

## **ARB/C008/2020 – NEW FREEZING ORDER**

**IT IS BEING NOTIFIED** that by a decree dated 24<sup>th</sup> April 2020 given by the Court of Magistrates (Malta) as a Court of Criminal Inquiry – (Magistrate Dr Victor George Axiak LL.D.). Compilation Number 157/2020 in the case:

The Police  
(Superintendent George Cremona)  
(Inspector Omar Zammit)

Versus

**JAMES FENECH**, company director, 41 years, son of the late Joseph and Mary Rose née Borg, born in Sydney, Australia on the 28<sup>th</sup> February 1979, residing at 341, Solaris, Triq l-Etna, Mellieħa and holder of Maltese Identity Card bearing number 519694M.

AND

**SOVEREIGN CHARTERERS LIMITED**, with Maltese registration number C 67113 and registered address at 21, Misraħ il-Parroċċa, Mellieħa, Malta.

**ORDERED** the attachment in the hands of third parties in general of all moneys and other movable or immovable property due to or pertaining or belonging to **JAMES FENECH** and **SOVEREIGN CHARTERERS LIMITED** and prohibits the said accused from transferring, pledging, hypothecating or otherwise disposing of any movable or immovable property, and this according to Section 5 of the Prevention of Money Laundering Act, Chapter 373 of the Laws of Malta, and Section 23A (2) of the Criminal Code, Chapter 9 of the Laws of Malta.

**The Court AUTHORIZED** the said accused **JAMES FENECH** to receive the amount authorized by law 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.

**The Court ORDERED** the accused **JAMES FENECH** to continue payments in favour of BNF Bank Malta p.l.c. and Bank of Valletta p.l.c. for loans incurred for the purchase of two properties as per conditions listed with respect to the above mentioned loans.

Any person who acts in contravention of the court order mentioned in Section 5 and Section 23A (2) referred to above shall be guilty of an offence and shall on conviction be liable to a fine (*multa*) not exceeding eleven thousand and six hundred and forty-six Euro and eighty-seven cents (€11,646.87), or to imprisonment for a period not exceeding twelve 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, 28<sup>th</sup> April, 2020

The Director, Asset Recovery Bureau

## ARB/C008/2020 – IFFRIŻAR TAL-ASSI

**IKUN JAF KULHADD** illi b'digriet mogħti fl-24 ta' April 2020 mill-Qorti tal-Maġistrati (Malta) bħala Qorti Strutturja – (Maġistrat Dr Victor George Axiak LL.D.). Kumpilazzjoni numru 157/2020, fil-kawża fl-ismijiet:

Il-Pulizija  
(Supretendent George Cremona)  
(Spettur Omar Zammit)

Kontra

**JAMES FENECH**, direttur ta' kumpanija, ta' 41 sena, bin il-mejjet Joseph u Mary Rose xebba Borg, imwieled Sydney, Awstralja fit-28 ta' Frar 1979, residenti ġewwa 341, Solaris, Triq l-Etna, Mellieħa u detentur ta' Karta tal-Identità Maltija bin-numru 519694M.

U

**SOVEREIGN CHARTERERS LIMITED**, b'numru tar-reġistrazzjoni Malti C 67113 li għandha l-indirizz registrat bħala 21, Misraħ il-Parroċċa, Mellieħa, Malta.

**ORDNAT** is-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' **JAMES FENECH** u **SOVEREIGN CHARTERERS LIMITED** u pprojbithom milli jittrasferixxu, jagħtu b'rahan, jipotekaw jew xort'oħra jiddisponu minn xi propjetà 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 (2) tal-Kodiċi Kriminali, Kapitolu 9 tal-Liġijiet ta' Malta.

**Il-Qorti AWTORIŻŻAT** lill-imputat **JAMES FENECH** li jirċievi annwalment l-ammont previst mil-liġi li ma jeċċedix it-tlethax-il elf disa' mija u sitta u sebgħin Euro u erbgħa u għoxrin ċenteżmu (€13,976.24) fis-sena, wara li l-imputat jindika b'nota minn fejn ha jipperċepixxi dawn il-flejjes.

**Il-Qorti ORD NAT** illi l-imputat **JAMES FENECH** ikompli iħallas paġamenti favur BNF Bank p.l.c. u Bank of Valletta p.l.c. għal self fuq xiri ta' żewġ propjetajiet skond il-kundizzjonijiet illi hemm mal-imsemmija self.

Kull persuna li tagħmel xi haġa bi ksur tal-ordni tal-Qorti msemmi fl-Artikolu 5 u fl-Artikolu 23A (2) tkun hatja ta' reat u teħel meta tinstab hatja multa ta' mhux iżjed minn hdx-il elf, sitt mija u sitta u erbgħin Euro u sebgħa u tmenin ċenteżmu (€11,646.87) jew prigunerija għal żmien ta' mhux iżjed minn tnax-il xahar, jew dik il-multu u prigunerija flimkien.

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

Illum, 28 ta' April, 2020

Id-Direttur, Uffiċċju għall-Irkupru tal-Assi