



MALTA

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

**MAGISTRATE DR.  
DOREEN CLARKE**

Sitting of the 8 th October, 2014

Number. 476/2014

**The Police  
(Inspector Nikolai Sant)**

**vs**

**Per Oscar Jacob Johansson**

**Case Number: 476/2014**

Today, the 8th October 2014

The Court

Having seen the charges against Per Oscar Jacob Johansson, aged 24, son of Michael and Annette Hult, born in Sweden on the 21<sup>st</sup> of February, 1990, residing at No. 55, 'Dolce Vita', Triq il-Gizimini, Swieqi and holder of Maltese Identity Card Number 0077690A and holder of Swedish Passport Number 85561534;

Charged with having on the 7<sup>th</sup> of October, 2014 and in the previous months on these islands;

1. Produced, sold or otherwise dealt with the whole or any portion of the plant Cannabis in terms of Section 8(e) of the Chapter 101 of the Laws of Malta;
2. Supplied or distributed or offered to supply or distribute the drug (cocaine), as specified in the First Schedule of the Dangerous Drug Ordinance, Chapter 101, of the Laws of Malta, to person/s or for the use of other person/s without being licensed by the President of Malta, without being fully authorised by the Internal Control of Dangerous Drugs Regulations (G.N. 292/1939), or by other authority given by the President of Malta, to supply this drug, and without being in possession of an import and export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of paragraph 6, of the Ordinance and when he was not duly licensed or otherwise authorised to manufacture or supply the mentioned drug, in pursuance of the provisions of Regulation 4 of the Internal Control of Dangerous Drugs Regulations (G.N. 292/1939) as subsequently amended by the Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta;
3. In his possession (otherwise than in the course of transit through Malta of the territorial waters thereof) the whole of any portion of the plant Cannabis in terms of Section 8(d) of the Chapter 101 of the Laws of Malta, which drug was found under circumstances denoting that it was not intended for his personal use;
4. 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.

5. 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 the Chapter 101 of the laws of Malta.

The Court was 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.

Having seen sections 8(d)(e) as well as parts 4 and 6 of Chapter 101 of the Laws of Malta and Regulation 4 of Legal Notice 292 of the year 1939.

Having seen the Order of the Attorney General for this case to tried summarily by this Court sitting as a Court of Criminal Judicature.

Having heard the defendant admit the charges brought against him and confirm his admission of guilt even after having been given time to reconsider his plea.

Having seen the documents filed by the prosecuting officer.

Having heard 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 the penalty to be meted out, the Court took into consideration on the one hand the nature of the offences of which defendant is being found guilty, and on the other hand his co-operation with the police, his clean conviction sheet, and his admission at the earliest stage of these proceedings.

Wherefore the Court, after having seen sections 8(d)(e) as well as parts 4 and 6 of Chapter 101 of the Laws of Malta and Regulation 4 of Legal Notice 292 of the year 1939, on his admission finds defendant guilty of the charges brought against him and condemns him to eight (8) months imprisonment and a fine (multa) of five hundred Euros (€500) which is to be paid within six months. The Court is also ordering the destruction of the exhibits marked Dok NS6 and Dok NS7 under the supervision of the Registrar of this Court.

**< Final Judgement >**

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