

ARB/C024/2022 – SEIZING AND FREEZING ORDER

IT IS BEING NOTIFIED that by a decree dated 30th March, 2022 given by the Court of Magistrates (Malta) as a Court of Criminal Inquiry – (Magistrate Dr Josette Demicoli LL.D.). Compilation Number 164/2022, in the case:

The Police
(Inspector Keith Mallan)
(Inspector Mark Anthony Mercieca)
(Inspector Marshal Mallia)

Versus

KENIA YESENIA POLANCO MORALES, employed in a shop, 24 years, daughter of Ramon Polanco and Kenia Morales, born in Santo Domingo, Dominican Republic on the 4th December, 1997, without a fixed address in Malta and holder of a Spanish Identity Card bearing number 51194301G.

AND

RICHARD ANDREWS PEREZ OBERGH, plasterer, 48 years, son of the late Antonio Perez and Leida née Amparo, born in Santo Domingo, Dominican Republic on the 24th May, 1973, without a fixed address in Malta and holder of a Dominican Republic Identification Document bearing number 001-0268671-4.

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 **RICHARD ANDREWS PEREZ OBERGH** and **KENIA YESENIA POLANCO MORALES** 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, and this in terms of Article 22A of the Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta, Article 23A of the Criminal Code, Chapter 9 of the Laws of Malta, Article 5 of the Prevention of Money Laundering Act, Chapter 373 of the Laws of Malta, and Article 36 of the Proceeds of Crime Act, Chapter 621 of the Laws of Malta.

The Court AUTHORIZED the said accused to receive the amount of thirteen thousand, nine hundred and seventy-six Euro and twenty-four cents (€13,976.24) per year, provided that every financial entity is ordered to present a note by which it informs the Court in which account or from which account these moneys are taken or the accused themselves may indicate to the Court from which account they are perceiving the moneys indicated.

Any person who acts in contravention of the court order as mentioned in Article 36, Article 22A, 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, 5th April, 2022

Director, Asset Recovery Bureau

ARB/C024/2022 – ORDNI TA' QBID U IFFRIŻAR

IKUN JAF KULHADD illi b'digriet mogħti fit-30 ta' Marzu, 2022 mill-Qorti tal-Maġistrati (Malta) bhala Qorti Strutturja – (Maġistrat Dr Josette Demicoli LL.D.). Kumpilazzjoni Numru 164/2022, fil-kawża fl-ismijiet:

Il-Pulizija
(Spettur Keith Mallan)
(Spettur Mark Anthony Mercieca)
(Spettur Marshal Mallia)

Kontra

KENIA YESENIA POLANCO MORALES, taħdem go ħanut, ta' 24 sena, bint Ramon Polanco u Kenia Morales, imwielda Santo Domingo, Repubblika Domenikana fl-4 ta' Diċembru, 1997, mingħajr indirizz fiss ġewwa Malta u detentrici ta' Karta tal-Identità Spanjola bin-numru 51194301G.

U

RICHARD ANDREWS PEREZ OBERGH, bajjad, ta' 48 sena, iben il-mejjet Antonio Perez u Leida xebba Amparo, imwieled Santo Domingo, Repubblika Domenikana fl-24 ta' Mejju, 1973, mingħajr indirizz fiss ġewwa Malta u detentur ta' Dokument ta' Identifikazzjoni tar-Repubblika Domenikana bin-numru 001-0268671-4.

ORDNAT iż-żamma u s-sekwestru f'idejn partijiet terzi b'mod ġenerali l-flus u kull proprjetà mobbli oħra dovuta jew li tappartjeni jew li hija ta' **RICHARD ANDREWS PEREZ OBERGH** u **KENIA YESENIA POLANCO MORALES** u tipprojbixxi lill-imputati milli jittrasferixxu, jagħtu b'rahan, iwegħdu, jipotekaw jew jibdlu jew xort' oħra jiddisponu minn kwalunkwe proprjetà immobbli jew mobbli li tkun proprjetà ta' jew inkella miżmuma minnhom, u dan ai termini tal-Artikolu 22A tal-Ordinanza dwar il-Mediċini Perikolużi, Kapitolu 101 tal-Liġijiet ta' Malta, tal-Artikolu 23A tal-Kodici Kriminali, Kapitolu 9 tal-Liġijiet ta' Malta, tal-Artikolu 5 tal-Att Kontra *Money Laundering*, Kapitolu 373 tal-Liġijiet ta' Malta, u tal-Artikolu 36 tal-Att dwar ir-Rikavat mill-Kriminalità, Kapitolu 621 tal-Liġijiet ta' Malta.

Il-Qorti AWTORIŻŻAT lill-imputati li jirċievu l-ammont ta' tlettax-il elf disa' mija u sitta u sebgħin Euro u erbgha u għoxrin ċenteżmu (€13,976.24) fis-sena, b'dan illi kull entità finanzjarja hija ordnata li b'nota tinforma l-Qorti f'liema kont jew minn liema kont ikunu qed jiġu rċevuti l-istess flejjes jew l-imputati jindikaw lill-Qorti huma stess minn liema kont jkunu qed jipperċepixxu l-flejjes indikati.

Kull persuna li tagħmel xi haġa bi ksur tal-ordni tal-Qorti msemmi fl-Artikolu 36, fl-Artikolu 22A u fl-Artikolu 23A tkun ħatja ta' reat u teħel meta tinstab ħatja multa ta' mhux iżjed minn tnaħ-il elf Euro (€12,000) jew prigunerija għal żmien ta' mhux iżjed minn tnaħ-il (12) xahar, jew dik il-multu u prigunerija 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, 5 ta' April, 2022

Direttur, Uffiċċju għall-Irkupru tal-Assi