that the accused had been trafficking cannabis grass for five (5) months prior to his arrest.

The Court does not consider that the fact that the accused was trafficking drugs to finance his own drug addiction to be a mitigating factor. As was it was held by the Court of Criminal Appeal<sup>40</sup> in the case **The Police v. Carmel Shone Aguis** decided on the 20th January 1997 (Appell Nru; 198/96), a person who has a drug addiction should try to rehabilitate himself and not accept to traffic drugs in order to acquire it without paying money. The bad habit of a person does not entitle him to cause damage to other people, and possibly ruin the lives of young people to satisfy his own needs.

As the Court of Criminal Appeal held in its judgement **The Police v. Charles Muscat**, decided on the 9th May 2002: *“Illi din il-Qorti speċjalment f’kazijiet bhal dawn relatati ma pprokurar u traffikar ta’ droga trid tibbilancja ukoll l-interess tal-appellant u tar-riforma tieghu bhala cittadin mal-aspett punittiv u ta’ deterrent ghalih u ghall-persuni ohra li imbarkaw jew behsiebhom jimbarkaw fuq attivita*

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<sup>40</sup> Presided by Judge V. De Gaetano

*tant nociva ghas-socjeta bhala ma hu l-ispacc jew l-iprokkurar ta' droga, partikolarment fost persuni ta' eta tenera, fenomenu dan li ta' kulljum u kull ma jmur qed johloq pjaga fis-socjeta u bir-ragun jikkreja allarm socjali li jesigi li min jinstab hati ta' eghmil simili jahsad dak li jkun zergha f'termini ta' piena.”* An informal translation of this dictum would be that in cases relating to drug trafficking and procurement, the Court has to balance the interest of the appellant and of his rehabilitation as a citizen with the punitive and deterrent aspect for him and for all other persons who embark or intend to embark on an activity which causes so much harm to society as is the case of dealing in drugs, especially among young people – this is a phenomenon which everyday and continuously is causing great pain in society and creates social alarm which demands that whoever is found guilty of such an act reaps what he sowed in terms of punishment.

### **Conclusion**

The Court, after seeing Article 8(a), 8(d), 8(e) Part IV and Part VI, and Section 22(1)(a) and Section 22(2)(b)(i) and (ii) of Chapter 101 of the Laws of Malta, and regulations 4 and 9 of GN 292/1939, and Articles 40A, 120A(1)(a), 120A(2)(b)(ii) and the Third Schedule of Chapter 31 of the Laws of Malta and Regulation 3(1) of Legal Notice 22/1985, finds the accused guilty as charged, and condemns him to four (4) years effective imprisonment, but one must deduct from this term of imprisonment any time prior to this judgement, during which, the person sentenced was being kept in prison under preventive arrest only in connection with the offences of which he has been found guilty to-day, and to a fine (multa) of three thousand Euro (€3000) which is to be paid immediately forthwith. If the person sentenced fails to pay the amount due as a fine, the fine will be converted into a period of imprisonment at the rate of one day imprisonment for every thirty-five Euro (€35.00) due.

The person sentenced is also condemned to pay all the expenses incurred in the appointment of experts in terms of Section 533(1) of Chapter 9 of the Laws of Malta within six (6) months from to-day, and if he fails to pay this amount, or if he fails to pay any balance of this amount

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within this time-limit, the amount or any balance of it will become immediately due and payable, and will be converted into a period of imprisonment at the rate of one day imprisonment for every eleven Euro and sixty-five cents (€11.65) due.

The Court orders that the drugs exhibited and any other object related to drugs exhibited is destroyed under the supervision of the Registrar.

**< Sentenza Finali >**

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