

## **ARB/C065/2021 – VARIATION OF SEIZING AND FREEZING ORDER**

**IT IS BEING NOTIFIED** that by a decree dated 20<sup>th</sup> September, 2022 given by the Criminal Court – (Hon. Madame Justice Dr Consuelo Scerri Herrera LL.D.). In the case:

The Republic of Malta

Versus

**YORGEN FENECH**, unemployed, 40 years, son of the late George and Patricia née Camilleri, born in Pietà, Malta on the 23<sup>rd</sup> November, 1981, residing at Corradino Correctional Facility, Triq il-Belt Valletta, Paola and holder of Maltese Identity Card bearing number 36482M.

**The Court AUTHORIZED the accused YORGEN FENECH** to withdraw the sum of thirteen thousand, nine hundred and seventy-six Euro and twenty-four cents (€13,976.24) from the bank account listed in his name and ending in –2119 which is held at the bank of Valletta plc. That these funds shall be deposited into the account held by the accused at the Corradino Correctional Facility, even if these funds might exceed the total amount which the accused is entitled to keep in this facility.

**The Court AUTHORIZED** the Director of the Corradino Correctional Facility to transfer this sum or part of it to the family of the same **accused YORGEN FENECH** against an appropriate receipt. It is being declared that this amount authorised by the accused to be withdrawn from his bank account shall be covering the year 2022, thus the accused is prevented from making another similar request before the year 2023.

This variation is being published in terms of Section 5 (3) of the Prevention of Money Laundering Act, Chapter 373 of the Laws of Malta, and Article 36 (4) of the Proceeds of Crime Act, Chapter 621 of the Laws of Malta, following a seizing and freezing order which decree was given by the Court of Magistrates (Malta) as a Court of Criminal Inquiry (Magistrate Dr Ian Farrugia LL.D.) on the 30<sup>th</sup> August, 2021 which was published in the Government Gazette on the 3<sup>rd</sup> September, 2021 where the court ordered the attachment in the hands of third parties in general of all moneys and other movable or immovable property due or pertaining or belonging to **YORGEN FENECH**.

Today, 28<sup>th</sup> September, 2022

Director, Asset Recovery Bureau

## ARB/C065/2021 – VARJAZZJONI TAL-ORDNI TA' QBID U IFFRIŻAR

**IKUN JAF KULHADD** illi b'digriet mogħti fil-20 ta' Settembru, 2022 mill-Qorti Kriminali – (Onor. Imħallef Dr Consuelo Scerri Herrera LL.D.). Fil-kawża fl-ismijiet:

Ir-Repubblika ta' Malta

Kontra

**YORGEN FENECH**, ma jaħdimx, ta' 40 sena, iben il-mejjet George u Patricia xebba Camilleri, imwieled Tal-Pietà, Malta fit-23 ta' Novembru, 1981, residenti ġewwa ġewwa l-Faċilità Korrettiva ta' Kordin, Triq il-Belt Valletta, Paola u detentur ta' Karta tal-Identità Maltija bin-numru 36482M.

**Il-Qorti AWTORIZZAT lill-imputat YORGEN FENECH** sabiex jirtira s-somma ta' tleTTax-il elf disa' mija u sitta u sebghin Euro u erbgha u għoxrin ċenteżmu (€13,976.24) mill-kont tal-bank intestat f'ismu u jispiċċa –2119 li huwa miżmum mal-Bank of Valletta plc. Illi dawn il-flejjes ser jiġu depożitati fil-kont tal-imputat miżmum mal-Faċilità Korrettiva ta' Kordin, anke jekk l-istess flejjes jeċċedu l-ammont totali li l-imputat huwa ntitolat iżomm fl-imsemmija faċilità.

**Il-Qorti AWTORIZZAT** lid-Direttur tal-Faċilità Korrettiva ta' Kordin sabiex jgħaddi din is-somma jew parti minnha lill-familjari tal-imsemmi **imputat YORGEN FENECH** kontra riċevuta appositata. Illi qed jiġi iddikjarat li dan l-ammont awtorizzat li jirtira l-imputat mill-kont tal-bank tiegħu ser ikopri s-sena 2022, għaldaqstant l-imputat huwa impedut milli jagħmel talba oħra sabiex jirtira ammont konsimili qabel is-sena 2023.

Din il-varjazzjoni qed issir ai termini tal-Artikolu 5 (3) tal-Att kontra *Money Laundering*, Kapitolu 373 tal-Liġijiet ta' Malta, u l-Artikolu 36 (4) tal-Att dwar ir-Rikavat mill-Kriminalità, Kapitolu 621 tal-Liġijiet ta' Malta, wara digriet ta' ordni ta' qbid u iffriżar mogħti mill-Qorti tal-Maġistrati (Malta) bhala Qorti Strutturja (Maġistrat Dr Ian Farrugia LL.D.) fit-30 ta' Awwissu, 2021 li giet ippubblikata fil-Gazzetta tal-Gvern fit-3 ta' Settembru, 2021 fejn il-Qorti ordnat iż-żamma u s-sekwestru f'idejn terzi persuni b'mod ġenerali, tal-flejjes u l-propjetà mobbli jew immobbli kollha li huma dovuti lil, jew imissu lil, jew li huma propjetà ta' **YORGEN FENECH**.

Illum, 28 ta' Settembru, 2022

Direttur, Uffiċċju għall-Irkupru tal-Assi