

## **ARB/C017/2021 – SEIZING AND FREEZING ORDER**

**IT IS BEING NOTIFIED** that by a decree dated 20<sup>th</sup> March, 2021 given by the Court of Magistrates (Malta) as a Court of Criminal Inquiry – (Magistrate Dr Charmaine Galea LL.D.). Compilation Number 159/2021, in the case:

The Republic of Malta

Versus

**BRIAN TONNA**, auditor, 56 years, son of the late Renald and Victoria née Portelli, born in Pietà, Malta on the 14<sup>th</sup> June, 1964, residing at 15, Delano Mansions, Fl 6, Triq Hurds Bank, Marsaskala and holder of Maltese Identity Card bearing number 316764M.

**MANUEL (EMMANUEL) CASTAGNA**, auditor, 47 years, son of the late Louis and Pauline née Hili, born in Attard, Malta on the 13<sup>th</sup> June, 1973, residing at 2, Id-Dar, Triq il-Gardell, San Ġwann and holder of Maltese Identity Card bearing number 282073M.

**KARL CINI**, accountant, 46 years, son of Joseph and Josephine née Grima, born in St. Julian's, Malta on the 15<sup>th</sup> March, 1975, residing at 2A, Hill Valley, Triq il-Gardell, San Ġwann and holder of Maltese Identity Card bearing number 136975M.

**MARIE KATRIN BONDIN CARTER**, self employd, 38 years, daughter of Gerald Coleiro and Liliana née Fava, born in Pietà, Malta on the 26<sup>th</sup> September, 1982, residing at 17, Earl's Court, Fl 5, Triq tal-Ħamrija, Marsaskala and holder of Maltese Identity Card bearing number 536282M.

**K B T HOLDINGS LIMITED**, with Maltese registration number C 20767 and registered address at Delano Flats, Fl 6, Triq Hurds Bank, Marsaskala.

**BT INTERNATIONAL LIMITED**, incorporated with the name BT Fiduciaire Limited, with Maltese registration number C 40658 and registered address at The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

**NEXIA BT LIMITED**, incorporated with the name BT Advisory Services Limited, with Maltese registration number C 46322 and registered address at The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

**NEXIA BT ADVISORY SERVICES LIMITED**, incorporated with the name BT Advisory Services Limited, with Maltese registration number C 48584 and registered address at The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

**BTI MANAGEMENT LIMITED**, incorporated with the name BT Financials Limited, with Maltese registration number C 49892 and registered address at The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

**SPX SERVICES LIMITED**, with British Virgin Islands registration number BVI 1698869 and registered address at The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

AND

**WILLERBY TRADE INC.**, with British Virgin Islands registration number BVI 1765606 and registered address at The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

**ORDERED** the attachment in the hands of third parties in general of all moneys and other movable property due to or pertaining or belonging to **BRIAN TONNA, MANUEL (EMMANUEL) CASTAGNA, KARL CINI, MARIE KATRIN BONDIN CARTER, KBT HOLDINGS LIMITED, BT INTERNATIONAL LIMITED, NEXIA BT LIMITED, NEXIA BT ADVISORY SERVICES LIMITED, BTI MANAGEMENT LIMITED, SPX SERVICES LIMITED**, and **WILLERBY TRADE INC.** and prohibits the accused from transferring, pledging, hypothecating or otherwise changing or disposing of any immovable or movable property owned or otherwise held by them, in terms of Article 36 of the Proceeds of Crime Act, Chapter 621 of the Laws of Malta.

**ORDERED** the attachment in the hands of third parties in general all moneys and other movable property due or pertaining or belonging to **BRIAN TONNA, MANUEL (EMMANUEL) CASTAGNA, KARL CINI, MARIE KATRIN BONDIN CARTER, KBT HOLDINGS LIMITED, BT INTERNATIONAL LIMITED, NEXIA BT LIMITED, NEXIA BT ADVISORY SERVICES LIMITED, BTI MANAGEMENT LIMITED, SPX SERVICES LIMITED**, and **WILLERBY TRADE INC.** and prohibits the accused from transferring, pledging, hypothecating or otherwise disposing of any movable or immovable property, in terms of Article 5 of the Prevention of Money Laundering Act, Chapter 373 of the Laws of Malta, and Article 23A of the Criminal Code, Chapter 9 of the Laws of Malta.

**The Court AUTHORIZED** the said accused whom are natural persons, to receive the amount authorized by law in terms of Article 5 (1) of the Prevention of Money Laundering Act, Chapter 373 of the Laws of Malta, that does not exceed thirteen thousand, nine hundred and seventy-six Euro and twenty-four cents (€13,976.24) per year, after the accused indicates with a note from where they are perceiving this money.

Any person who acts in contravention of the court order as mentioned in Article 36, Article 5, and Article 23A referred to above shall be guilty of an offence and shall on conviction be liable to a fine (*multa*) not exceeding twelve thousand Euro (€12,000), or to imprisonment for a period not exceeding twelve (12) months, or to both such fine and imprisonment.

Any transfer or other disposal of any property made in contravention of the said Court order shall be null and without effect at law.

Today, 23<sup>rd</sup> March, 2021

Acting Director, Asset Recovery Bureau

## ARB/C017/2021 – ORDNI TA' QBID U IFFRIŻAR

**IKUN JAF KULHADD** illi b'digriet mogħti fl-20 ta' Marzu, 2021 mill-Qorti tal-Maġistrati (Malta) bħala Qorti Strutturja – (Maġistrat Dr Charmaine Galea LL.D.). Kumpilazzjoni Numru 159/2021, fil-kawża fl-ismijiet:

Ir-Repubblika ta' Malta

Kontra

**BRIAN TONNA**, awditur, ta' 56 sena, iben il-mejjet Renald u Victoria xebba Portelli, imwieved Pietà, Malta fl-14 ta' Ġunju, 1964, residenti ġewwa 15, Delano Mansions, Fl 6, Triq Hurds Bank, Marsaskala u detentur ta' Karta tal-Identità Maltija bin-numru 316764M.

**MANUEL (EMMANUEL) CASTAGNA**, awditur, ta' 47 sena, iben il-mejjet Louis u Pauline xebba Hili, imwieved Attard, Malta fit-13 ta' Ġunju, 1973, residenti ġewwa 2, Id-Dar, Triq il-Gardell, San Ġwann u detentur ta' Karta tal-Identità Maltija bin-numru 282073M.

**KARL CINI**, *accountant*, ta' 46 sena, iben Joseph u Josephine xebba Grima, imwieved San Ġiljan, Malta fil-15 ta' Marzu, 1975, residenti ġewwa 2A, Hill Valley, Triq il-Gardell, San Ġwann u detentur ta' Karta tal-Identità Maltija bin-numru 136975M.

**MARIE KATRIN BONDIN CARTER**, taħdem għal rasha, ta' 38 sena, bint Gerald Coleiro u Liliana xebba Fava, imwiolda tal-Pietà, Malta fis-26 ta' Settembru, 1982, residenti ġewwa 17, Earl's Court, Fl 5, Triq tal-Hamrija, Marsaskala u detentriċi ta' Karta tal-Identità Maltija bin-numru 536282M.

**K B T HOLDINGS LIMITED**, b'numru tar-reġistrazzjoni Malti C 20767 u li għandha l-indirizz irreġistrat bħala Delano Flats, Fl 6, Triq Hurds Bank, Marsaskala.

**BT INTERNATIONAL LIMITED**, inkorporata bl-isem ta' BT Fiduciaire Limited, b'numru tar-reġistrazzjoni Malti C 40658 u li għandha l-indirizz irreġistrat bħala The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

**NEXIA BT LIMITED**, inkorporata bl-isem ta' BT Advisory Services Limited, b'numru tar-reġistrazzjoni Malti C 46322 u li għandha l-indirizz irreġistrat bħala The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

**NEXIA BT ADVISORY SERVICES LIMITED**, inkorporata bl-isem ta' BT Advisory Services Limited, b'numru tar-reġistrazzjoni Malti C 48584 u li għandha l-indirizz irreġistrat bħala The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

**BTI MANAGEMENT LIMITED**, inkorporata bl-isem ta' BT Financials Limited, b'numru tar-reġistrazzjoni Malti C 49892 u li għandha l-indirizz irreġistrat bħala The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

**SPX SERVICES LIMITED**, b'numru tar-reġistrazzjoni tal-Gżejjer Vergni Brittaniċi BVI 1698869 u li għandha l-indirizz irreġistrat bħala The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

U

**WILLERBY TRADE INC.**, b'numru tar-registrazzjoni tal-Gżejjer Vergni Brittaniċi BVI 1765606 u li għandha l-indirizz irregiſtrat bħala The Penthouse, Suite 2, Capital Business Centre, Entrance C, Triq taż-Żwejt, San Ġwann.

**ORDNAT** iż-żamma f'idejn partijiet terzi b'mod ġenerali l-flus u kull proprjetà mobbli oħra dovuta jew li tappartjeni jew li hija ta' **BRIAN TONNA, MANUEL (EMMANUEL) CASTAGNA, KARL CINI, MARIE KATRIN BONDIN CARTER, KBT HOLDINGS LIMITED, BT INTERNATIONAL LIMITED, NEXIA BT LIMITED, NEXIA BT ADVISORY SERVICES LIMITED, BTI MANAGEMENT LIMITED, SPX SERVICES LIMITED**, u **WILLERBY TRADE INC.** u tipprojbixxi lill-akkużati milli jittrasferixxu, iwiegħedu, jiprotekaw jew jibdlu jew jiddisponu minn kwalunkwe proprjetà immobbli jew mobbli li tkun proprjetà ta' jew inkella miżmuma minnhom, u dan ai termini tal-Artikolu 36 tal-Att dwar ir-Rikavat mill-Kriminalità, Kapitolu 621 tal-Liġijiet ta' Malta.

**ORDNAT** is-sekwestru f'idejn terzi persuni b'mod ġenerali il-flejjes u l-proprjetà mobbli kollha li jkunu dovuti lil, jew imissu lil, jew li huma proprjetà ta' **BRIAN TONNA, MANUEL (EMMANUEL) CASTAGNA, KARL CINI, MARIE KATRIN BONDIN CARTER, KBT HOLDINGS LIMITED, BT INTERNATIONAL LIMITED, NEXIA BT LIMITED, NEXIA BT ADVISORY SERVICES LIMITED, BTI MANAGEMENT LIMITED, SPX SERVICES LIMITED**, u **WILLERBY TRADE INC.** u tipprojbixxi lill-akkużati milli jittrasferixxu, jagħtu b'rahan, jiprotekaw jew xort'oħra jiddisponu minn xi proprjetà mobbli jew immobbli, u dan ai termini tal-Artikolu 5 tal-Att kontra *Money Laundering*, Kapitolu 373 tal-Liġijiet ta' Malta, u tal-Artikolu 23A tal-Kodiċi Kriminali, Kapitolu 9 tal- Liġijiet ta' Malta.

**Il-Qorti AWTORIŻŻAT** lill-akkużati li huma persuni fiſiċi, li jirċievu l-ammont previst mil-liġi ai termini tal-Artikolu 5 (1) tal-Att kontra *Money Laundering*, Kapitolu 373 tal-Liġijiet ta' Malta, li ma jeċċediex it-tlethax-il elf diſa' mija u sitta u sebgħin Euro u erbgħa u għoxrin ċenteżmu (€13,976.24) fis-sena, wara li l-akkużati jindikaw b'nota minn fejn ha jipperċepixxu dawn il-flejjes.

Kull persuna li tagħmel xi haġa bi ksur tal-ordni tal-Qorti msemmi fl-Artikolu 36, fl-Artikolu 5, u fl-Artikolu 23A tkun haġta ta' reat u teħel meta tinstab haġta multa ta' mhux iżjed minn tnaħ-il elf Euro (€12,000) jew priġunerija għal żmien ta' mhux iżjed minn tnaħ-il xaħar, jew dik il-multa u priġunerija flimkien.

Kull trasferiment ieħor jew tneħħija oħra ta' proprjetà li jsiru bi ksur ta' dik l-ordni tal-Qorti jkunu nulli u ma jkollhom ebda effett fil-liġi.

Illum, 23 ta' Marzu, 2021

Aġent Direttur, Uffiċċju għall-Irkupru tal-Assi