



MALTA

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

MAGISTRATE DR IAN FARRUGIA LL.D

Today 2nd February 2016

**The Police
(Inspector Hubert Cini)**

Vs

Osman Omar Abdiwahab

The Court;

Having seen the charges brought against Osman Omar Abdiwahab, with Id card number 0132193A – MT 4520216, wherein he was accused of having;

1. On the 2nd February 2016 at the Social Security Office in Triq il-Kunvent, Haz-Zabbar, at about 08:45 hrs committed forgery of any authentic and public instrument or of any commercial document or private bank document, by counterfeiting or altering the writing or signature, by feigning any fictitious agreement, disposition, obligation or discharge, or by the insertion of any such agreement, disposition, obligation or discharge in any of the said instruments or documents after the formation thereof, or by any addition to or alteration of any clause, declaration or fact which such instruments or documents were intended to contain or prove, in breach of Article 261, 183, of Chapter 9 of the Laws of Malta.

2. At the same time, place, dates and circumstances knowingly make use of any of the false acts, writings, instruments or documents mentioned in the preceding articles of this sub-title, in breach of Section 184 of the Criminal Code Chapter 9 of the Laws of Malta.
3. At the same time, place, dates and circumstances committed any other kind of forgery, or shall knowingly make use of any other forged document, not provided for in the preceding articles of this Title, in breach of Section 186 of the Criminal Code Chapter 9 of the Laws of Malta.
4. At the same time, place, dates and circumstances in order to gain any advantage or benefit for himself or others, shall, in any document intended for any public authority, knowingly make a false declaration or statement, or give false information, breach of Section 188 of the Criminal Code Chapter 9 of the Laws of Malta.
5. At the same time, place, dates and circumstances by means of any unlawful practice, or by the use of any fictitious name, or the assumption of any false designation, or by means of any other deceit, device or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit, or to create the expectation or apprehension of any chimerical event, shall make any gain to the prejudice of The Government of Malta and to the Social Security Department in breach of Section 308 of the Criminal Code Chpt. 9 of the Laws of Malta.
6. At the same time, place, dates and circumstances made, to the prejudice of The Government of Malta and to the Social Security Department, any other fraudulent gain not specified in the preceding articles of this sub-title, in breach of Section 309, 310 1(c) of the Criminal Code Chpt. 9 of the Laws of Malta.

Having seen all the documents exhibited in the acts of these proceedings;

Having heard accused plead guilty to the charges brought against him during today's arraignment and his insistence on such guilty plea after being given time according to law to reconsider;

Having heard prosecuting officer on oath;

Having seen the minutes of today's hearing;

Having heard submissions by the prosecution and the defence;

Considers;

That in view of the accused's guilty plea to all charges proffered against him, and since there is no reason emanating from these proceedings why this Court should not accept such plea, it is the duty of this Court to proceed with judgement and declare the accused guilty as charged.

In terms of punishment, this Court is taking into particular consideration the fact that the accused pleaded guilty at the earliest possible opportunity in these proceedings.

THEREFORE, THE COURT, having seen Articles 17, 31, 183, 184, 186, 188, 308, 309 and 310(1)(c) of Chapter 9 the Laws of Malta, finds and declares offender **Osman Omar Abdiwahab** guilty as charged and condemns him to a term of imprisonment of fifteen month (15) months suspended for a term of two years in terms of Article 28A of Chapter 9 of the Laws of Malta. The court explained to the accused his responsibilities under Article 28B of Chapter 9 of the Laws of Malta.

Dr Ian Farrugia LL.D
Magistrate

Marica Mifsud
Deputy Registrar