

It-tletin (30) ta' Settembru tas-sena elfejn tnejn u għoxrin (2022)

Jien hawn taħt iffirmat **Dottor Robert Aquilina**, Nutar Pubbliku, iben il-mejtin Carmelo Aquilina u Carmen Aquilina née Grech, imwieled H'Attard fl-10 ta' Ġunju tas-sena 1978 u noqgħod is-Siġġiewi, għandi l-karta tal-identità innumerata 0313178M, solennement niddikjara u bil-ġurament naħlef is-segwenti:

Jien nokkupa l-kariga ta' President tal-organizzazzjoni volontarja REPUBBLIKA, li hi reġistrata mar-Reġistratur għal Persuni Ġuridiċi bl-ittri 'L' 'P' 'A' u numri wieħed tnejn tnejn (LPA-122) u mal-Kummissarju għal Organizzazzjonijiet Volontarji bl-ittri 'V' 'O' u numri wieħed sitta sebgha zero (VO 1670).

Id-dokumenti li qegħdin jiġu hawn annessi u mmarkati "Dokument A", "Dokument B", "Dokument C", "Dokument D", "Dokument E", "Dokument F", "Dokument G", "Dokument H", "Dokument I", "Dokument J", "Dokument K", "Dokument L", "Dokument M", "Dokument N", "Dokument O", "Dokument P", "Dokument Q", "Dokument R", "Dokument S", "Dokument T", "Dokument U", "Dokument V", "Dokument W" u "Dokument X" huma vera kopji ta' estratti mill-Inkjesta Maġisterjali dwar l-Operat tal-Pilatus Bank li kopja ta' partijiet minnha ġew murija lili.

L-imsemmija dokumenti jikkonsistu fis-segwenti:

Dokument A	Kopja awtentikata ta' Rikors tal-Kummissarju tal-Pulizija datat l-erbgha u għoxrin (24) ta' Frar tas-sena elfejn wieħed u għoxrin (2021), esibit a fol. 4867 sa 4870 tal-proċes verbal dwar l-Inkjesta Maġisterjali dwar l-Operat tal-Pilatus Bank, li fih hemm l-akkużi kriminali li l-Kummissarju tal-Pulizija ried li jinħarġu kontra Hamidreza Ghanbari in konnessjoni ma' hasil ta' flus, u dan "Wara li ġie ippreżentat ir-rapport finali ta' <i>Duff and Phelps</i> u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva".
Dokument B	Kopja awtentikata ta' Mandat Ta' Arrest Internazzjonali kontra Hamidreza Ghanbari u esibit a fol. 4871 sa 4874 tal-proċes verbal dwar l-Inkjesta Maġisterjali dwar l-Operat tal-Pilatus Bank – bil-lingwa Maltija.
Dokument Ċ	Kopja awtentikata ta' International Arrest Warrant kontra Hamidreza Ghanbari u esibit a fol. 4875 sa 4878 tal-proċes verbal dwar l-Inkjesta Maġisterjali dwar l-Operat tal-Pilatus Bank – bil-lingwa Ingliża.

Dokument D	Kopja awtentikata ta' Rikors tal-Kummissarju tal-Pulizija datat l-erbgha u ghoxrin (24) ta' Frar tas-sena elfejn wiehed u ghoxrin (2021), esibit a fol. 4879 sa 4882 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank, li fih hemm l-akkużi kriminali li l-Kummissarju tal-Pulizija ried li jinħarġu kontra Seyed Ali Sadr Hasheminejad in konnessjoni ma' hasil ta' flus, u dan "Wara li ġie ipprezentat ir-rapport finali ta' <i>Duff and Phelps</i> u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva".
Dokument E	Kopja awtentikata ta' Mandat Ta' Arrest Internazzjonali kontra Seyed Ali Sadr Hasheminejad u esibit a fol. 4883 sa 4886 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank – bil-lingwa Maltija.
Dokument F	Kopja awtentikata ta' International Arrest Warrant kontra Seyed Ali Sadr Hasheminejad u esibit a fol. 4887 sa 4890 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank – bil-lingwa Ingliża.
Dokument G	Kopja awtentikata ta' Rikors tal-Kummissarju tal-Pulizija datat l-erbgha u ghoxrin (24) ta' Frar tas-sena elfejn wiehed u ghoxrin (2021), esibit a fol. 4891 sa 4893 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank, li fih hemm l-akkużi kriminali li l-Kummissarju tal-Pulizija ried li jinħarġu kontra Luis Felipe Rivera in konnessjoni ma' hasil ta' flus, u dan "Wara li ġie ipprezentat ir-rapport finali ta' <i>Duff and Phelps</i> u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva".
Dokument H	Kopja awtentikata ta' Mandat Ta' Arrest Internazzjonali kontra Luis Felipe Rivera u esibit a fol. 4894 sa 4897 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank – bil-lingwa Maltija.
Dokument I	Kopja awtentikata ta' International Arrest Warrant kontra Luis Felipe Rivera u esibit a fol. 4898 sa 4901 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank – bil-lingwa Ingliża.

Dokument J	Kopja awtentikata ta' Rikors tal-Kummissarju tal-Pulizija datat l-erbgha u ghoxrin (24) ta' Frar tas-sena elfejn wiehed u ghoxrin (2021), esibit a fol. 4902 sa 4905 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank, li fih hemm l-akkużi kriminali li l-Kummissarju tal-Pulizija ried li jinħarġu kontra Luis Felipe Rivera in konnessjoni ma' hasil ta' flus, u dan "Wara li ġie ippreżentat ir-rapport finali ta' <i>Duff and Phelps</i> u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva".
Dokument K	Kopja awtentikata ta' dokument iffirmit mill-Avukat Ġenerali Dr Victoria Buttigieg fit-23 ta' Frar tas-sena 2021 u li jinsab esibit a fol. 4906 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank u f'liema dokument Dr Victoria Buttigieg tat il-kunsens tagħha biex jinħareġ Mandat ta' Arrest Internazzjonali u Ewropew kontra Luis Felipe Rivera – bil-lingwa Maltija.
Dokument L	Kopja awtentikata ta' dokument iffirmit mill-Avukat Ġenerali Dr Victoria Buttigieg fit-23 ta' Frar tas-sena 2021 u li jinsab esibit a fol. 4906 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank u f'liema dokument Dr Victoria Buttigieg tat il-kunsens tagħha biex jinħareġ Mandat ta' Arrest Internazzjonali u Ewropew kontra Luis Felipe Rivera – bil-lingwa Ingliża.
Dokument M	Kopja awtentikata ta' International Arrest Warrant kontra Luis Felipe Rivera u esibit a fol. 4908 sa 4910 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank – bil-lingwa Ingliża.
Dokument N	Kopja awtentikata ta' Rikors tal-Kummissarju tal-Pulizija datat l-erbgha u ghoxrin (24) ta' Frar tas-sena elfejn wiehed u ghoxrin (2021), esibit a fol. 4911 sa 4913 tal-proces verbal dwar l-Inkjesta Maġiterjali dwar l-Operat tal-Pilatus Bank, li fih hemm l-akkużi kriminali li l-Kummissarju tal-Pulizija ried li jinħarġu kontra Mehmet Tasli in konnessjoni ma' hasil ta' flus, u dan "Wara li ġie ippreżentat ir-rapport finali ta' <i>Duff and Phelps</i> u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva".

Dokument O	Kopja awtentikata ta' dokument iffirmit mill-Avukat Ġenerali Dr Victoria Buttigieg fit-23 ta' Frar tas-sena 2021 u li jinsab esibit a fol. 4914 tal-proċes verbal dwar l-Inkjest Maġisterjali dwar l-Operat tal-Pilatus Bank u f'liema dokument Dr Victoria Buttigieg tat il-kunsens tagħha biex jinħareġ Mandat ta' Arrest Internazzjonali u Ewropew kontra Mehmet Tasli – bil-lingwa Maltija.
Dokument P	Kopja awtentikata ta' dokument iffirmit mill-Avukat Ġenerali Dr Victoria Buttigieg fit-23 ta' Frar tas-sena 2021 u li jinsab esibit a fol. 4915 tal-proċes verbal dwar l-Inkjest Maġisterjali dwar l-Operat tal-Pilatus Bank u f'liema dokument Dr Victoria Buttigieg tat il-kunsens tagħha biex jinħareġ Mandat ta' Arrest Internazzjonali u Ewropew kontra Mehmet Tasli – bil-lingwa Ingliża.
Dokument Q	Kopja awtentikata ta' Mandat Ta' Arrest Internazzjonali kontra Mehmet Tasli u esibit a fol. 4916 sa 4917 tal-proċes verbal dwar l-Inkjest Maġisterjali dwar l-Operat tal-Pilatus Bank – bil-lingwa Maltija.
Dokument R	Kopja awtentikata ta' Rikors tal-Kummissarju tal-Pulizija datat l-erbgha u għoxrin (24) ta' Frar tas-sena elfejn wieħed u għoxrin (2021), esibit a fol. 4918 sa 4921 tal-proċes verbal dwar l-Inkjest Maġisterjali dwar l-Operat tal-Pilatus Bank, li fih hemm l-akkużi kriminali li l-Kummissarju tal-Pulizija ried li jinħarġu kontra Hamidreza Ghanbari in konnessjoni ma' hasil ta' flus, u dan "Wara li ġie ippreżentat ir-rapport finali ta' <i>Duff and Phelps</i> u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva".
Dokument S	Kopja awtentikata ta' dokument iffirmit mill-Avukat Ġenerali Dr Victoria Buttigieg fit-23 ta' Frar tas-sena 2021 u li jinsab esibit a fol. 4922 tal-proċes verbal dwar l-Inkjest Maġisterjali dwar l-Operat tal-Pilatus Bank u f'liema dokument Dr Victoria Buttigieg tat il-kunsens tagħha biex jinħareġ Mandat ta' Arrest Internazzjonali u Ewropew kontra Hamidreza Ghanbari – bil-lingwa Maltija.
Dokument T	Kopja awtentikata ta' dokument iffirmit mill-Avukat Ġenerali Dr Victoria Buttigieg fit-23 ta' Frar tas-sena 2021 u li jinsab esibit a fol. 4923 tal-proċes verbal dwar l-Inkjest Maġisterjali dwar l-Operat tal-Pilatus Bank u f'liema dokument Dr Victoria Buttigieg tat il-kunsens tagħha biex jinħareġ Mandat ta'

	Arrest Internazzjonali u Ewropew kontra Hamidreza Ghanbari – bil-lingwa Ingliża.
Dokument U	Kopja awtentikata ta' Mandat Ta' Arrest Internazzjonali kontra Hamidreza Ghanbari u esibit a fol. 4924 sa 4925 tal-proces verbal dwar l-Inkjesta Maġisterjali dwar l-Operat tal-Pilatus Bank – bil-lingwa Maltija.
Dokument V	Kopja awtentikata ta' European Arrest Warrant kontra Hamidreza Ghanbari u esibit a fol. 4927 sa 4937 tal-proces verbal dwar l-Inkjesta Maġisterjali dwar l-Operat tal-Pilatus Bank.
Dokument W	Kopja awtentikata ta' European Arrest Warrant kontra Luis Felipe Rivera u esibit a fol. 4938 sa 4950 tal-proces verbal dwar l-Inkjesta Maġisterjali dwar l-Operat tal-Pilatus Bank.
Dokument X	Kopja awtentikata ta' European Arrest Warrant kontra Mehmet Tasli u esibit a fol. 4951 sa 4960 tal-proces verbal dwar l-Inkjesta Maġisterjali dwar l-Operat tal-Pilatus Bank.

Uħud mid-dokumenti li qed jiġu annessi ma' dan l-affidavit jidhru li huma ripetuti, pero' dan qed isir għaliex hekk jirriżulta li huma fil-proces verbal u allura għallfini ta' komplettezza u biex in-numri tal-folji jsegwu wieħed wara l-ieħor mingħajr ebda eċċezzjoni, qed jiġu annessi l-folji kollha min-numri 4867 sa 4960 tal-imsemmi proces verbal.

Dr Robert Aquilina
ID 0313178M

DH HG⁰⁷

Document A.

Fil-Qorti tal-Maġistrati (Malta)
Bhala Qorti Inkwirenti

Fl-atti tal-Inkjesta maġisterjali fir-rigward tal-operat ta' Pilatus Bank Ltd, in konnessjoni ma' hasil ta' flus.

(Inkjesta miftuħa nhar it-2 ta' Novembru 2018)

Rikors tal-Kummissarju tal-Pulizija

Lill-Maġistrat Dr Ian Farrugia LL.D.

Sur Maġistrat,

Illum, 24 ta' Frar 2021

Ippreżentat minn Sp V. Vella

Illum. 24/2/21

Marcel Mifsud

Deputy Registrar

Illi l-Pulizija Eżekuttiva f' Ottubru tal-2018 irċiviet rapport kunfidenzjali illi Pilatus Bank Ltd. ma kienx qiegħed jopera skond dawk il-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta' terrorismu.

Illi wara investigazzjonijiet ulterjuri li saru mill-Pulizija Eżekuttiva, nhar it-2 ta Novembru 2018 infethet Inkjesta Maġisterjali fejn diversi esperti ġew maħtura biex jgħinu fl-investigazzjoni. Dakinhar ukoll, il-Maġistrat Inkwirenti flimkien ma diversi uffiċjali tal-korp tal-Pulizija aċċedew fil-bini tal-bank u kull uffiċjal u impjegat tal-bank li kien preżenti ġie ordant biex jieħu l-effetti personali tiegħu u jhalli l-post. Pilatus Bank ġie imqiegħed *under lock and key* taht l-awtorita' tal-Inkjesta Maġisterjali.

Illi fis-17 ta Diċembru 2018, il-Maġistrat Inkwerenti ħatar l-esperti *Duff and Phelps* sabiex jagħmlu eżerċizzju biex jiddeterminaw jekk Pilatus Bank Ltd. kienx qiegħed jimxi mal-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta' terrorismu. Dan l-eżerċizzju sar bejn it-8 ta' Jannar 2019 u t-30 ta' Ġunju 2020. *Duff and Phelps* bdew billi żaru Pilatus Bank u ħadu kopja tad-data digitali tal-bank u isskenjaw id-dokumenti kollha li sabu fil-forma ta' *hard copy*. Minn hemmhekk din l-informazzjoni giet ipproċessata u *Duff and Phelps* bdew bl-investigazzjoni tagħhom.

Mill-investigazzjoni ta *Duff and Phelps* irriżulta illi Hamidreza GHANBARI kien impjegat ma' Pilatus Bank bhala *Relationship Manager/Head of Private Banking* responsabbli mir-Reġjun tal-

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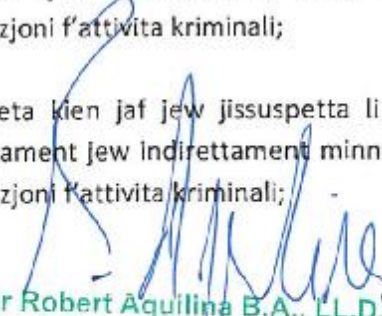
Lvant Nofsani u mill-*Commonwealth of Independent States*. Huwa kien ukoll responsabbli li jintroduci l-klijenti lil-bank. Hafna mill-klijenti ta' Pilatus Bank kienu jafu lil Hamidreza GHANBARI minhabba xi negozju ieħor għalhekk huwa kien jaf li ċerti klijenti kienu *Politically Exposed Persons* u kien jaf bin-natura tan-negozji ta' ċerti klijenti kif ukoll bil-konessjonijiet tagħhom. Hamidreza GHANBARI kien normalment l-unika impjegat tal-bank li jiltaqa' ma' ċerti klijenti ikkunsidrati bħala *high-risk*. Jirriżulta illi hu għeli iċċertifika dokumenti bħala vera kopja oriġinali mingħajr ma ra l-oriġinali u kien involut biex iwieġeb il-maġġoranza ta' *queries* relatati ma' kontijiet bankarji u transazzjonijiet. Hamidreza GHANBARI kien membru fil-*Credit Committee* u għalhekk setgħa influenza deċiżjonijiet rigward loans.

Wara li għe ippreżentat ir-rapport finali ta' *Duff and Phelps* u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva, jidher illi hemm raġunijiet biżżejjed biex jitniedu proċeduri kriminali fil-konfront ta' Hamidreza GHANBARI.

Illi Hamidreza GHANBARI, detentur tal-karta ta' l-identita' Maltija numru 128716A u detentur ta' Passaport mahruġ mill-*Commonwealth of Dominica* bin-numru R0096416, imwieled l-Iran nhar l-24 ta' Lulju 1984 huwa mitlub mill-Pulizija Maltija sabiex jigi investigat ulterjorment u eventwalment jitressaq quddiem il-Qorti tal-Maġistrati (Malta) akkużat b'reat ta' money laundering ai termini ta' l-Artikolu 3 tal-Att Kontra Money Laundering, Kapitolu 373 tal-Liġijiet ta' Malta, u legislażzjoni sussidjarja kif imnizzel hawn that, u cioe' talli fil-21 ta' Marzu 2018 u fil-ġranet, xhur u snin ta' qabel, f'dawn il-Għejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, ikunu jiksru l-istess dispozizzjoni tal-liġi, u jkunu ġew magħmula b'rizoluzzjoni waħda, f'hinijiet u f'postijiet diversi madwar Malta:

1. Għamel atti ta' *money laundering* billi:-

- i) Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita' kriminali jew minn att ta' parteċipazzjoni f'attivita' kriminali, għall-iskop ta' jew skopijiet ta' haħi jew wiri haħa b'oħra ta' l-oriġini tal-propjeta' jew ta' għoti ta' għajjnuna lil xi persuna jew persuni involuti jew konċernati f'attivita' kriminali;
- ii) Heba jew wera haħa b'oħra tal-vera xorta, provenjenza, lok, dispozizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;
- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew oriġinat direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;


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- iv) Bir-ritensjoni mingħajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew originat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f' attività kriminali;
- v) Ittenta jagħmel l-ħwejjeg jew attivitajiet illegali fuq imsemmija;
- vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi waħda mill-ħwejjeg jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta.

2. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli:

- jivvaluta u, kif inu adatt, jikseb informazzjoni dwar l-għan u x-xorta intiża tar-relazzjoni kummerċjali u li jiġi stabbilit il-profil kummerċjali u tar-riskju tal-klijent;
- jagħmel monitoraġġ kontinwu tar-relazzjoni kummerċjali;

u dan bi ksur tar-Regolament 7(1)(c) u (d) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

3. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli jivverifika l-identita' tal-klijent u, l-identita' tas-sid beneficiarju, qabel ma ġiet stabbilita relazzjoni kummerċjali jew twettqet xi operazzjoni, u dan bi ksur tar-Regolament 8(1) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

4. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli japplika miżuri msaħħa ta' diligenza dovuta li tirrigwarda l-klijent, u dan bi ksur tar-Regolament 11 tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta.

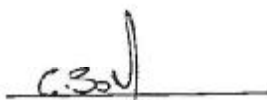
Illu ġaladarba r-rent ta' money laundering, li bih ser jiġi akkużat, iġorr il-piena massima ta' mhux iżjed minn 18 -il sena prigunerija, dan ir-rent jikkostitwixxi rent estradibbli ai termini tal-Att dwar l-Estradizzjoni, Kap. 276 tal-Liġijiet ta' Malta, kif ukoll ai termini ta' l-Ordni dwar l-Estradizzjoni (Pajjiżi Barranin Speċifikati), LS 276.02;

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Għaldaqstant l-esponent umilment jitlob lil dina l-Onorabbli Qorti sabiex tordna il-ħruġ ta' Mandat t'Arrest Internazzjonali għal fini ta' estradizzjoni fil-konfront ta' l-imsemmi **Hamidreza GHANBARI**.



Keith Vella
Spettur



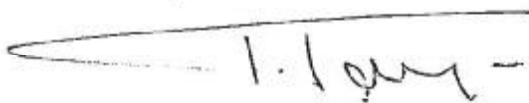
Claire Borg
Spettur



Pauline Bonello
Spettur

Għall-Kummissarju tal-Pulizija

IL - Magistrate Investigator;
Rome - Rome.
Filga t-talba.



Mag Dr. Ian Farrugia LL.D.

24/02/2021

Certified true copy of the original
30 September 2022

Notary Dr Robert Aquilina B.A., LL.D.
176, Triq Santa Margerita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@onvot.net



Fil-Qorti tal-Maġistrati (MALTA)
Mandat ta' Arrest Internazzjonali

4811
HGI
Dokument B

Ilum 24 ta' Frar 2021

Maġistrat Dr Ian Farrugia LLD

Fl-atti ta' l-inkjesta dwar investigazzjoni fir-rigward tal-operat ta' Pilatus Bank Ltd. in konnessjoni ma' hasil ta' flus, li bdiet nhar it-2 ta' Novembru 2018

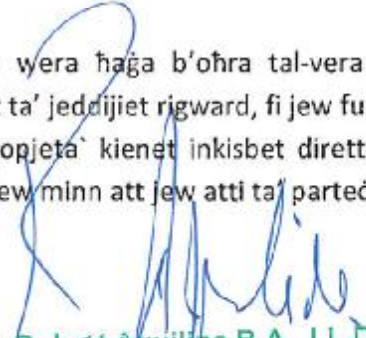
Hamidreza GHANBARI, imwieled l-Iran nhar l-24 ta' Lulju 1984, detentur tal-Karta ta' l-Identita' Maltija bin-numru 128716A u detentur ta' Passaport mahrug mill-Commonwealth of Dominica bin-numru R0096416.

Il-Qorti,

Billi l-imsemmi Hamidreza GHANBARI, huwa mitlub ai fini ta' investigazzjoni u sussegwement ai fini ta' prosekuzzjoni u cioe' sabiex jitressaq il-Qorti tal-Maġistrati (Malta) bhala Qorti Istrutturja, akkużat talli fil-21 ta' Marzu 2018 u fil-granet, xhur u snin ta' qabel, f'dawn il-Gżejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, ikunu jiksru l-istess dispożizzjoni tal-liġi, u jkunu ġew magħmula b'rizoluzzjoni waħda, f'ħinijiet u f'postijiet diversi madwar Malta:

1. Għamel atti ta' money laundering billi:-

- i) Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita' kriminali jew minn att ta' parteċipazzjoni f'attivita' kriminali, għall-iskop ta' jew skopijiet ta' ħabi jew wiri ħaġa b'oħra ta' l-ořigini tal-propjeta' jew ta' għoti ta' għajnuna lil xi persuna jew persuni involuti jew konċernati f'attivita' kriminali;
- ii) Heba jew wera ħaġa b'oħra tal-vera xorta, provenjenza, lok, dispożizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;


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Siggiewi SGW1016, Malta

Dokument Markat	HGI
Ippreżentat minn	S. V. V. V.
Ilum	24/2/21
Marion Mifsud	
Deputy	

- 48 / 2
- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew originat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' partecipazzjoni f'attività kriminali;
 - iv) Bir-ritensjoni mingħajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew originat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' partecipazzjoni f'attività kriminali;
 - v) Ittenta jagħmel l-ħwejjeġ jew attivitajiet illegali fuq imsemmija;
 - vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi waħda mill-ħwejjeġ jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta.

2. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli:

- jivvaluta u, kif inu adatt, jikseb informazzjoni dwar l-għan u x-xorta intiża tar-relazzjoni kummerċjali u li jiġi stabbilit il-profil kummerċjali u tar-riskju tal-klijent;
- jagħmel monitoraġġ kontinwu tar-relazzjoni kummerċjali;

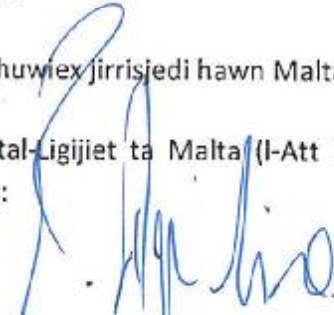
u dan bi ksur tar-Regolament 7(1)(c) u (d) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

3. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli jivverifika l-identita' tal-klijent u, l-identita' tas-sid beneficijarju, qabel ma ġiet stabbilita relazzjoni kummerċjali jew twettqet xi operazzjoni, u dan bi ksur tar-Regolament 8(1) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

4. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli japplika miżuri msaħħa ta' diliġenza dovuta li tirrigwarda l-klijent, u dan bi ksur tar-Regolament 11 tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

Billi l-investigazzjonijiet juru illi Hamidreza GHANBARI mhuwiex jirrisjedi hawn Malta.

Billi dispożizzjonijiet tal-liġi, artikolu 3 tal-Kapitlu 373 tal-Liġijiet ta' Malta (l-Att kontra l-Money Laundering), li jipprovdu għar-reat ta' hasil tal-flus:


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3.(1) Kull persuna li tagħmel att ta' money laundering tkun hatja ta' reat u tehel meta tinsab hatja multa ta' mhux iżjed minn żewġ miljuni u ħames mitt elf euro (€2,500,000), jew priġunerija għal żmien ta' mhux iżjed minn tmintax-il sena, jew dik il-multa u priġunerija flimkien.

(2) Meta reat kontra d-dispożizzjonijiet ta' dan l-Att isir minn korp ta' persuni (sew jekk dak il-korp ikun korporat jew le), kull persuna li, fiż-żmien tal-għemil tar-reat, kienet direttur, manager, segretarju jew uffiċjal iehor simili ta' dak il-korp jew għaqda, jew kienet tidher li qed taġixxi f'dik il-kariga, tkun hatja ta' reat kemm-il darba ma tippruvax li r-reat ikun sar mingħajr it-tagħrif tagħha u li tkun eżerċitat id-diligenza kollha xierqa biex ma tħallix illi jsirir-reat.

Billi hekk kif hawn fuq imsemmi r-reat ta' Money Laundering in kwistjoni huwa reat estradibbli għaladarba l-istess reat iġorr il-plena massima f'każ ta' htija ta' priġunerija għal żmien ta' mhux iżjed minn tmintax-il sena;

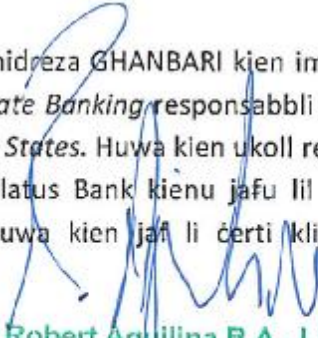
Billi l-fatti dwar il-kaz huma kif gej:

Illi l-Pulizija Eżekuttiva f' Ottubru tal-2018 irċiviet rapport kunfidenzjali illi Pilatus Bank Ltd. ma kienx qiegħed jopera skond dawk il-miżuri u l-proċeduri ta kontra l-ħasil tal-flus u l-iffinanzjar ta' terrorismu.

Illi wara investigazzjonijiet ulterjuri li saru mill-Pulizija Eżekuttiva, nhar it-2 ta Novembru 2018 infethet Inkjesta Maġisterjali fejn diversi esperti ġew maħtura biex jgħinu fl-investigazzjoni. Dakinhar ukoll, il-Maġistrat Inkwirenti flimkien ma diversi uffiċjali tal-korp tal-Pulizija aċċedew fil-bini tal-bank u kull uffiċjal u impjegat tal-bank li kien preżenti ġie ordant biex jieħu l-effetti personali tiegħu u jhalli l-post. Pilatus Bank ġie imqiegħed *under lock and key* taht l-awtorita' tal-Inkjesta Maġisterjali.

Illi fis-17 ta Diċembru 2018, il-Maġistrat Inkwerenti ħatar l-esperti *Duff and Phelps* sabiex jagħmlu eżerċizzju biex jiddeterminaw jekk Pilatus Bank Ltd. kienx qiegħed jimxi mal-miżuri u l-proċeduri ta kontra l-ħasil tal-flus u l-iffinanzjar ta' terrorismu. Dan l-eżerċizzju sar bejn it-8 ta' Jannar 2019 u t-30 ta' Ġunju 2020. *Duff and Phelps* bdew billi żaru Pilatus Bank u ħadu kopja tad-data diġitali tal-bank u isskenjaw id-dokumenti kollha li sabu fil-forma ta' *hard copy*. Minn hemmhekk din l-informazzjoni ġiet ipproċessata u *Duff and Phelps* bdew bl-investigazzjoni tagħhom.

Mill-investigazzjoni ta' *Duff and Phelps* irriżulta illi Hamidreza GHANBARI kien impjegat ma' Pilatus Bank bħala *Relationship Manager/Head of Private Banking* responsabbli mir-Reġjun tal-Lvant Nofsani u mill-*Commonwealth of Independent States*. Huwa kien ukoll responsabbli li jintroduci l-klijenti lil-bank. Ħafna mill-klijenti ta Pilatus Bank kienu jafu lil Hamidreza GHANBARI minnhabba xi negozju iehor għalhekk huwa kien jaf li ċerti klijenti kienu


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Politically Exposed Persons u kien jaf bin-natura tan-negozji ta' ċerti klijenti kif ukoll bil-konessjonijiet tagħhom. Hamidreza GHANBARI kien normalment l-unika impjegat tal-bank li jiltaqa' ma' ċerti klijenti ikkunsidrati bħala *high-risk*. Jirriżulta illi hu għali iċċertifika dokumenti bħala vera kopja oriġinali mingħajr ma ra l-oriġinali u kien involut biex iwieġeb il-magħġoranza ta' *queries* relatati ma' kontijiet bankarji u transazzjonijiet. Hamidreza GHANBARI kien membru fil-*Credit Committee* u għalhekk setgħa influenza deċiżjonijiet rigward loans.

Wara li gie ippreżentat ir-rapport finali ta' *Duff and Phelps* u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva, jidher illi hemm raġunijiet biżżejjed biex jitniedu proċeduri kriminali fil-konfront ta' Hamidreza GHANBARI.

Il-Qorti

Għar-raġunijiet premissi, titlob li fil-każ li l-imsemmi Hamidreza GHANBARI jinstab f'pajjiż barra minn Malta huwa għandu jinżamm hemm u l-Pulizija Maltija tiġi informata minnufih sabiex dik il-persuna titreġġa' lura Malta sabiex huwa jwieġeb għall-akkużi miġjuba kontra tiegħu kif fuq imsemmi.

Maħruġ illum 24 ta' Frar 2021
minni Maġistrat

Dr. Ian Farrugia LL.D
Maġistrat

Mag Dr. Ian Farrugia LL.D.

Certified true copy of the original
30th September 2022

Notary Dr Robert Aquilina B.A., LL.D.
176 Triq Santa Margherita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@onvci.net



In the Court of Magistrates (Malta)

International Arrest Warrant

Dokument C *HG-2*
4875

Dokument Markat	<i>HG-2</i>
Ipprozzontat minn	<i>Sr U. Velle</i>
Idur.	<i>24/2/21</i>
Dopul.	<i>Maltese Identity Card</i>
Det. Tag.	

Today, 24 February 2021

Magistrate Dr Ian Farrugia LLD

In the Acts of the Magisterial Inquiry concerning an investigation into the operation of Pilatus Bank Ltd. in connection with money laundering, initiated on 2nd November 2018.

Hamidreza GHANBARI, born in Iran on 24th July 1984, holder of Maltese Identity Card number 128716A and holder of Passport issued by Commonwealth of Dominica bearing number R0096416.

The Court,

Whereas the said Hamidreza GHANBARI, is wanted for investigation purposes and eventually for prosecution, that is, to be accused before the Court of Magistrates (Malta) as a Court of Criminal Inquiry for:

Having on 21st March 2018 and in the previous days, months and years, in the Maltese Islands, with several acts and, even if at different times, they violate the same provisions of law, even by a single resolution, in various times and places about Malta:

1. Committed acts of money laundering by-

(i) converting or transferring property knowing or suspecting that such property is derived directly or indirectly from, or the proceeds of, criminal activity or from an act or acts of participation in criminal activity, for the purpose of or purposes of concealing or disguising the origin of the property or of assisting any person or persons involved or concerned in criminal activity;

(ii) concealing or disguising the true nature, source, location, disposition, movement, rights with respect of, in or over, or ownership of property, knowing or suspecting

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that such property is derived directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

(iii) acquiring, possessing or using property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

(iv) retention without reasonable excuse of property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

(v) attempting any of the matters or activities defined in the above foregoing subparagraphs (i), (ii), (iii) and (iv) within the meaning of article 41 of the Criminal Code;

(vi) acting as an accomplice within the meaning of article 42 of the Criminal Code in respect of any of the matters or activities defined in the above foregoing subparagraphs (i), (ii), (iii), (iv) and (v);

in breach of Article 3 of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

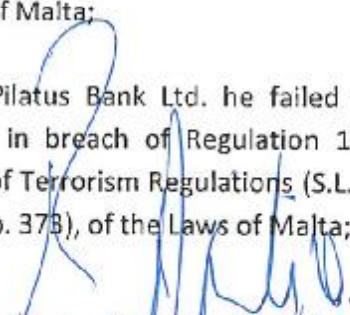
2. In his personal capacity and as Director of Pilatus Bank Ltd. he failed to:

- assess and, as appropriate, obtain information on the purpose and intended nature of the business relationship, and establish the business and risk profile of the customer;
- conduct ongoing monitoring of the business relationship.

in breach of Regulation 7(1) (c) and (d) of the Prevention of Money Laundering and Funding of Terrorism Regulations (S.L. 373.01), of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

3. In his personal capacity and as Director of Pilatus Bank Ltd. he failed to verify the identity of the customer and, where applicable, the identity of the beneficial owner, before the establishment of a business relationship or the carrying out of an occasional transaction, in breach of Regulation 8(1) of the Prevention of Money Laundering and Funding of Terrorism Regulations (S.L. 373.01), of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

4. In his personal capacity and as Director of Pilatus Bank Ltd. he failed to apply enhanced customer due diligence measures, in breach of Regulation 11 of the Prevention of Money Laundering and Funding of Terrorism Regulations (S.L. 373.01), of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;


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Whereas investigations show that **Hamidreza GHANBARI** is not residing in Malta.

Whereas the relative provisions of law, article 3 of Chapter 373 of the Laws of Malta, provides the following for the offence of money laundering:

3. (1) Any person committing any act of money laundering shall be guilty of an offence and shall, on conviction, be liable to a fine (multa) not exceeding two million and five hundred thousand euro (€2,500,000), or to imprisonment for a period not exceeding eighteen years, or to both such fine and imprisonment

(2) Where an offence against the provisions of this Act is committed by a body of persons, whether corporate or unincorporate, every person who, at the time of the commission of the offence, was a director, manager, secretary or other similar officer of such body or association, or was purporting to act in any such capacity, shall be guilty of that offence unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence.

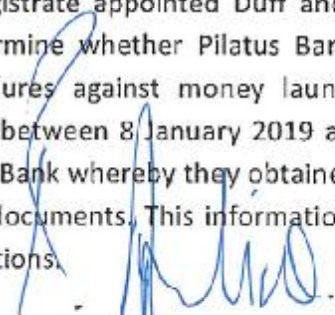
Whereas, as stated above, the offence of money laundering, is an extraditable offence since it carries the maximum punishment of not more than 18 years imprisonment;

Whereas the facts of the case are as follows:

Whereas the Executive Police received a confidential report in October 2018 stating that Pilatus Bank Ltd. is not operating according to the measures and procedures against money laundering and financing of terrorism.

Whereas on 2 November 2018, a Magisterial Inquiry was initiated and the necessary experts were appointed to help in the investigation. On the same day, the Inquiring Magistrate together with the Executive Police acceded to Pilatus Bank plc whereby they ordered all those present thereat to take their personal effects and leave the Bank. Pilatus Bank plc was put under lock and key under the authority of the Magisterial Inquiry.

Whereas on 17 December 2018, the Inquiring Magistrate appointed Duff and Phelps as experts to carry out an exercise in order to determine whether Pilatus Bank Ltd. was operating according to the measures and procedures against money laundering and financing of terrorism. This exercise was conducted between 8 January 2019 and 30 June 2020. Duff and Phelps visited the premises of Pilatus Bank whereby they obtained copies of the Bank's digital data and scanned the hard copy documents. This information was then processed and Duff and Phelps started their investigations.


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The investigation of Duff and Phelps shows that Hamidreza GHANBARI was hired by Pilatus Bank plc as a relationship manager/Head of Private Banking responsible for CIS and Middle East Region. As such he was responsible for sourcing and introducing customers to the Bank. Many of the Bank's customers had prior business relationships with Mr. GHANBARI. Thus, it is expected that he knew whether customers were politically exposed persons, the nature of the customers' business activities, their backgrounds and connections. He was often the only employee of the Bank who met certain high-risk customers in person. Mr. GHANBARI appears to have certified corporate documentation as a true copy of the original without having sight of the originals. He was involved also in resolving the majority of account and transaction related queries. He was also a member of the Credit Committee where he was able to influence decisions regarding granting and renewal of loans.

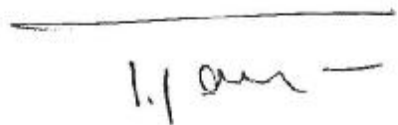
After Duff and Phelps presented their final report, and following further investigations from the Executive Police, there seems to be enough reasons in order to initiate criminal proceedings against Hamidreza GHANBARI.

The Court

For the above premised reasons, requests that in the accused Hamidreza GHANBARI is found in any country outside Malta he is to be held there and that the Malta Police is to be informed forthwith so that the said person could be extradited to Malta so that he will answer for the charges brought against him as aforesaid.

Issued on this day, the 24 February 2021

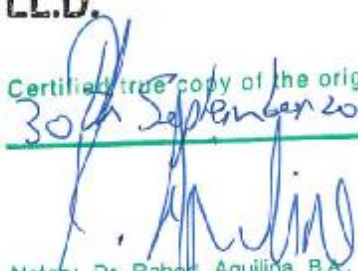
by the authority vested in me as Magistrate,



Dr. Ian Farrugia LL.D
Magistrate

Mag Dr. Ian Farrugia LL.D.

Certified true copy of the original
30th September 2022


Notary Dr. Robert Aquilina B.A., LL.D.
176, Triq Santa Margherita, Siggiewi SGW1016, Malta
Tel 21463536 Email: notary.aquilina@onvol.net

Fil-Qorti tal-Maġistrati (Malta)
Bhala Qorti Inkwirenti

SA S
487p
Document D

Fl-Atti tal-Inkjesta Maġisterjali fir-
rigward tal-operat ta' Pilatus Bank Ltd, in
konnessjoni ma' hasil ta' flus.

(Inkjesta miftuha nhar it-2 ta' Novembru
2018)

Illum, 24 ta' Frar 2021

Rikors tal-Kummissarju tal-Pulizija

Lill-Maġistrat Dr Ian Farrugia LL.D.

Sur Maġistrat,

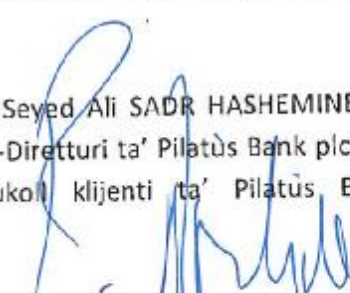
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Ipprezentat minn	Sp + 4. Vella
Ilum:	24/2/21
	M. A. ... ud
	Dep. Reg.

Illi l-Pulizija Eżekuttiva f' Ottubru tal-2018 irċiviet rapport kunfidenzjali illi Pilatus Bank Ltd. ma
kienx qiegħed jopera skond dawk il-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-ffinanzjar
ta' terrorismu.

Illi wara investigazzjonijiet ulterjuri li saru mill-Pulizija Eżekuttiva, nhar it-2 ta Novembru 2018
infethet Inkjesta Maġisterjali fejn diversi esperti ġew maħtura biex jghinu fl-investigazzjoni.
Dakinhar ukoll, il-Maġistrat Inkwirenti flimkien ma diversi uffiċjali tal-korp tal-Pulizija aċċedew
fil-bini tal-bank u kull uffiċjal u impjegat tal-bank li kien preżenti ġie ordant biex jiehu l-effetti
personali tiegħu u jhalli l-post. Pilatus Bank ġie imqiegħed *under lock and key* taħt l-awtorita'
tal-Inkjesta Maġisterjali.

Illi fis-17 ta Diċembru 2018, il-Maġistrat Inkwerenti ħatar l-esperti *Duff and Phelps* sabiex
jagħmlu eżerċizzju biex jiddeterminaw jekk Pilatus Bank Ltd. kienx qiegħed jimxi mal-miżuri u
l-proċeduri ta kontra l-hasil tal-flus u l-ffinanzjar ta' terrorismu. Dan l-eżerċizzju sar bejn it-8
ta' Jannar 2019 u t-30 ta' Ġunju 2020. *Duff and Phelps* bdew billi żaru Pilatus Bank u ħadu
kopja tad-*data* digitali tal-bank u isskenjaw id-dokumenti kollha li sabu fil-forma ta' *hard copy*.
Minn hemmhekk din l-informazzjoni giet ipproċessata u *Duff and Phelps* bdew bl-
investigazzjoni tagħhom.

Mill-investigazzjoni ta' *Duff and Phelps* irriżulta illi Seyed Ali SADR HASHEMINEJAD kien l-
Ultimate Beneficial Owner u *Chairman* tal-Board tad-Diretturi ta' Pilatus Bank plc. Huwa kien
involut f'kumpaniji ohrajn barranin li huma ukoll klijenti ta' Pilatus Bank. SADR


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HASHEMINEJAD kien involut personalment biex ċertu klijenti jkunu parti mill-klijentela tal-bank. Huwa kien ukoll *Chariman* tal-*Credit Committee* u għalhekk setgħa kien jaf bin-natura tan-negozji ta' ċerti klijenti kif ukoll bil-konessjonijiet tagħhom. Apparti minn hekk, SADR HASHEMINEJAD setgħa kien jaf b'xi transazzjonijiet li kienu suspettużi. Huwa kien obligat li jidentifika dan kollu u jirrapurtah lil *Money Laundering Reporting Officer* tal-bank jew jirraporta dirett lil-Awtoritajiet kompetenti.

Wara li gie ippreżentat ir-rapport finali ta' *Duff and Phelps* u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva, jidher illi hemm raġunijiet biżżejjed biex jitniedu proċeduri kriminali fil-konfront ta' **Sayed Ali SADR HASHEMINEJAD**.

Illu **Sayed Ali SADR HASHEMINEJAD**, detentur tal-karta ta' l-identita' Maltija numru 128714A u detentur ta' erbgħa (4) Passaporti maħruġa minn *St Kitts and Nevis* bin-numri R0052639, RE0005821, RE0015587 u RE0052584, imwieled l-Iran nhar id-9 ta' Frar 1980, huwa mitlub mill-Pulizija Maltija sabiex jiġi investigat ulterjorment u eventwalment jitressaq quddiem il-Qorti tal-Maġistrati (Malta) akkużat b'reat ta' money laundering ai termini ta' l-Artikolu 3 tal-Att kontra Money Laundering, Kapitolu 373 tal-Liġijiet ta' Malta, u legislażzjoni sussidjarja kif imsemmi hawn that, u ċioe' talli fil-21 ta' Marzu 2018 u fil-ġranet, xhur u snin ta' qabel, f'dawn il-Gżejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, ikunu jiksru l-istess dispozizzjoni tal-liġi, u jkunu ġew magħmula b'rizoluzzjoni waħda, f'hinijiet u f'postijiet diversi madwar Malta:

1. Għamel atti ta' money laundering billi:-

- i) Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita' kriminali jew minn att ta' parteċipazzjoni f'attivita kriminali, għall-iskop ta' jew skopijiet ta' habi jew wiri haġa b'ohra ta' l-orijini tal-propjeta' jew ta' għoti ta' għajjnuna lil xi persuna jew persuni involuti jew konċernati f'attivita kriminali;
- ii) Heba jew wera haġa b'ohra tal-vera xorta, provenjenza, lok, dispozizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita kriminali;
- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew orijinat direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita kriminali;
- iv) Bir-ritensjoni mingħajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew orijinat direttament jew

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indirettament minn attivita kriminali jew minn att jew atti ta' parteċipazzjoni f' attivita kriminali;

v) Ittenta jagħmel l-ħwejjeg jew attivitajiet illegali fuq imsemmija;

vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi waħda mill-ħwejjeg jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta;

2. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli:

- jivvaluta u, kif inu adatt, jikseb informazzjoni dwar l-ghan u x-xorta intiża tar-relazzjoni kummerċjali u li jiġi stabbilit il-profil kummerċjali u tar-riskju tal-klijent;
- jagħmel monitoraġġ kontinwu tar-relazzjoni kummerċjali;

u dan bi ksur tar-Regolament 7(1)(ċ) u (d) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

3. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli jivverifika l-identita' tal-klijent u, l-identita' tas-sid benefiċjarju, qabel ma giet stabbilita relazzjoni kummerċjali jew twettqet xi operazzjoni, u dan bi ksur tar-Regolament 8(1) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

4. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli japplika miżuri msahha ta' diliġenza dovuta li ttrrigwarda l-klijent, u dan bi ksur tar-Regolament 11 tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

Illi ġaladarba r-reat ta' money laundering, li bih ser jiġi akkużat, igorr il-piena massima ta' mhux iżjed minn 18 -il sena priġunerija, dan ir-reat jikkostitwixxi reat estradibbli ai termini tal-Att dwar l-Estradizzjoni, Kap. 276 tal-Liġijiet ta' Malta, kif ukoll ai termini ta' l-Ordni dwar l-Estradizzjoni (Pajjiżi Barranin Speċifikati), LS 276.02;

Għaldaqstant l-esponent umilment jitlob lil dina l-Onorabbli Qorti sabiex tordna il-ħruġ ta' Mandat t'Arrest Internazzjonali għal fini ta' estradizzjoni fil-konfront ta' l-imsemmi Seyed Ali SADR HASHEMINEJAD.

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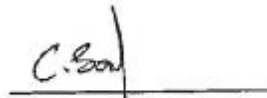
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Keith Vella
Spettur



Claire Borg
Spettur



Pauline Bonello
Spettur

Għall-Kummissarju tal-Pulizija

Talba milqiegħa

1.1 am

Mag Dr. Ian Farrugia LL.D.

24/02/2021

Certified true copy of the original

30th September 2022



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Fil-Qorti tal-Magistrati (MALTA)
Mandat ta' Arrest Internazzjonali

Document L. SASI. 4083

Dokument Markat	SASI
Ippreżentat minn	S. U. VELLA
Illum:	24/2/21
Des. Reg.	

Illum 24 ta' Frar 2021

Magistrat Dr Ian Farrugia LLD

Fl-atti ta' l-inkjesta dwar investigazzjoni fir-rigward tal-operat ta' Pilatus Bank Ltd. in konnessjoni ma' hasil ta' flus, li bdiet nhar it-2 ta' Novembru 2018

Seyed Ali SADR HASHEMINEJAD, imwieled l-Iran nhar id-9 ta' Frar 1980, detentur tal-Karta ta' l-Identita' Maltija bin-numru 128714A u detentur ta' erbgħa (4) Passaporti maħruġa minn St Kitts and Nevis bin-numri R0052639, RE0005821, RE0015587 u RE0052584.

Il-Qorti,

Billi l-imsemmi Seyed Ali SADR HASHEMINEJAD, huwa mitlub ai fini ta' investigazzjoni u sussegwement ai fini ta' prosekuzzjoni u cioè' sabiex jitrexxa il-Qorti tal-Magistrati (Malta) bħala Qorti Istruttoria, akkużat talli fil-21 ta' Marzu 2018 u fil-ġranet, xhur u snin ta' qabel, f'dawn il-Ġejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, ikunu jiksru l-istess dispozizzjoni tal-liġi, u jkunu ġew magħmula b'rizoluzzjoni waħda, f'hinijiet u f'postijiet diversi madwar Malta:

1. Għamel atti ta' *money laundering* billi:-

- i) Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita' kriminali jew minn att ta' parteċipazzjoni f'attivita' kriminali, għall-iskop ta' jew skopijiet ta' haħbi jew wiri haħga b'oħra ta' l-origini tal-propjeta' jew ta' għoti ta' ghajjnuna lil xi persuna jew persuni involuti jew konċernati f'attivita' kriminali;
- ii) Heba jew wera haħga b'oħra tal-vera xorta, provenjenza, lok, dispozizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;

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- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew oriġinat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- iv) Bir-ritensjoni minghajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew oriġinat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- v) Ittenta jagħmel l-ħwejjeg jew attivitajiet illegali fuq imsemmija;
- vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi waħda mill-ħwejjeg jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta;

2. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli:

- jivvaluta u, kif inu adatt, jikseb informazzjoni dwar l-għan u x-xorta intiża tar-relazzjoni kummerċjali u li jiġi stabbilit il-profil kummerċjali u tar-riskju tal-klijent;
- jagħmel monitoraġġ kontinwu tar-relazzjoni kummerċjali;

u dan bi ksur tar-Regolament 7(1)(ċ) u (d) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

3. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli jivverifika l-identita' tal-klijent u, l-identita' tas-sid benefiċjarju, qabel ma giet stabbilita relazzjoni kummerċjali jew twettqet xi operazzjoni, u dan bi ksur tar-Regolament 8(1) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

4. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli japplika miżuri msaħħa ta' diligenza dovuta li tirrigwarda l-klijent, u dan bi ksur tar-Regolament 11 tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta.

Billi l-investigazzjonijiet juru illi Seyed Ali SADR HASHEMINEJAD mhuwiex jirrisjedi hawn Malta.

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Billi dispożizzjonijiet tal-ligi, artikolu 3 tal-Kapitlu 373 tal-Ligijiet ta Malta (l-Att kontra l-Money Laundering), li jipprovdu għar-reat ta' hasil tal-flus:

3.(1) *Kull persuna li tagħmel att ta' money laundering tkun hatja ta' reat u tehel meta tinsab hatja multa ta' mhux iżjed minn żewġ miljuni u ħames mitt elf euro (€2,500,000), jew priġunerija għal żmien ta' mhux iżjed minn tmintax-il sena, jew dik il-multa u priġunerija flimkien.*

(2) *Meta reat kontra d-dispożizzjonijiet ta' dan l-Att isir minn korp ta' persuni (sew jekk dak il-korp ikun korporat jew le), kull persuna li, fiż-żmien tal-għemil tar-reat, kienet direttur, manager, segretarju jew uffiċjal ieħor simili ta' dak il-korp jew għaqda, jew kienet tidher li qed tagħxi f'dik il-kariga, tkun hatja ta' reat kemm-il darba ma tippruvax li r-reat ikun sar mingħajr it-tagħrif tagħha u li tkun eżerċitat id-diligenza kollha xierqa biex ma tħallix illi jsirir-reat.*

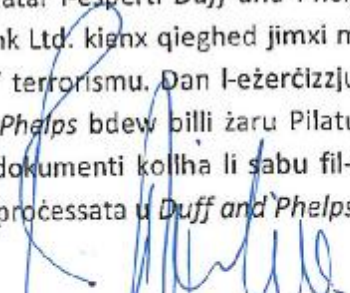
Billi hekk kif hawn fuq imsemmi r-reat ta' Money Laundering in kwistjoni huwa reat estradibbli għaladarba l-istess reat igorr il-piena massima f'każ ta' htija ta' priġunerija għal żmien ta' mhux iżjed minn tmintax-il sena;

Billi l-fatti dwar il-każ huma kif ġej:

Illi l-Pulizija Eżekuttiva f' Ottubru tal-2018 irċiviet rapport kunfidenzjali illi Pilatus Bank Ltd. ma kienx qiegħed jopera skond dawk il-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta' terrorismu.

Illi wara investigazzjonijiet ulterjuri li saru mill-Pulizija Eżekuttiva, nhar it-2 ta Novembru 2018 infethet Inkjesta Maġisterjali fejn diversi esperti ġew maħtura biex jgħinu fl-investigazzjoni. Dakinhar ukoll, il-Maġistrat Inkwirenti flimkien ma diversi uffiċjali tal-korp tal-Pulizija aċċedew fil-bini tal-bank u kull uffiċjal u impjegat tal-bank li kien preżenti ġie ordant biex jiehu l-effetti personali tiegħu u jhalli l-post. Pilatus Bank ġie imqiegħed *under lock and key* taht l-awtorita' tal-Inkjesta Maġisterjali.

Illi fis-17 ta Diċembru 2018, il-Maġistrat Inkwerenti hatar l-esperti *Duff and Phelps* sabiex jagħmlu eżerċizzju biex jiddeterminaw jekk Pilatus Bank Ltd. kienx qiegħed jimxi mal-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta' terrorismu. Dan l-eżerċizzju sar bejn it-8 ta' Jannar 2019 u t-30 ta' Ġunju 2020. *Duff and Phelps* bdew billi żaru Pilatus Bank u ħadu kopja tad-data digitali tal-bank u isskenjaw id-dokumenti kollha li sabu fil-forma ta' *hard copy*. Minn hemmhekk din l-informazzjoni ġiet ipproċessata u *Duff and Phelps* bdew bl-investigazzjoni tagħhom.


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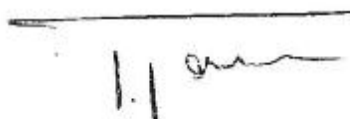
Mill-investigazzjoni ta' *Duff and Phelps* irrizulta illi Seyed Ali SADR HASHEMINEJAD kien l-*Ultimate Beneficial Owner* u *Chairman* tal-Board tad-Diretturi ta' Pilatus Bank plc. Huwa kien involut f'kumpaniji oħrajn barranin li huma ukoll klijenti ta' Pilatus Bank. SADR HASHEMINEJAD kien involut personalment biex ċertu klijenti jkunu parti mill-klijentela tal-bank. Huwa kien ukoll *Chairman* tal-*Credit Committee* u għalhekk setgħa kien jaf bin-natura tan-negozji ta' ċerti klijenti kif ukoll bil-konessjonijiet tagħhom. Apparti minn hekk, SADR HASHEMINEJAD setgħa kien jaf b'xi transazzjonijiet li kienu suspettużi. Huwa kien obbligat li jidentifika dan kollu u jirrapurtah lil *Money Laundering Reporting Officer* tal-bank jew jirraporta dirett lil-Awtoritajiet kompetenti.

Wara li gie ipprezentat ir-rapport finali ta' *Duff and Phelps* u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva, jidher illi hemm raġunijiet biżżejjed biex jitniedu proċeduri kriminali fil-konfront ta' Seyed Ali SADR HASHEMINEJAD.

Il-Qorti

Għar-raġunijiet premissi, titlob li fil-kaz li l-imsemmi Seyed Ali SADR HASHEMINEJAD jinstab f'pajjiż barra minn Malta huwa għandu jinżamm hemm u l-Pulizija Maltija tiġi informata minnufih sabiex dik il-persuna titreġġa' lura Malta sabiex huwa jwieġeb għall-akkużi miġjuba kontra tiegħu kif fuq imsemmi.

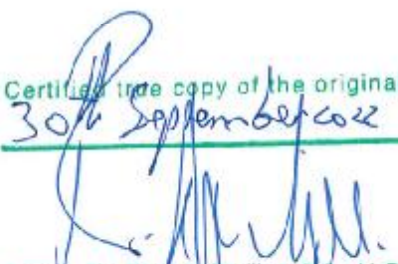
Mahrug illum 24 ta' Frar 2021
minni Maġistrat



Dr. Ian Farrugia LL.D
Maġistrat

Mag Dr. Ian Farrugia LL.D.

Certified true copy of the original
30th September 2022



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In the Court of Magistrates (Malta)

International Arrest Warrant

Dokument Markat SASZ
 Representat minn Spt H. Udder
 Illum. 26/2/21
 Mar... 26
 Dep. Reg

Today, 24 February 2021

Magistrate Dr Ian Farrugia LLD

In the Acts of the Magisterial Inquiry concerning an investigation into the operation of Pilatus Bank Ltd. in connection with money laundering, initiated on 2nd November 2018.

Seyed Ali SADR HASHEMINEJAD, born in Iran on 9th February 1980, holder of Maltese Identity Card number 128714A and holder of four (4) Passports issued by St Kitts and Nevis numbers R0052639, RE0005821, RE0015587 and RE0052584.

The Court,

Whereas the said Seyed Ali SADR HASHEMINEJAD, is wanted for investigation purposes and eventually for prosecution, that is, to be accused before the Court of Magistrates (Malta) as a Court of Criminal Inquiry for:

Having on 21st March 2018 and in the previous days, months and years, in the Maltese Islands, with several acts and, even if at different times, they violate the same provisions of law, even by a single resolution, in various times and places about Malta:

1. Committed acts of money laundering by-
- (i) converting or transferring property knowing or suspecting that such property is derived directly or indirectly from, or the proceeds of, criminal activity or from an act or acts of participation in criminal activity, for the purpose of or purposes of concealing or disguising the origin of the property or of assisting any person or persons involved or concerned in criminal activity;
 - (ii) concealing or disguising the true nature, source, location, disposition, movement, rights with respect of, in or over, or ownership of property, knowing or suspecting that such property is derived directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

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(iii) acquiring, possessing or using property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

(iv) retention without reasonable excuse of property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

(v) attempting any of the matters or activities defined in the above foregoing subparagraphs (i), (ii), (iii) and (iv) within the meaning of article 41 of the Criminal Code;

(vi) acting as an accomplice within the meaning of article 42 of the Criminal Code in respect of any of the matters or activities defined in the above foregoing subparagraphs (i), (ii), (iii), (iv) and (v);

in breach of Article 3 of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

2. In his personal capacity and as Director of Pilatus Bank Ltd. he failed to:

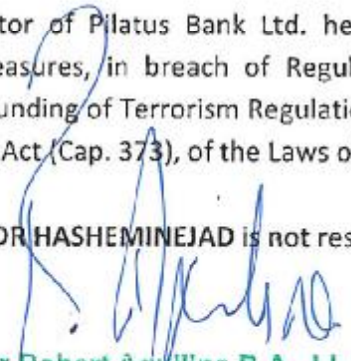
- assess and, as appropriate, obtain information on the purpose and intended nature of the business relationship, and establish the business and risk profile of the customer;
- conduct ongoing monitoring of the business relationship.

in breach of Regulation 7(1) (c) and (d) of the Prevention of Money Laundering and Funding of Terrorism Regulations (S.L. 373.01), of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

3. In his personal capacity and as Director of Pilatus Bank Ltd. he failed to verify the identity of the customer and, where applicable, the identity of the beneficial owner, before the establishment of a business relationship or the carrying out of an occasional transaction, in breach of Regulation 8(1) of the Prevention of Money Laundering and Funding of Terrorism Regulations (S.L. 373.01), of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

4. In his personal capacity and as Director of Pilatus Bank Ltd. he failed to apply enhanced customer due diligence measures, in breach of Regulation 11 of the Prevention of Money Laundering and Funding of Terrorism Regulations (S.L. 373.01), of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

Whereas investigations show that Seyed Ali SADR HASHEMINEJAD is not residing in Malta.


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Whereas the relative provisions of law, article 3 of Chapter 373 of the Laws of Malta, provides the following for the offence of money laundering:

3. (1) Any person committing any act of money laundering shall be guilty of an offence and shall, on conviction, be liable to a fine (multa) not exceeding two million and three hundred and twenty-nine thousand and three hundred and seventy-three euro and forty cents (2,329,373.40), or to imprisonment for a period not exceeding fourteen years, or to both such fine and imprisonment.

(2) Where an offence against the provisions of this Act is committed by a body of persons, whether corporate or unincorporate, every person who, at the time of the commission of the offence, was a director, manager, secretary or other similar officer of such body or association, or was purporting to act in any such capacity, shall be guilty of that offence unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence.

Whereas, as stated above, the offence of money laundering, is an extraditable offence since it carries the maximum punishment of not more than 18 years imprisonment;

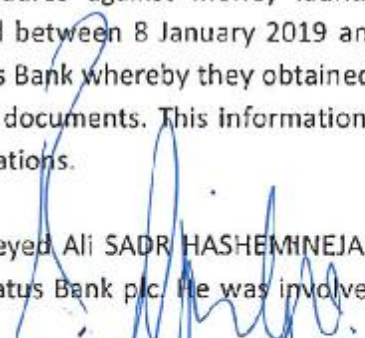
Whereas the facts of the case are as follows:

Whereas the Executive Police received a confidential report in October 2018 stating that Pilatus Bank Ltd. is not operating according to the measures and procedures against money laundering and financing of terrorism.

Whereas on 2 November 2018, a Magisterial Inquiry was initiated and the necessary experts were appointed to help in the investigation. On the same day, the Inquiring Magistrate together with the Executive Police acceded to Pilatus Bank plc whereby they ordered all those present thereat to take their personal effects and leave the Bank. Pilatus Bank plc was put under lock and key under the authority of the Magisterial Inquiry.

Whereas on 17 December 2018, the Inquiring Magistrate appointed Duff and Phelps as experts to carry out an exercise in order to determine whether Pilatus Bank Ltd. was operating according to the measures and procedures against money laundering and financing of terrorism. This exercise was conducted between 8 January 2019 and 30 June 2020. Duff and Phelps visited the premises of Pilatus Bank whereby they obtained copies of the Bank's digital data and scanned the hard copy documents. This information was then processed and Duff and Phelps started their investigations.

The investigation of Duff and Phelps shows that Seyed Ali SADR HASHEMINEJAD was the UBO and Chairman of the Board of Directors of Pilatus Bank plc. He was involved in other


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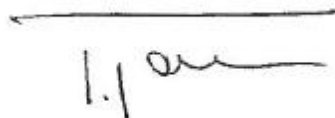
foreign entities and some of them became also clients of Pilatus Bank. Seyed Ali SADR HASHEMINEJAD was also Chairman of the Credit Committee. Because of this, it is expected that he was aware of the nature of such customer's business activities, their backgrounds and connections. He would have been aware also of unusual and/or suspicious transactions. Mr Sadr Hasheminejad was under an obligation to identify and report suspicious activity to the Bank's MLRO or directly to competent Maltese Authorities.

After Duff and Phelps presented their final report, and following further investigations from the Executive Police, there seems to be enough reasons in order to initiate criminal proceedings against Seyed Ali SADR HASHEMINEJAD.

The Court

For the above premised reasons, requests that in the accused Seyed Ali SADR HASHEMINEJAD is found in any country outside Malta he is to be held there and that the Malta Police is to be informed forthwith so that the said person could be extradited to Malta so that he will answer for the charges brought against him as aforesaid.

Issued on this day, the 24 February 2021
by the authority vested in me as Magistrate,

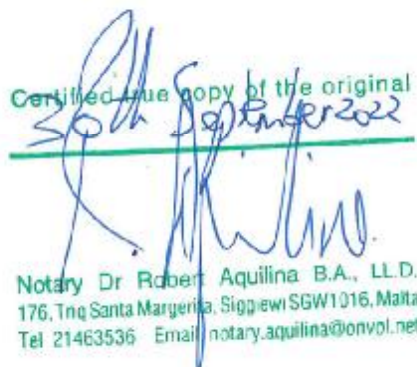


Dr. Ian Farrugia LL.D

Magistrate

Mag Dr. Ian Farrugia LL.D.

Certified true copy of the original
30th September 2022



Notary Dr Robert Aquilina B.A., LL.D.
176, Tne Santa Margerita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@onvol.net

1

Dokument G.

Fil-Qorti tal-Maġistrati (Malta)
Bhala Qorti Inkwirenti

Dokument Markat	CFR
Ippreżentat minni	Sgt V. Vella
Illum:	24/2/21
	M. Vella
	Dep. Reg.

Fl-atti tal- Inkjesta Maġisterjali fir-rigward tal-operat ta' Pilatus Bank Ltd, in konnessjoni ma' hasil ta' flus.

(Inkjesta miftuħa nhar it-2 ta' Novembru 2018)

Illum, 24 ta' Frar 2021

Rikors tal-Kummissarju tal-Pulizija

Lill-Maġistrat Dr Ian Farrugia LL.D.

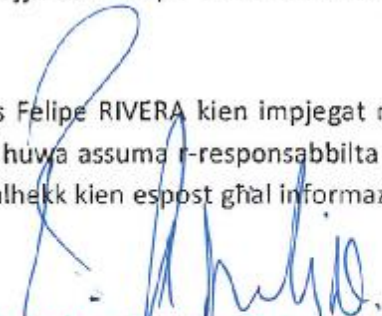
Sur Maġistrat,

Illi l-Pulizija Eżekuttiva f' Ottubru tal-2018 irċiviet rapport kunfidenzjali illi Pilatus Bank Ltd. ma kienx qiegħed jopera skond dawk il-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta' terrorismu.

Illi wara investigazzjonijiet ulterjuri li saru mill-Pulizija Eżekuttiva, nhar it-2 ta Novembru 2018 infethet Inkjesta Maġisterjali fejn diversi esperti ġew maħtura biex jgħinu fl-Investigazzjoni. Dakinhar ukoll, il-Maġistrat Inkwirenti flimkien ma diversi uffiċjali tal-korp tal-Pulizija aċċedew fil-bini tal-bank u kull uffiċjal u impjegat tal-bank li kien preżenti ġie ordant biex jieħu l-effetti personali tiegħu u jħalli l-post. Pilatus Bank ġie imqiegħed *under lock and key* taħt l-awtorita' tal-Inkjesta Maġisterjali.

Illi fis-17 ta Diċembru 2018, il-Maġistrat Inkwerenti ħatar l-esperti *Duff and Phelps* sabiex jagħmlu eżerċizzju biex jiddeterminaw jekk Pilatus Bank Ltd. kienx qiegħed jimxi mal-miżuri u l-proċeduri ta' kontra l-hasil tal-flus u l-iffinanzjar ta' terrorismu. Dan l-eżerċizzju sar bejn it-8 ta' Jannar 2019 u t-30 ta' Ġunju 2020. *Duff and Phelps* bdew billi żaru Pilatus Bank u hadu kopja tad-data diġitali tal-bank u isskenjaw id-dokumenti kollha li sabu fil-forma ta' *hard copy*. Minn hemmhekk din l-informazzjoni giet ipproċessata u *Duff and Phelps* bdew bl-investigazzjoni tagħhom.

Mill-investigazzjoni ta *Duff and Phelps* irriżulta illi Luis Felipe RIVERA kien impjegat mal-bank bħala *Chief Information Officer* u mill-1 ta' April 2015 huwa assumu r-responsabbiltà ta' *Chief Operations Officer*. Huwa kien membru tal-Board u għalhekk kien espost għal informazzjoni li l-


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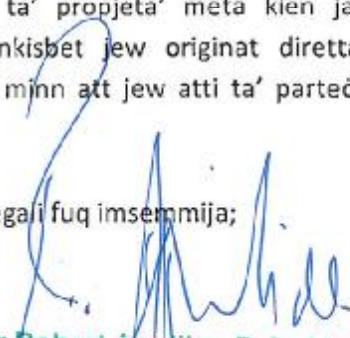
MLRO kien jirraporta lil-Board. Luis Felipe RIVERA kien ukoll responsabbli fl-implimentazzjoni tas-sistemi u kontrolli kontra l-Fasil tal-Flus u l-Iffinanzjar kontra t-Terroriżmu.

Wara li ġie ippreżentat ir-rapport finali ta' *Duff and Phelps* u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva, jidher illi hemm raġunijiet biżżejjed biex jitniedu proċeduri kriminali fil-konfront ta' Luis Felipe RIVERA.

Illi Luis Felipe RIVERA, detentur tal-karta ta' l-identita' Maltija numru 134404A u detentur ta' Passaport Amerikan bin-numru 531183028, imwieled l-Amerika nhar id-19 ta' Ottubru 1981, huwa mitlub mill-Pulizija Maltija sabiex jiġi investigat ulterjorment u eventwalment jitressaq quddiem il-Qorti tal-Maġistrati (Malta) akkużat b'reat ta' money laundering ai termini ta' l-Artikolu 3 tal-Att Kontra Money Laundering, Kapitolu 373 tal-Liġijiet ta' Malta u legislażżjoni sussidjarja kif imnizzel hawn taht u cioe' talli fil-21 ta' Marzu 2018 u fil-ġranet, xhur u snin ta' qabel, f'dawn il-Gżejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, ikunu jiksru l-istess dispożizzjoni tal-liġi, u jkunu ġew magħmula b'rizoluzzjoni wahda, f'hinijiet u f'postijiet diversi madwar Malta:

1. Għamel atti ta' *money laundering* billi:-

- i) Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita' kriminali jew minn att ta' parteċipazzjoni f'attivita' kriminali, għall-iskop ta' jew skopijiet ta' haħbi jew wiri haħa b'ohra ta' l-origini tal-propjeta' jew ta' għoti ta' ghajnuna lil xi persuna jew persuni involuti jew konċernati f'attivita' kriminali;
- ii) Heba jew wera haħa b'ohra tal-vera xorta, provenjenza, lok, dispożizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;
- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew orġinat direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;
- iv) Bir-ritensjoni mingħajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew orġinat direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;
- v) Ittenta jagħmel l-ħwejjeġ jew attivitajiet illegali fuq imsemmija;


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Siggiewi SGW1016, Malta

- vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi waħda mill-hwejjeġ jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta;

2. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli:

- jivvaluta u, kif inu adatt, jikseb informazzjoni dwar l-għan u x-xorta intiża tar-relazzjoni kummerċjali u li jiġi stabbilit il-profil kummerċjali u tar-riskju tal-klijent;
- jagħmel monitoraġġ kontinwu tar-relazzjoni kummerċjali;

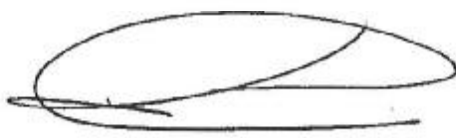
u dan bi ksur tar-Regolament 7(1)(c) u (d) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

3. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli jivverifika l-identita' tal-klijent u, l-identita' tas-sid benefiċjarju, qabel ma giet stabbilita relazzjoni kummerċjali jew twettqet xi operazzjoni, u dan bi ksur tar-Regolament 8(1) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

4. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli japplika miżuri msahha ta' diliġenza dovuta li tirrigwarda l-klijent, u dan bi ksur tar-Regolament 11 tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

Illi galadarba r-reat ta' money laundering, li bih ser jiġi akkużat, iġorr il-piena massima ta' mhux iżjed minn 18 -il sena prigunerija, dan ir-reat jikkostitwixxi reat estradibbli ai termini tal-Att dwar l-Estradizzjoni, Kap. 276 tal-Liġijiet ta' Malta, kif ukoll ai termini ta' l-Ordni dwar l-Estradizzjoni (Pajjiżi Barranin Speċifikati), LS 276.02;

Għaldaqstant l-esponent umilment jitlob lil dina l-Onorabbli Qorti sabiex tordna il-ħruġ ta' Mandat t'Arrest Internazzjonali għal fini ta' estradizzjoni fil-konfront ta' l-imsemmi Luis Felipe RIVERA.



Keith Vella
Spettur



Claire Borg
Spettur



Pauline Bonello
Spettur

Certified true copy of the original
Għall-Kummissarju tal-Pulizija

Talba mil-qiegħ

1.1 em



Fil-Qorti tal-Maġistrati (MALTA)
Mandat ta' Arrest Internazzjonali

Document H. 4896 *LFRI*

Dokument Markat	<i>LFRI</i>
Ipprozentat minn	<i>Sgt U. Vella</i>
Illum:	<i>22/11/2021</i>
Modo	<i>Fora</i>
Dep. Reg.	

Illum 24 ta' Frar 2021

Maġistrat Dr Ian Farrugia LLD

Fl-atti ta' l-inkjesta dwar investigazzjoni fir-rigward tal-operat ta' Pilatus Bank Ltd. in konnessjoni ma' hasil ta' flus, li bdiet nhar it-2 ta' Novembru 2018.

Luis Felipe RIVERA, imwieled l-Amerika nhar id-19 ta' Ottubru 1981, detentur tal-Karta ta' l-Identita' Maltija bin-numru 134404A u detentur ta' Passaport Amerikan bin-numru 531183028.

Il-Qorti,

Billi l-imsemmi Luis Felipe RIVERA, huwa mitlub ai fini ta' investigazzjoni u sussegwement ai fini ta' prosekuzzjoni u cioe' sabiex jitressaq il-Qorti tal-Maġistrati (Malta) bhala Qorti Istrutturja, akkużat talli fil-21 ta' Marzu 2018 u fil-granet, xhur u snin ta' qabel, f'dawn il-Gzejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, ikunu jiksru l-istess dispozizzjoni tal-liġi, u jkunu ġew magħmula b'rizoluzzjoni waħda, f'hinijiet u f'postijiet diversi madwar Malta:

1. Għamel atti ta' money laundering billi:-

- i) Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita' kriminali jew minn att ta' parteċipazzjoni f'attivita' kriminali, għall-iskop ta' jew skopijiet ta' haġi jew wiri haġa b'ohra ta' l-origini tal-propjeta' jew ta' għoti ta' għajjuna lil xi persuna jew persuni involuti jew konċernati f'attivita' kriminali;
- ii) Heba jew wera haġa b'ohra tal-vera xorta, provenjenza, lok, dispozizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;

[Signature]
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Siggiewi SGW1016, Malta

- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew originat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- iv) Bir-ritensjoni mingħajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew originat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- v) Ittenta jagħmel l-ħwejjeg jew attivitajiet illegali fuq imsemmija;
- vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi waħda mill-ħwejjeg jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta;

2. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli:

- jivvaluta u, kif inu adatt, jikseb informazzjoni dwar l-għan u x-xorta intiża tar-relazzjoni kummerċjali u li jiġi stabbilit il-profil kummerċjali u tar-riskju tal-klijent;
- jagħmel monitoraġġ kontinwu tar-relazzjoni kummerċjali;

u dan bi ksur tar-Regolament 7(1)(ċ) u (d) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

3. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli jivverifika l-identita' tal-klijent u, l-identita' tas-sid benefiċjarju, qabel ma ġiet stabbilita relazzjoni kummerċjali jew twettqet xi operazzjoni, u dan bi ksur tar-Regolament 8(1) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

4. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli japplika miżuri msaħħa ta' diliġenza dovuta li tirrigwarda l-klijent, u dan bi ksur tar-Regolament 11 tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta.

Billi l-investigazzjonijiet juru illi Luis Felipe RIVERA mhuwiex jirrisjedi hawn Malta.

Billi dispożizzjonijiet tal-liġi, artikolu 3 tal-Kapitlu 373 tal-Liġijiet ta' Malta (l-Att kontra l-Money Laundering), li jipprovdu għar-reat ta' ħasil tal-flus:

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Siggiewi SGW1016, Malta

4896

3.(1) Kull persuna li tagħmel att ta' money laundering tkun hatja ta' reat u tehel meta tinsab hatja multa ta' mhux iżjed minn żewġ miljun u hames mitt elf euro (€2,500,000), jew prigionerija għal żmien ta' mhux iżjed minn tmintax-il sena, jew dik il-multa u prigionerija flimkien.

(2) Meta reat kontra d-dispożizzjonijiet ta' dan l-Att isir minn korp ta' persuni (sew jekk dak il-korp ikun korporat jew le), kull persuna li, fiż-żmien tal-għemil tar-reat, kienet direttur, manager, segretarju jew uffiċjal ieħor simili ta' dak il-korp jew għaqda, jew kienet tidher li qed taġixxi f'dik il-kariga, tkun hatja ta' reat kemm-il darba ma tippruvax li r-reat ikun sar mingħajr it-tagħrif tagħha u li tkun eżerċitat id-diliġenza kolla xierqa biex ma tħallix illi jsirir-reat.

Billi hekk kif hawn fuq imsemmi r-reat ta' Money Laundering in kwistjoni huwa reat estradibbli għaladarba l-istess reat iġorr il-piena massima f'każ ta' htija ta' prigionerija għal żmien ta' mhux iżjed minn tmintax-il sena;

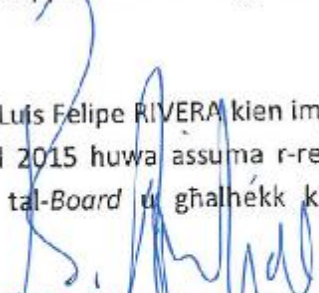
Billi l-fatti dwar il-kaz huma kif gejj:

Illi l-Pulizija Eżekuttiva f' Ottubru tal-2018 irċiviet rapport kunfidenzjali illi Pilatus Bank Ltd. ma kienx qiegħed jopera skond dawk il-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta' terrorismu.

Illi wara investigazzjonijiet ulterjuri li saru mill-Pulizija Eżekuttiva, nhar it-2 ta Novembru 2018 infethet Inkjesta Maġisterjali fejn diversi esperti ġew mahtura biex jgħinu fl-investigazzjoni. Dakinhar ukoll, il-Maġistrat Inkwirenti flimkien ma diversi uffiċjali tal-korp tal-Pulizija aċċedew fil-bini tal-bank u kull uffiċjal u impjegat tal-bank li kien preżenti gie ordant biex jieħu l-effetti personali tiegħu u jhalli l-post. Pilatus Bank gie imqiegħed under lock and key taht l-awtorita' tal-Inkjesta Maġisterjali.

Illi fis-17 ta Diċembru 2018, il-Maġistrat Inkwerenti ħatar l-esperti *Duff and Phelps* sabiex jagħmlu eżerċizzju biex jiddeterminaw jekk Pilatus Bank Ltd. kienx qiegħed jimxi mal-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta' terrorismu. Dan l-eżerċizzju sar bejn it-8 ta' Jannar 2019 u t-30 ta' Ġunju 2020. *Duff and Phelps* bdew billi żaru Pilatus Bank u ħadu kopja tad-data diġitali tal-bank u isskenjaw id-dokumenti kollha li sabu fil-forma ta' hard copy. Minn hemmhekk din l-informazzjoni giet ipproċessata u *Duff and Phelps* bdew bl-investigazzjoni tagħhom.

Mill-investigazzjoni ta *Duff and Phelps* irriżulta illi Luis Felipe RIVERA kien impjegat mal-bank bħala Chief Information Officer u mill-1 ta' April 2015 huwa assumu r-responsabbiltà ta' Chief Operations Officer. Huwa kien membru tal-Board u għalhekk kien espost għal


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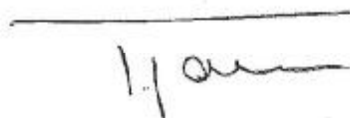
informazzjoni li l-MLRO kien jirraporta lil-Board. Luis Felipe RIVERA kien ukoll responsabbli fl-implimentazzjoni tas-sistemi u kontrolli kontra l-Hasil tal-Fius u l-Iffinanzjar kontra t-Terrorizmu.

Wara li ġie ipprezentat ir-rapport finali ta' *Duff and Phelps* u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva, jidher illi hemm raġunijiet biżżejjed biex jitniedu proċeduri kriminali fil-konfront ta' Luis Felipe RIVERA.

Il-Qorti

Għar-raġunijiet premissi, titlob li fil-każ li l-imsemmi Luis Felipe RIVERA jinstab f'pajjiż barra minn Malta huwa għandu jinżamm hemm u l-Pulizija Maltija tiġi informata minnufih sabiex dik il-persuna titreġġa' lura Malta sabiex huwa jwieġeb għall-akkużi migjuba kontra tiegħu kif fuq imsemmi.

Maħruġ illum 24 ta' Frar 2021
minni Maġistrat

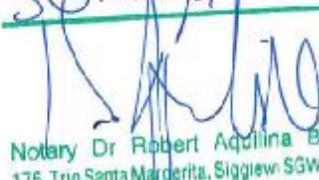


Dr. Ian Farrugia LL.D

Maġistrat

Mag Dr. Ian Farrugia LL.D.

Certified true copy of the original
30th September 2022



Notary Dr Robert Aquilina B.A., LL.D.
176, Triq Santa Margherita, Siggiewi SGW1516, Malta
Tel 21463536 Email notary.aquilina@onvol.net



In the Court of Magistrates (Malta)
International Arrest Warrant

Dokument Markat	LFR 278
Ipprezentat minn	SG 476
Illum:	24/2/21
M. ...	
D. ...	

Today, 24 February 2021

Magistrate Dr Ian Farrugia LLD

In the Acts of the Magisterial Inquiry concerning an investigation into the operation of Pilatus Bank Ltd. in connection with money laundering, initiated on 2nd November 2018.

Luis Felipe RIVERA, born in America on 19th October 1981, holder of Maltese Identity Card number 134404A and holder of American Passport bearing number 531183028.

The Court,

Whereas the said Luis Felipe RIVERA, is wanted for investigation purposes and eventually for prosecution, that is, to be accused before the Court of Magistrates (Malta) as a Court of Criminal Inquiry for:

Having on 21st March 2018 and in the previous days, months and years, in the Maltese Islands, with several acts and, even if at different times, they violate the same provisions of law, even by a single resolution, in various times and places about Malta:

1. Committed acts of money laundering by-
 - (i) converting or transferring property knowing or suspecting that such property is derived directly or indirectly from, or the proceeds of, criminal activity or from an act or acts of participation in criminal activity, for the purpose of or purposes of concealing or disguising the origin of the property or of assisting any person or persons involved or concerned in criminal activity;
 - (ii) concealing or disguising the true nature, source, location, disposition, movement, rights with respect of, in or over, or ownership of property, knowing or suspecting that such property is derived directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

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(iii) acquiring, possessing or using property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

(iv) retention without reasonable excuse of property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

(v) attempting any of the matters or activities defined in the above foregoing subparagraphs (i), (ii), (iii) and (iv) within the meaning of article 41 of the Criminal Code;

(vi) acting as an accomplice within the meaning of article 42 of the Criminal Code in respect of any of the matters or activities defined in the above foregoing subparagraphs (i), (ii), (iii), (iv) and (v);

in breach of Article 3 of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

2. In his personal capacity and as Director of Pilatus Bank Ltd. he failed to:

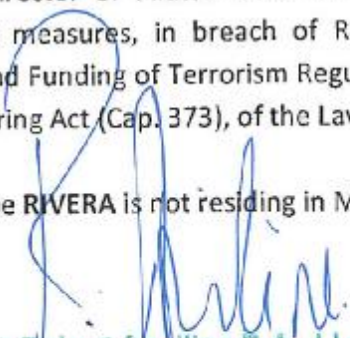
- assess and, as appropriate, obtain information on the purpose and intended nature of the business relationship, and establish the business and risk profile of the customer;
- conduct ongoing monitoring of the business relationship.

in breach of Regulation 7(1) (c) and (d) of the Prevention of Money Laundering and Funding of Terrorism Regulations (S.L. 373.01), of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

3. In his personal capacity and as Director of Pilatus Bank Ltd. he failed to verify the identity of the customer and, where applicable, the identity of the beneficial owner, before the establishment of a business relationship or the carrying out of an occasional transaction, in breach of Regulation 8(1) of the Prevention of Money Laundering and Funding of Terrorism Regulations (S.L. 373.01), of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

4. In his personal capacity and as Director of Pilatus Bank Ltd. he failed to apply enhanced customer due diligence measures, in breach of Regulation 11 of the Prevention of Money Laundering and Funding of Terrorism Regulations (S.L. 373.01), of the Prevention of Money Laundering Act (Cap. 373), of the Laws of Malta;

Whereas investigations show that Luis Felipe RIVERA is not residing in Malta.


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Whereas the relative provisions of law, article 3 of Chapter 373 of the Laws of Malta, provides the following for the offence of money laundering:

3. (1) Any person committing any act of money laundering shall be guilty of an offence and shall, on conviction, be liable to a fine (multa) not exceeding two million and five hundred thousand euro (€2,500,000), or to imprisonment for a period not exceeding eighteen years, or to both such fine and imprisonment.

(2) Where an offence against the provisions of this Act is committed by a body of persons, whether corporate or unincorporate, every person who, at the time of the commission of the offence, was a director, manager, secretary or other similar officer of such body or association, or was purporting to act in any such capacity, shall be guilty of that offence unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence.

Whereas, as stated above, the offence of money laundering, is an extraditable offence since it carries the maximum punishment of not more than 18 years imprisonment;

Whereas the facts of the case are as follows:

Whereas the Executive Police received a confidential report in October 2018 stating that Pilatus Bank Ltd. is not operating according to the measures and procedures against money laundering and financing of terrorism.

Whereas on 2 November 2018, a Magisterial Inquiry was initiated and the necessary experts were appointed to help in the investigation. On the same day, the Inquiring Magistrate together with the Executive Police acceded to Pilatus Bank plc whereby they ordered all those present thereat to take their personal effects and leave the Bank. Pilatus Bank plc was put under lock and key under the authority of the Magisterial Inquiry.

Whereas on 17 December 2018, the Inquiring Magistrate appointed Duff and Phelps as experts to carry out an exercise in order to determine whether Pilatus Bank Ltd. was operating according to the measures and procedures against money laundering and financing of terrorism. This exercise was conducted between 8 January 2019 and 30 June 2020. Duff and Phelps visited the premises of Pilatus Bank whereby they obtained copies of the Bank's digital data and scanned the hard copy documents. This information was then processed and Duff and Phelps started their investigations.

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The investigation of Duff and Phelps shows that Luis Felipe RIVERA was employed by Pilatus Bank plc as Chief Information Officer and from 1 April 2015 he assumed also the role of Chief Operations Officer, responsible for continuous oversight of the operating systems at the Bank. As a member of the Board Luis Felipe RIVERA was exposed to the information reported to the Board by the MLRO. He was also jointly responsible with other Board members for implementation and oversight of the AML and CFT systems and controls to ensure the Bank was able to adequately manage financial crime risks.

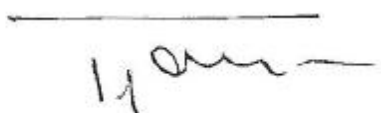
After Duff and Phelps presented their final report, and following further investigations from the Executive Police, there seems to be enough reasons in order to initiate criminal proceedings against Luis Felipe RIVERA.

The Court

For the above premised reasons, requests that in the accused Luis Felipe RIVERA is found in any country outside Malta he is to be held there and that the Malta Police is to be informed forthwith so that the said person could be extradited to Malta so that he will answer for the charges brought against him as aforesaid.

Issued on this day, the 24 February 2021

by the authority vested in me as Magistrate,



Dr. Ian Farrugia LL.D
Magistrate

Mag Dr. Ian Farrugia LL.D.

Certified true copy of the original

30th September 2022

Notary Dr Robert Aquilina B.A., LL.D.
176, Triq Santa Margherita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@onvcl.net

Dokument Markat LE 3
 Representant Sgt U. Wells
 Illum. 26/2/21
 Made in England

Fil-Qorti tal-Magistrati (Malta)
Bhala Qorti Inkwirenti

Fl-atti tal-Inkjestja Magisterjali fir-rigward tal-operat ta' Pilatus Bank Ltd, in konnessjoni ma' hasil ta' flus.

(Inkjesta miftuħa nħar it-2 ta' Novembru 2018)

Illum, 24 ta' Frar 2021

Rikors tal-Kummissarju tal-Pulizija

Lill-Magistrat Dr Ian Farrugia LL.D.

Sur Magistrat,

Il-l-I-Pulizija Eżekuttiva f' Ottubru tal-2018 irċiviet rapport kunfidenzjali illi Pilatus Bank Ltd. ma kienx qiegħed jopera skond dawk il-miżuri u l-proċeduri ta kontra l-fasil tal-flus u l-iffinanzjar ta' terrorismu.

Il-li wara investigazzjonijiet ulterjuri li saru mill-Pulizija Eżekuttiva, nhar it-2 ta Novembru 2018 infetthet l-inkjesta Magisterjali fejn diversi esperti ġew maħtura biex jgħinu fl-investigazzjoni. Dak inhar ukoll, il-Magistrat Inkwirenti flimkien ma diversi uffiċjali tal-korp tal-Pulizija aċċedew fil-bini tal-bank u kull uffiċjal u impjegat tal-bank li kien preżenti ġie ordant biex jiehu l-effetti personali tiegħu u jhalli l-post. Pilatus Bank ġie imqiegħed *under lock and key* taht l-awtorita' tal-Inkjesta Magisterjali.

Illi fis-17 ta' Diċembru 2018, il-Maġistrat Inkwerenti ħatar l-esperti *Duff and Phelps* sabiex jagħmlu eżerċizzju biex jiddeterminaw jekk Pilatus Bank Ltd. kienx qiegħed jimxi mal-miżuri u l-proċeduri ta' kontra l-ħasil tal-flus u l-iffinanzjar ta' terrorismu. Dan l-eżerċizzju sar bejn it-8 ta' Jannar 2019 u t-30 ta' Ġunju 2020. *Duff and Phelps* bdew billi żaru Pilatus Bank u ħadu kopja tad-*data* diġitali tal-bank u isskenjaw id-dokumenti kollha li sabu fil-forma ta' *hard copy*. Minn hemmhekk din l-informazzjoni giet ipproċessata u *Duff and Phelps* bdew bl-investigazzjoni tagħhom.

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Mill-investigazzjoni ta' *Duff and Phelps* irriżulta illi Luis Felipe RIVERA kien impjegat mal-bank bħala *Chief Information Officer* u mill-1 ta' April 2015 huwa assumu r-responsabbiltà ta' *Chief Operations Officer*. Huwa kien membru tal-*Board* u għalhekk kien espost għal informazzjoni li l-MLRO kien jirraporta lil-*Board*. Luis Felipe RIVERA kien ukoll responsabbli fl-implimentazzjoni tas-sistemi u kontrolli kontra l-Hasil tal-Flus u l-Iffinanzjar kontra t-Terroriżmu.

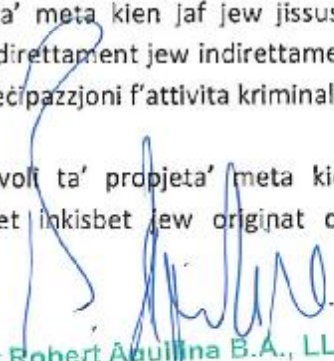
Wara li gie ipprezentat ir-rapport finali ta' *Duff and Phelps* u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva, jidher illi hemm raġunijiet biżżejjed biex jitniedu proċeduri kriminali fil-konfront ta' Luis Felipe RIVERA.

Illi Luis Felipe RIVERA, imwieled l-Amerika nhar id-19 ta' Ottubru 1981, residenti 'Howard Milner Res 2', Flat 27, Triq Ġuże' Howard, Sliema, u detentur tal-Karta ta' l-Identità Maltija bin-numru 134404A u detentur ta' Passaport Amerikan bin-numru 531183028 huwa imfittex mill-Pulizija ta' amlta biex jaffaccja s-segwenti imputazzjonijiet:

Talli fil-21 ta' Marzu 2018 u fil-ġranet, xhur u snin ta' qabel, f'dawn il-Gżejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, ikunu jiksru l-istess dispozizzjoni tal-liġi, u jkunu ġew magħmula b'rizoluzzjoni waħda, f'hinijiet u f'postijiet diversi madwar Malta:

1. Għamel atti ta' *money laundering* billi:-

- i) Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attività kriminali jew minn att ta' parteċipazzjoni f'attività kriminali, għall-iskop ta' jew skopijiet ta' haġi jew wiri haġa b'oħra ta' l-oriġini tal-propjeta' jew ta' għoti ta' għajjnuna lil xi persuna jew persuni involuti jew konċernati f'attività kriminali;
- ii) Heba jew wera haġa b'oħra tal-vera xorta, provenjenza, lok, dispozizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew orġinat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- iv) Bir-ritensjoni mingħajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew orġinat direttament jew


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indirettament minn attivita kriminali jew minn att jew atti ta' partecipazzjoni f' attivita kriminali;

- v) Ittenta jagħmel l-ħwejjeg jew attivitajiet illegali fuq imsemmija;
- vi) Agixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi waħda mill-ħwejjeg jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta;

2. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli:

- jivvaluta u, kif inhu adatt, jikseb informazzjoni dwar l-għan u x-xorta intiża tar-relazzjoni kummerċjali u li jiġi stabbilit il-profil kummerċjali u tar-riskju tal-klijent;
- jagħmel monitoraġġ kontinwu tar-relazzjoni kummerċjali;

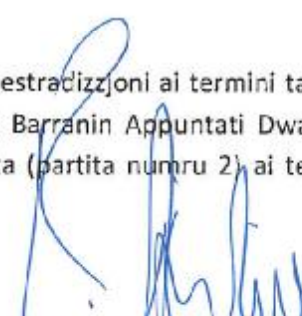
u dan bi ksur tar-Regolament 7(1)(ċ) u (d) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

3. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli jivverifika l-identita' tal-klijent u, l-identita' tas-sid benefiċjarju, qabel ma ġiet stabbilita relazzjoni kummerċjali jew twettqet xi operazzjoni, u dan bi ksur tar-Regolament 8(1) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

4. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli japplika miżuri msaħħa ta' diliġenza dovuta li tirrigwarda l-klijent, u dan bi ksur tar-Regolament 11 tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

Illi wara sħarriġ li għamlet il-Pulizija, huwa ssuspettat illi Luis Felipe RIVERA mhuwiex jirrisjedi hawn Malta;

Illi peress li l-allegat kondotti jikkostitwixxu reati ta' estradizzjoni ai termini ta' l-Artikolu 68(1) ta' l-Avviż Legali 320 ta' l-2004, Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni, hija kondotta skedata (partita numru 2) ai termini ta' l-istess Avviż Legali;

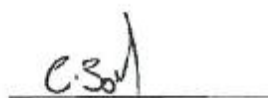

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Illi r-ekwiżiti ta' l-Artikolu 62(2) ta' l-istess Ordni ġew milhuqa (ara l-Ċertifikat mahruġ mill-Avukat Ġenerali hawn anness);

Għaldaqstant l-esponent umilment jitlob lil din l-Onorabbli Qorti sabiex jinhareġ Mandat taħt it-Taqsima III ai termini ta' l-Artikolu 62 ta' l-Avviż Legali 320 ta' l-2004, Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni, kontra Luis Felipe RIVERA u sabiex jinhareġ allert taħt is-Sistema ta' Informazzjoni ta' Schengen kontra l-istess Luis Felipe RIVERA ai termini ta' l-Artikolu 62A ta' l-istess Avviż Legali.



Keith Vella
Spettur



Claire Borg
Spettur



Pauline Bonello
Spettur

Għall-Kummissarju tal-Pulizija

Talba milqiegħia

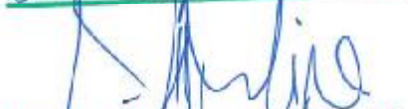
1.1 am

Mag Dr. Ian Farrugia LL.D.

24/02/2021

Certified true copy of the original

30th September 2022



Notary Dr Robert Aquilina B.A., LL.D.
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Tel 21463536 Email notary.aquilina@onvol.net

4900

Dehmet K.



**Ordni ta' l-2004 Dwar Pajjizi Barranin Appuntati Dwar L-Estradizzjoni,
Avviz Legali 320/2004**

23 ta' Frar 2021

GHALL-GHANIJET tal-Artikolu 62(2) tal-Ordni dwar Pajjizi Barranin Appuntati Dwar L-Estradizzjoni (Ligi Sussidjarja 276.05), Avviz Legali Nru. 320 tal-2004

B' DAN NAGHTI l-kunsens tiegħi sabiex jinhareg mandat taht it-Taqsima III fil-konfront ta' **Luis Felipe RIVERA**, imwield gewwa Florida, fl-Amerika, nhar id-19 ta' Ottubru 1981, b' passaport Amerikan b' numbru 531183028, karta tal-identita' Maltija bin-numbru 134404A u residenti f' Howard Milner Res 2', Flat 27, Triq Guze' Howard, Sliema, Malta.

Dott. Victoria Buttigieg
Avukat Generali

Certified true copy of the original

30th September 2022

Notary Dr Robert Aquilina B.A., LL.D.
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Document 1



Extradition (Designated Foreign Countries) Order, 2004
L.N. 320/2004

23rd February 2021

FOR THE PURPOSES of Article 62(2) of the Extradition (Designated Foreign Countries) Order (Subsidiary Legislation 276.05), 2004, L.N. 320 of 2004,

I HEREBY GIVE my consent for the issue of a Part III warrant in respect of **Luis Felipe RIVERA**, born in Florida, America on the 19th of October 1981, having a passport issued by the United States of America bearing number 531183028, Maltese identity card bearing number 134404A and resident at Howard Milner Res 2', Flat 27, Triq Ġuże' Howard, Sliema, Malta.

Dr. Victoria Buttigieg
Attorney General

Certified true copy of the original

30th September 2022

Notary Dr Robert Aquilina B.A., LL.D.
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Tel 21463536 Email notary.aquilina@cnvol.net



FIL-QORTI TAL-MAGISTRATI (MALTA)

Mandat ta' Arrest Taqsima III

Illum 24 ta' Frar 2021

Document ID **4908** **CFR 4**
Dokument Marka **CFR 4**
Ippreżentat minn **Sgt. W. W. W.**
Illum: **24/2/21**
M. **W. W. W.** ud
Sgt. W. W. W.

Lill-Kummissarju tal-Pulizija,

Permezz ta' dan il-Mandat u ai termini ta' l-Artikolu 62 ta' l-Avviż Legali 320 ta' l-2004, Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni,

Inti awtorizzat tiegħi u żżomm b'arrest taħt il-kustodja tiegħek lil **Luis Felipe RIVERA**, imwieled l-Amerika nhar id-19 ta' Ottubru 1981, residenti 'Howard Milner Res 2', Flat 27, Triq Guże' Howard, Sliema u detentur tal-Karta ta' l-Identita' Maltija bin-numru 134404A u detentur ta' Passaport Amerikan bin-numru 531183028;

U dan sabiex jaffaccja s-segwenti imputazzjonijiet fil-prosekuzzjoni li ser tigi istitwita quddiem il-Qrati Maltin u:

Talli fil-21 ta' Marzu 2018 u fil-granet, xhur u snin ta' qabel, f'dawn il-Gzejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, u li jksru l-istess dispożizzjoni tal-ligi jew dispożizzjoni relatati tal-ligi, u li ġew magħmula b'riżoluzzjoni waħda:

1. Għamel atti ta' *money laundering* billi:-

- Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita' kriminali jew minn att ta' parteċipazzjoni f'attivita' kriminali, għall-iskop ta' jew skopijiet ta' ha bi jew wiri hağa b'ohra ta' l-origini tal-propjeta' jew ta' għoti ta' ghajnuna lil xi persuna jew persuni involuti jew konċernati f'attivita' kriminali;
- Heba jew wera hağa b'ohra tal-vera xorta, provenjenza, lok, dispożizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;

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- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew originat direttament jew indirettament minn attivita kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita kriminali;
- iv) Bir-ritensjoni mingħajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew originat direttament jew indirettament minn attivita kriminali jew minn att jew atti ta' parteċipazzjoni f' attivita kriminali;
- v) Ittenta jagħmel l-ħwejjeġ jew attivitajiet illegali fuq imsemmija;
- vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi wahda mill-ħwejjeġ jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta;

2. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli:

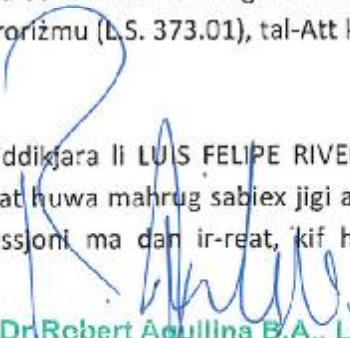
- jivvaluta u, kif inu adatt, jikseb informazzjoni dwar l-għan u x-xorta intiża tar-relazzjoni kummerċjali u li jiġi stabbilit il-profil kummerċjali u tar-riskju tal-klijent;
- jagħmel monitoraġġ kontinwu tar-relazzjoni kummerċjali;

u dan bi ksur tar-Regolament 7(1)(c) u (d) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

3. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli jivverifika l-identita' tal-klijent u, l-identita' tas-sid benefiċjarju, qabel ma ġiet stabbilita relazzjoni kummerċjali jew twettqet xi operazzjoni, u dan bi ksur tar-Regolament 8(1) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

4. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli japplika miżuri msahħa ta' diliġenza dovuta li tirrigwarda l-klijent, u dan bi ksur tar-Regolament 11 tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta.

Il-Qorti, wara li rat id-disposizzjonijiet legali rilevanti, tiddikjara li LUIS FELIPE RIVERA huwa imfittex f'Malta dwar kommissjoni ta' reat u dan il-mandat huwa mahrug sabiex jiġi arrestat u estradit lejn Malta għall-prosekuzzjoni tiegħu in konnessjoni ma dan ir-reat, kif hawn fuq

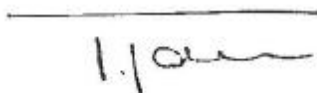

Dr Robert Aquilina B.A., LL.D.
 NOTARY PUBLIC
 176, Triq Santa Margerita
 Siġġiewi SGW1016, Malta

imsemmi, u ticcertifika li l-allegat reat jikkostitwixxi reat estradibbli. Ir-rent tal-hasil tal-flus jittqies ukoll bhala reat skedat.

Inti ghandek tesegwixxi dan il-Mandat ta' Arrest ai termini ta' l-Artikolu 62 ta' l-Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni.

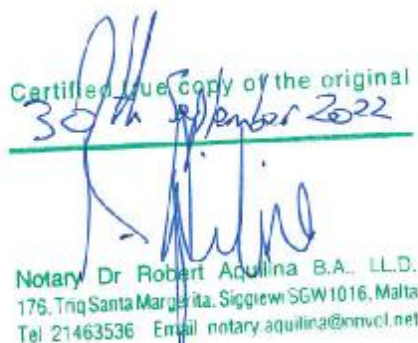
Ai termini ta' l-Artikolu 62A ta' l-Avviż Legali 320 ta' l-2004, Att Dwar l-Estradizzjoni (L.S.276.05), qed jintalab il-hruġ ta' allert taht is-Sistema ta' Informazzjoni Schengen dwar Luis Felipe RIVERA.

Maħruġ illum, 24 ta' Frar, 2021
bl-awtorita' mogħtija lili bhala Maġistrat,



Dr. Ian Farrugia LL.D.
Maġistrat

Mag Dr. Ian Farrugia LL.D.


Certified true copy of the original
30th September 2022
Notary Dr Robert Aquilina B.A., LL.D.
176, Triq Santa Margherita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@nmvcl.net

Dokument N

Dokument Markat MT ⁴⁹⁴
Ippreżentat minni S. K. V. V. V.
Num. 74/13.11.2018
L. ... Rep. Reg.

Fil-Qorti tal-Maġistrati (Malta)
Bhala Qorti Inkwiřenti

Fl-atti tal-Inkjesta Maġisterjali fir-rigward
tal-operat ta' Pilatus Bank Ltd, in
konnessjoni ma' hasil ta' flus.

(Inkjesta miftuħa nhar it-2 ta' Novembru
2018)

Illum, 24 ta' Frar 2021

Rikors tal-Kummissarju tal-Pulizija

Lill-Maġistrat Dr Ian Farrugia LL.D.

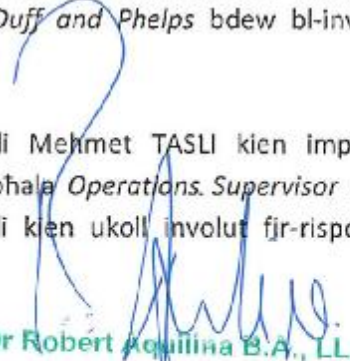
Sur Maġistrat,

Illi l-Pulizija Eżekuttiva f' Ottubru tal-2018 irċiviet rapport kunfidenzjali illi Pilatus Bank Ltd. ma
kienx qiegħed jopera skond dawk il-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta'
terrorizmu.

Illi wara investigazzjonijiet ulterjuri li saru mill-Pulizija Eżekuttiva, nhar it-2 ta Novembru 2018
infetħet Inkjesta Maġisterjali fejn diversi esperti ġew maħtura biex jgħinu fl-investigazzjoni.
Dakinhar ukoll, il-Maġistrat Inkwiřenti flimkien ma diversi uffiċjali tal-korp tal-Pulizija aċċedew
fil-bini tal-bank u kull uffiċjal u Impjegat tal-bank li kien preżenti ġie ordant biex jieħu l-effetti
personali tiegħu u jhalli l-post. Pilatus Bank ġie imqiegħed *under lock and key* taħt l-awtorita'
tal-Inkjesta Maġisterjali.

Illi fis-17 ta Diċembru 2018, il-Maġistrat Inkwiřenti ħatar l-esperti *Duff and Phelps* sabiex
jagħmlu eżerċizzju biex jiddeterminaw jekk Pilatus Bank Ltd. kienx qiegħed jimxi mal-miżuri u l-
proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta' terrorizmu. Dan l-eżerċizzju sar bejn it-8 ta'
Jannar 2019 u t-30 ta' Ġunju 2020. *Duff and Phelps* bdew billi żaru Pilatus Bank u ħadu kopja
tad-data digitali tal-bank u isskenjaw id-dokumenti kollha li sabu fil-forma ta' *hard copy*. Minn
hemmhekk din l-informazzjoni ġiet ipproċessata u *Duff and Phelps* bdew bl-investigazzjoni
tagħhom.

Mill-investigazzjoni ta' *Duff and Phelps* irriżulta illi Mehmet TASLI kien impjegat bhala
Operations Assistant. Ftit wara, huwa ġie appuntat bhala *Operations Supervisor* u kien ukoll
segretarju tal-*Management Committee*. Mehmet Tasli kien ukoll involut fir-risposti li kienu


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176, Triq Santa Margherita
Siggiewi SGW1016, Malta

Jingħataw lil istituzzjonijiet finanzjaraji. Jirriżulta li Tasli kien ukoll Segretarju fil-Credit Committee minn tal-inqas f'okkażjoni waħda u jidher li kien taħt pressjoni biex jipproċessa kemm jista' jkun malajr xi *loans* lil żewġ kumpaniji li kien involut fihom Seyed Ali Sadr Hasheminejad. Mill-investigazzjoni ta' *Duff and Phelps* irriżulta ukoll illi Mehmet Tasli kien jaf b'xi transazzjonijiet li setgħu kienu suspettużi, bħal transazzjonijiet li jinvolvu *high risk jurisdictions* u attivitajiet ta' klijenti li huma inkonsistenti mal-KYC records tal-bank. Avolja Tasli kellu rol relativament meqjus bħala *junior*, huwa kien obligat li jqajjem dawn il-punti għal iktar investigazzjonijiet u/jew jirraporta lil MLRO tal-bank.

Wara li gie ippreżentat ir-rapport finali ta' *Duff and Phelps* u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva, jidher illi hemm raġunijiet biżżejjed biex jitniedu proċeduri kriminali fil-konfront ta' Mehmet TASLI.

Illi MEHMET TASLI, bin Abdurrahman u Nevniha, imwieled it-Turkija nhar it-22 ta' April 1975, residenti 'Gravel Row', Flat 1, Triq Reggie Miller, Gżira, detentur tal-Karta tal-Identita' Maltija bin-numru 28278A u detentur tal-Passaport Ċiprijott bin-numru E443647, huwa mfittex mill-Pulizija ta' Malta biex jaffaccja s-segwenti imputazzjonijiet::

Talli fil-21 ta' Marzu 2018 u fil-ġranet, xhur u snin ta' qabel, f'dawn il-Gżejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, ikunu jiksru l-istess dispozizzjoni tal-liġi, u jkunu ġew magħmula b'rizoluzzjoni waħda, f'hinijiet u f'postijiet diversi madwar Malta:

1. Għamel atti ta' money laundering billi:-

- i) Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita' kriminali jew minn att ta' parteċipazzjoni f'attivita' kriminali, għall-iskop ta' jew skopijiet ta' haħi jew wiri haħa b'ohra ta' l-orijini tal-propjeta' jew ta' għoti ta' għajjnuna lil xi persuna jew persuni involuti jew konċernati f'attivita' kriminali;
- ii) Heba jew wera haħa b'ohra tal-vera xorta, provenjenza, lok, dispozizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;
- iii) Akkwista, ippussesa jew uza propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew orijinat direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;

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Siggiewi SGW1016, Malta

- iv) Bir-ritensjoni minghajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew originat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f' attività kriminali;
- v) Ittenta jagħmel l-ħwejjeġ jew attivitajiet illegali fuq imsemmija;
- vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi waħda mill-ħwejjeġ jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta;

Illi wara sħarriġ li għamlet il-Pulizija, huwa ssuspettat illi **Mehmet Tasli** mhuwix jirrisjedi hawn Malta u li jista' jkun qiegħed jirrisjedi ġewwa l-Awstrija;

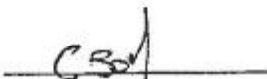
Illi peress li l-allegat kondotti jikkostitwixxu reati ta' estradizzjoni ai termini ta' l-Artikolu 68(1) ta' l-Avviż Legali 320 ta' l-2004, Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni, hija kondotta skedata (partita numru 2) ai termini ta' l-istess Avviż Legali;

Illi r-rekwiżiti ta' l-Artikolu 62(2) ta' l-istess Ordni ġew milfuqa (ara ċ-Ċertifikat maħruġ mill-Avukat Ġenerali hawn anness);

Għaldaqstant l-esponent umilment jitlob lil din l-Onorabbli Qorti sabiex jinħareġ Mandat taħt l-Taqsima III ai termini ta' l-Artikolu 62 ta' l-Avviż Legali 320 ta' l-2004, Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni, kontra **Mehmet Tasli** u sabiex jinħareġ allert taħt is-Sistema ta' Informazzjoni ta' Schengen kontra l-istess **Mehmet Tasli** ai termini ta' l-Artikolu 62A ta' l-istess Avviż Legali.



Keith Vella
Spettur



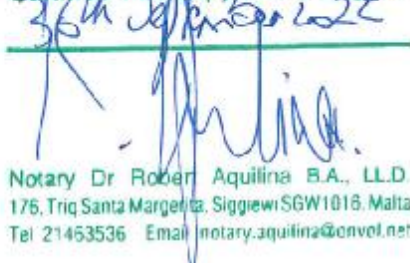
Claire Borg
Spettur



Pauline Bonello
Spettur

Għall-Kummissarju tal-Pulizija

Certified true copy of the original

30th September 2021

Notary Dr Robert Aquilina B.A., LL.D.
176, Triq Santa Margherita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@envol.net

Talba milqiegħa

1.1 am -

Mag Dr. Ian Farrugia LL.D.

24/02/2021

6914
Document 0



**Ordni ta' l-2004 Dwar Pajjizi Barranin Appuntati Dwar L-Estradizzjoni,
Avviz Legali 320/2004**

23 ta' Frar 2021

GHALL-GHANIJIET tal-Artikolu 62(2) tal-Ordni dwar Pajjizi Barranin Appuntati Dwar L-Estradizzjoni (Ligi Sussidjarja 276.05), Avviz Legali Nru. 320 tal-2004

B' DAN NAGHTI l-kunsens tiegħi sabiex jinhareġ mandat taht it-Taqsima III fil-konfront ta' **Mehmet TASLI**, imwieled ġewwa t-Turkija, nhar it-22 ta' April 1975, b' passaport Ciprijott b' numbru E443647, karta tal-identita' Maltija bin-numbru 0028278A u residenti f' Gravel Row, Fl 1, Triq Reggie Miller, Gzira, Malta.

Dott. Victoria Buttigieg
Avukat Ġenerali

Certified true copy of the original

30th September 2022

Notary Dr. Robert Aquilina B.A., LL.D.
176, Tric Santa Margherita, Siggiewi SGW1015, Malta
Tel. 21453536 Email notary.aquilina@envol.net

4915

Document



**Extradition (Designated Foreign Countries) Order, 2004
L.N. 320/2004**

23rd February 2021

FOR THE PURPOSES of Article 62(2) of the Extradition (Designated Foreign Countries) Order (Subsidiary Legislation 276.05), 2004, L.N. 320 of 2004,

I HEREBY GIVE my consent for the issue of a Part III warrant in respect of **Mehmet TASLI**, born in Turkey on the 22nd of April 1975, having a Cypriot passport bearing number E443647, Maltese identity card bearing number 0028278A and resident at Gravel Row, Fl.1, Triq Reggie Miller, Gzira, Malta.

Dr. Victoria Buttigieg
Attorney General

Certified true copy of the original

30th September 2022

Notary Dr Robert Aquilina B.A., LL.D.
175, Trg Santa Margherita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@onvol.net

1

Dokument

49/6
MT 1.



FIL-QORTI TAL-MAGISTRATI (MALTA)

Dokument Markat	MT 1
Ipprocentat minn	Sgt U. Vella
Illum:	26/2/21
Mandat	
Reg	

Mandat ta' Arrest Taqsima III

Illum 24 ta' Frar 2021

Lill-Kummissarju tal-Pulizija,

Permezz ta' dan il-Mandat u ai termini ta' l-Artikolu 62 ta' l-Avviż Legali 320 ta' l-2004, Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni,

Inti awtorizzat tiegħi u iżomm b'arrest taħt il-kustodja tiegħek lil **MEHMET TASLI**, bin Abdurrahman u Nevnihal, imwielew it-Turkija nhar it-22 ta' April 1975, residenti 'Gravel Row', Flat 1, Triq Reggħe Miller, Gżira u detentur tal-Karta tal-Identita' Maltija bin-numru 28278A u detentur tal-Passaport Ċiprijott bin-numru E443647;

U dan sabiex jaffaccja s-segwenti imputazzjoni fil-prosekuzzjoni li ser tigi istitwita quddiem il-Qrati Maltin u cioe`:

Talli fil-21 ta' Marzu 2018 u fil-granet, xhur u snin ta' qabel, f'dawn il-Gżejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, u li jiksru l-istess dispożizzjoni tal-liġi jew dispożizzjoni relatati tal-liġi, u li ġew magħmula b'rizoluzzjoni waħda:

1. Għamel atti ta' *money laundering* billi:-

- i) Ikkonverta jew trasferixxa propjeta` meta kien jaf jew jissuspetta li dik il-propjeta` kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita` kriminali jew minn att ta' parteċipazzjoni f'attivita` kriminali, għall-iskop ta' jew skopijiet ta' habi jew wiri haġa b'oħra ta' l-origini tal-propjeta` jew ta' għoti ta' għajnuna lil xi persuna jew persuni involuti jew konċernati f'attivita` kriminali;
- ii) Heba jew wera haġa b'oħra tal-vera xorta, provenjenza, lok, dispożizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta`, meta kien jaf jew jissuspetta li dik il-propjeta` kienet inkisbet direttament jew indirettament minn attivita` kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita` kriminali;

Dr Robert Aquilina B.A., LL.D.
NOTARY PUBLIC
176, Triq Santa Margherita
Siggiewi SGW1016, Malta

- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew originat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- iv) Bir-ritensjoni mingħajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew originat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- v) Ittenta jagħmel l-hwejjeġ jew attivitajiet illegali fuq imsemmija;
- vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi waħda mill-hwejjeġ jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta;

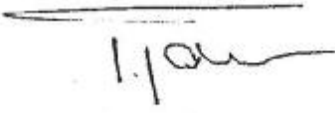
Il-Qorti, wara li rat id-disposizzjonijiet legali rilevanti, tiddikjara li Mehmet Tasli jinsab akkuzat f'Malta dwar kommissjoni ta' reat u dan il-mandat huwa mahrug sabiex Mehmet Tasli jigi arrestat u estradit lejn Malta għall-prosekuzzjoni tiegħu in konnessjoni ma dan ir-reat, kif hawn fuq imsemmi, u ticcertifika li l-allegat reat jikkostitwixxi reat estradibbli, kif ukoll reat skedat.

Inti għandek tesegwixxi dan il-Mandat ta' Arrest ai termini ta' l-Artikolu 62 ta' l-Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni.

Ai termini ta' l-Artikolu 62A ta' l-Avviż Legali 320 ta' l-2004, Att Dwar l-Estradizzjoni (L.S.276.05) qed jintalab il-ħruġ ta' allert taħt is-Sistema ta' Informazzjoni Schengen dwar Mehmet Tasli.

Mahrug illum, 24 ta' Frar, 2021

bl-awtorita' mogħtija lili bħala Magistrat,


Dr. Ian Farrugia LL.D.
Magistrat

Mag Dr. Ian Farrugia LL.D.

Certified true copy of the original

30th September 2022


Notary Dr. Robert Aquilina B.A., LL.D.
176, Triq Santa Margherita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@envol.net

Document R.

Fil-Qorti tal-Maġistrati (Malta)
Bhala Qorti Inkwirenti

Dokument Marka	463
Ippreżentat minni	Sgt R. Ugo
Illum:	24/2/21
Marta A. Ugo	
Dep. Registrar	

Fl-Atti tal-Inkjesta Maġisterjali fir-rigward tal-operat ta' Pilatus Bank Ltd, in konnessjoni ma' hasil ta' flus.

(Inkjesta miftuħa nhar it-2 ta' Novembru 2018)

Illum, 24 ta' Frar 2021

Rikors tal-Kummissarju tal-Pulizija

Lill-Maġistrat Dr Ian Farrugia LL.D.

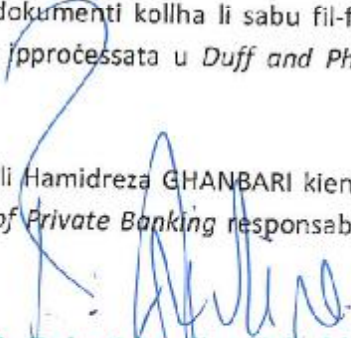
Sur Maġistrat,

Illi l-Pulizija Eżekuttiva f' Ottubru tal-2018 irċiviet rapport kunfidenzjali illi Pilatus Bank Ltd, ma kienx qiegħed jopera skond dawk il-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta' terrorismu.

Illi wara investigazzjonijiet ulterjuri li saru mill-Pulizija Eżekuttiva, nhar it-2 ta Novembru 2018 infetħet Inkjesta Maġisterjali fejn diversi esperti ġew maħtura biex jgħinu fl-investigazzjoni. Dakinhar ukoll, il-Maġistrat Inkwirenti flimkien ma diversi uffiċjali tal-korp tal-Pulizija aċċedew fil-bini tal-bank u kull uffiċjal u impjegat tal-bank li kien preżenti ġie ordant biex jieħu l-effetti personali tiegħu u jħalli l-post. Pilatus Bank ġie imqiegħed *under lock and key* taħt l-awtorita' tal-Inkjesta Maġisterjali.

Illi fis-17 ta Diċembru 2018, il-Maġistrat Inkwerenti ħatar l-esperti *Duff and Phelps* sabiex jagħmlu eżerċizzju biex jiddeterminaw jekk Pilatus Bank Ltd. kienx qiegħed jimxi mal-miżuri u l-proċeduri ta kontra l-hasil tal-flus u l-iffinanzjar ta' terrorismu. Dan l-eżerċizzju sar bejn it-8 ta' Jannar 2019 u t-30 ta' Ġunju 2020. *Duff and Phelps* bdew billi żaru Pilatus Bank u ħadu kopja tad-*data* diġitali tal-bank u lsskenjaw id-dokumenti kollha li sabu fil-forma ta' *hard copy*. Minn hemmhekk din l-informazzjoni ġiet ipproċessata u *Duff and Phelps* bdew bl-investigazzjoni tagħhom.

Mill-investigazzjoni ta *Duff and Phelps* irriżulta illi Hamidreza GHANBARI kien impjegat ma' Pilatus Bank bhala *Relationship Manager/Head of Private Banking* responsabbli mir-Regjun


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NOTARY PUBLIC
178, Triq Santa Margerita
Siġġiewi SGW1016, Malta

tal-Lvant Nofsani u mill-*Commonwealth of Independent States*. Huwa kien ukoll responsabbli li jintroduci l-klijenti lil-bank. Hafna mill-klijenti ta' Pilatus Bank kienu jafu lil Hamidreza GHANBARI minhabba xi negozju ieħor għalhekk huwa kien jaf li ċerti klijenti kienu *Politically Exposed Persons* u kien jaf bin-natura tan-negozji ta' ċerti klijenti kif ukoll bil-konessjonijiet tagħhom. Hamidreza GHANBARI kien normalment l-unika impjegat tal-bank li jiltaqa' ma' ċerti klijenti ikkunsidrati bħala *high-risk*. Jirriżulta illi hu għali iċċertifika dokumenti bħala vera kopja oriġinali mingħajr ma ra l-oriġinali u kien involut biex iwiegħeb il-maġġoranza ta' *queries* relatati ma' kontijiet bankarji u transazzjonijiet. Hamidreza GHANBARI kien membru fil-*Credit Committee* u għalhekk setgħa influenza deċiżjonijiet rigward loans.

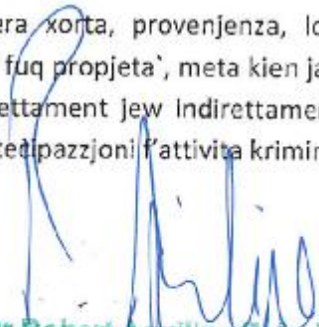
Wara li gie ippreżentat ir-rapport finali ta' *Duff and Phelps* u wara investigazzjonijiet ulterjuri mill-Pulizija Eżekuttiva, jidher illi hemm raġunijiet biżżejjed biex jitmiedu proċeduri kriminali fil-konfront ta' Hamidreza GHANBARI.

Illi Hamidreza GHANBARI, imwieled l-Iran nhar l-24 ta' Lulju 1984, residenti 'Caravaggio Court', T4B7, Triq Tigne, Sliema, u detentur tal-Karta ta' l-Identita' Maltija bin-numru 128716A u detentur ta' Passaport maħruġ mill-*Commonwealth of Dominica* bin-numru R0096416, huwa mitlub mill-Pulizija Maltija sabiex jigi investigat ulterjorment u eventwalment jitressaq quddiem il-Qorti tal-Maġistrati (Malta), u mixli bis-segwenti reati:

Talli fil-21 ta' Marzu 2018 u fil-ġranet, xhur u snin ta' qabel, f'dawn il-Għejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, ikunu jiksru l-istess dispozizzjoni tal-liġi, u jkunu ġew magħmula b'rizoluzzjoni waħda, f'hinijiet u f'postijiet diversi madwar Malta:

1. Għamel atti ta' *money laundering* billi:-

- i) Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita' kriminali jew minn att ta' partecipazzjoni f'attivita' kriminali, għall-iskop ta' jew skopijiet ta' haħbi jew wiri haħa b'oħra ta' l-oriġini tal-propjeta' jew ta' għoti ta' għajjuna lil xi persuna jew persuni involuti jew konċernati f'attivita' kriminali;
- ii) Heba jew wera haħa b'oħra tal-vera xorta, provenjenza, lok, dispozizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' partecipazzjoni f'attivita' kriminali;


Dr Robert Aquilina B.A., LL.D.
 NOTARY PUBLIC
 176, Triq Santa Margerita
 Siggiewi SGW1016, Malta

- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew orġinat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- iv) Bir-ritensjoni mingħajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew orġinat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- v) Ittenta jagħmel l-ħwejjeg jew attivitajiet illegali fuq imsemmija;
- vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi wahda mill-ħwejjeg jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta;

2. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli:

- jivvaluta u, kif inu adatt, jikseb informazzjoni dwar l-għan u x-xorta intiża tar-relazzjoni kummerċjali u li jiġi stabbilit il-profil kummerċjali u tar-riskju tal-klijent;
- jagħmel monitoraġġ kontinwu tar-relazzjoni kummerċjali;

u dan bi ksur tar-Regolament 7(1)(c) u (d) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

3. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli jivverifika l-identita' tal-klijent u, l-identita' tas-sid benefiċjarju, qabel ma giet stabbilita relazzjoni kummerċjali jew twettqet xi operazzjoni, u dan bi ksur tar-Regolament 8(1) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

4. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli japplika miżuri msaħħa ta' diliġenza dovuta li tirrigwarda l-klijent, u dan bi ksur tar-Regolament 11 tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta.

Illu wara s-tharriġ li għamlet il-Pulizija, huwa ssuspettat ili Hamidreza GHANBARI mhuwix jirrisjedi hawn Malta;


Dr Robert Aquilina B.A., LL.D.
 NOTARY PUBLIC
 176, Triq Santa Margerita
 Siggiewi SGW1016, Malta

Illi peress li l-allegat kondotti jikkostitwixxu reati ta' estradizzjoni ai termini ta' l-Artikolu 68(1) ta' l-Avviż Legali 320 ta' l-2004, Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni, hija kondotta skedata (partita numru 2) ai termini ta' l-istess Avviż Legali;

Illi r-rekwiżiti ta' l-Artikolu 62(2) ta' l-istess Ordni ġew milhuqa (ara ċ-Ċertifikat maħruġ mill-Avukat Ġenerali hawn anness);

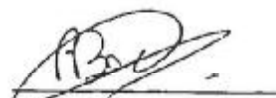
Għaldaqstant l-esponent umilment jitlob lil din l-Onorabbli Qorti sabiex jinhareġ Mandat taħt it-Taqsima III ai termini ta' l-Artikolu 62 ta' l-Avviż Legali 320 ta' l-2004, Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni, kontra **Hamidreza GHANBARI** u sabiex jinhareġ allert taħt is-Sistema ta' Informazzjoni ta' Schengen kontra l-istess **Hamidreza GHANBARI** ai termini ta' l-Artikolu 62A ta' l-istess Avviż Legali.



Keith Vella
Spettur



Claire Borg
Spettur



Pauline Bonello
Spettur

Għall-Kummissarju tal-Pulizija

Talba milqugħa
1.1.21

Mag Dr. Ian Farrugia LL.D.

24/02/2021

Certified true copy of the original

30th September 2022

Notary Dr Robert Aquilina B.A., LL.D.
175, Triq Santa Margherita, Siggiewi SGW1016, Malta
Tel: 21463536 Email: notary.aquilina@onvcl.net

6922

Document 5



**Ordni ta' l-2004 Dwar Pajjizi Barranin Appuntati Dwar L-Estradizzjoni,
Avviz Legali 320/2004**

23 ta' Frar 2021

GHALL-GHANIJET tal-Artikolu 62(2) tal-Ordni dwar Pajjizi Barranin Appuntati Dwar L-Estradizzjoni (Ligi Sussidjarja 276.05), Avviz Legali Nru. 320 tal-2004

B' DAN NAGHTI l-kunsens tiegħi sabiex jinhareg mandat taht it-Taqsima III fil-konfront ta' **Hamidreza GHANBARI**, imwielew gewwa l-Iran nhar l-24 ta' Lulju 1984, b' passaport mir-Repubblika Dominikana b' numbru R0096416 u residenti f' Caravaggio Court, T4 B No.7, Tigne Point, Sliema, Malta.

Dott. Victoria Buttigieg
Avukat Ġenerali

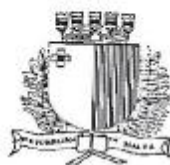
Certified true copy of the original

Bob Aquilina
20th September 2022

Bob Aquilina
Notary Dr Robert Aquilina B.A., LL.D.
176, Triq Santa Margerita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@onvo.net

4923

Document T



**Extradition (Designated Foreign Countries) Order, 2004
L.N. 320/2004**

23rd February 2021

FOR THE PURPOSES of Article 62(2) of the Extradition (Designated Foreign Countries) Order (Subsidiary Legislation 276.05), 2004, L.N. 320 of 2004,

I HEREBY GIVE my consent for the issue of a Part III warrant in respect of **Hamidreza GHANBARI**, born in Iran on the 24th of July 1984, having a passport issued by the Dominican Republic bearing number R0096416 and resident at Caravaggio Court, T4 B No.7, Tigne Point, Sliema, Malta.

Dr. Victoria Buttigieg
Attorney General

Certified true copy of the original

30th September 2022

Notary Dr Robert Aquilina B.A., LL.D.
176, Triq Santa Margherita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@cnvot.net



FIL-QORTI TAL-MAGISTRAT (MALTA)

4524
HG-4.
Document U

Dokument (Materja)	HG-4
Ipproponi minn	Sgt V. Vassallo
Illum	24/2/2021 Madam Azzoppe

[Signature]

Mandat ta' Arrest Taqsima III

Illum 24 ta' Frar 2021

Lill-Kummissarju tal-Pulizija,

Permezz ta' dan il-Mandat u ai termini ta' l-Artikolu 62 ta' l-Avviż Legali 320 ta' l-2004, Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni,

Inti awtorizzat tiehu u żżomm b'arrest taħt il-kustodja tiegħek lil **Hamidreza GHANBARI**, imwieled l-Iran nhar l-24 ta' Lulju 1984, residenti 'Caravaggio Court', T4B7, Triq Tigne, Sliema, u detentur tal-Karta ta' l-Identita' Maltija bin-numru 128716A u detentur ta' Passaport maħrug mill-*Commonwealth of Dominica* bin-numru R0096416;

U dan sabiex jaffaccja s-segwenti imputazzjonijiet fil-prosekuzzjoni li ser tigi istitwita quddiem il-Qrati Maltin :

Talli fil-21 ta' Marzu 2018 u fil-ġranet, xhur u snin ta' qabel, f'dawn il-Gżejjer, b'diversi atti magħmulin, ukoll jekk fi żminijiet differenti, u li jiksru l-istess dispożizzjoni tal-liġi jew dispożizzjoni relatati tal-liġi, u li ġew magħmula b'riżoluzzjoni waħda:

1. Għamel atti ta' money laundering billi:-

- i) Ikkonverta jew trasferixxa propjeta' meta kien jaf jew jissuspetta li dik il-propjeta' kienet direttament jew indirettament inkisbet, jew mir-rikavat ta' attivita' kriminali jew minn att ta' parteċipazzjoni f'attivita' kriminali, għall-iskop ta' jew skopijiet ta' haħbi jew wiri haħa b'oħra ta' l-origini tal-propjeta' jew ta' għoti ta' għajjnuna lil xi persuna jew persuni involuti jew konċernati f'attivita' kriminali;
- ii) Heba jew wera haħa b'oħra tal-vera xorta, provenjenza, lok, dispożizzjoni, moviment ta' jeddijiet rigward, fi jew fuq propjeta', meta kien jaf jew jissuspetta li dik il-propjeta' kienet inkisbet direttament jew indirettament minn attivita' kriminali jew minn att jew atti ta' parteċipazzjoni f'attivita' kriminali;

[Signature]
Dr Robert Aquilina B.A., LL.D.

NOTARY PUBLIC

176, Triq Santa Margherita
Siggiewi BQW1016, Malta

- iii) Akkwista, ippussesa jew uża propjeta' meta kien jaf jew jissuspetta li l-istess propjeta' kienet inkisbet jew orġinat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- iv) Bir-ritensjoni mingħajr skuża raġonevoli ta' propjeta' meta kien jaf u / jew jissuspetta li l-istess propjeta' kienet inkisbet jew orġinat direttament jew indirettament minn attività kriminali jew minn att jew atti ta' parteċipazzjoni f'attività kriminali;
- v) Ittenta jagħmel l-hwejjeg jew attivitajiet illegali fuq imsemmija;
- vi) Aġixxa bħala kompliċi fit-tifsir ta' l-Artikolu 42 tal-Kodiċi Kriminali rigward xi waħda mill-hwejjeg jew attivitajiet definiti fis-sub-paragrafi (i), (ii), (iii), (iv) u (v) ta' hawn fuq;

ai termini tal-Artikolu 3 tal-Att kontra l-Money Laundering, Kap. 373, u l-Artikolu 18 tal-Kap.9, tal-Liġijiet ta' Malta;

2. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli:

- jivvaluta u, kif inu adatt, jikseb informazzjoni dwar l-għan u x-xorta intiża tar-relazzjoni kummerċjali u li jiġi stabbilit il-profil kummerċjali u tar-riskju tal-klijent;
- jagħmel monitoraġġ kontinwu tar-relazzjoni kummerċjali;

u dan bi ksur tar-Regolament 7(1)(c) u (d) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

3. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli jivverifika l-identita' tal-klijent u, l-identita' tas-sid benefiċjarju, qabel ma giet stabbilita relazzjoni kummerċjali jew twettqet xi operazzjoni, u dan bi ksur tar-Regolament 8(1) tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

4. Talli fil-kapaċita' tiegħu personali u bħala Direttur ta' Pilatus Bank Ltd. naqas milli japplika miżuri msaħħa ta' diligenza dovuta li tirrigwarda l-klijent, u dan bi ksur tar-Regolament 11 tar-Regolamenti kontra Money Laundering u Finanzjar ta' Terroriżmu (L.S. 373.01), tal-Att kontra l-Money Laundering, Kap. 373, tal-Liġijiet ta' Malta;

Il-Qorti, wara li rat id-disposizzjonijiet legali rilevanti, tohrōġ dan il-mandat sabiex tiddikjara li HAMIDREZA GHANBARI huwa imfittex f'Malta dwar kommissjoni ta' reat u dan il-mandat huwa mahrug sabiex jiġi arrestat u estradit lejn Malta għall-prosekuzzjoni tiegħu in konnessjoni ma

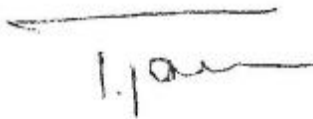
Dr Robert Aquilina B.A., LL.D.
NOTARY PUBLIC
176, Triq Santa Margerita
Siggiewi SGW1016, Malta

dan ir-reat, kif hawn fuq imsemmi, u ticcertifika li l-allegat reat jikkostitwixxi reat estradibbli. Ir-reat tal-hasil tal-flus jitqies ukoll bhala reat skedat.

Inti għandek tesegwixxi dan il-Mandat ta' Arrest ai termini ta' l-Artikolu 62 ta' l-Ordni Dwar Pajjiżi Barranin Appuntati Dwar l-Estradizzjoni, 2004, Att Dwar l-Estradizzjoni.

Ai termini ta' l-Artikolu 62A ta' l-Avviż Legali 320 ta' l-2004 qed jintalab il-ħruġ ta' allert taħt is-Sistema ta' Informazzjoni Schengen dwar **Hamidreza GHANBARI**.

Maħruġ illum, **24 ta' Frar, 2021**
bl-awtorita' mogħtija lili bhala Maġistrat,



Dr. Ian Farrugia LL.D.
Magistrat

Mag Dr. Ian Farrugia LL.D.

[Handwritten signature]
Certified true copy of the original
30th September 2022
[Handwritten signature]
Notary Dr Robert Aquilina S.A., LL.D.
176, Triq Santa Margherita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@onvol.net

MG5 4927
Doherty V

EUROPEAN ARREST WARRANT¹

This warrant has been issued by a competent judicial authority. I request that the person mentioned below be arrested and surrendered for the purposes of conducting a criminal prosecution or executing a custodial sentence or detention order.

Dokument Markat	MG5
Ipprezentat minn	Sgt M. Vella
Illum:	24/12/11
Notary Public	
Gen. Reg.	

1


Dr Robert Aquilina B.A., LL.D.
NOTARY PUBLIC
176, Triq Santa Margherita
Siggiewi SGW1016, Malta

¹ This warrant must be written in, or translated into, one of the official languages of the executing Member State, when that State is known, or any other language accepted by that State.

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(a) Information regarding the identity of the requested person:

Name: **Ghanbari**

Forename(s): **Hamidreza**

Maiden name, where applicable: **N/A**

Aliases, where applicable: **N/A**

Sex: **Male**

Nationality: **Dominican**

Date of birth: **24/07/1984**

Place of birth: **Iran**

Residence and/or known address: **Caravaggio Court', T4B7, Triq Tigne, Sliema, Malta**

Language(s) which the requested person understands (if known): **Not known**

Distinctive marks/description of the requested person: **Image from Passport issued by the Commonwealth of Dominica with number R0096416, issued on 16 June 2014**

Photo and fingerprints of the requested person, if they are available and can be transmitted, or contact details of the person to be contacted in order to obtain such information or a DNA profile (where this evidence can be supplied but has not been included)

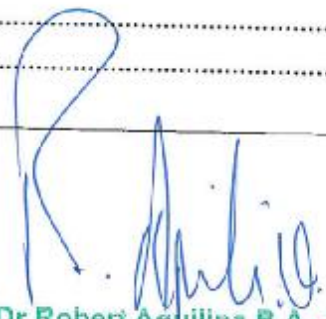
(b) Decision on which the warrant is based:

1. Arrest warrant or judicial decision having the same effect: Part III Warrant issued by the Court of Magistrates (Malta) as an Inquiring Court; Magistrate Dr Ian Farrugia LL.D in terms of article 62 of Legal Notice 320 of 2004, Extradition (Designated Foreign Countries) Order, 2004, Extradition Act.

Type: Arrest Warrant issued for the purpose of prosecution

2. Enforceable judgement:

Reference: **N/A**.....


Dr Robert Aquilina B.A., LL.D.
NOTARY PUBLIC
176, Triq Santa Margerita
Siggiewi SGW1016, Malta

(c) Indications on the length of the sentence:

1. Maximum length of the custodial sentence or detention order which may be imposed for the offence(s):

Any person committing any act of money laundering shall be guilty of an offence and shall, on conviction, be liable to a fine (multa) not exceeding two million and five hundred thousand euro (€2,500,000), or to imprisonment for a period not exceeding eighteen years, or to both such fine and imprisonment. The punishment may be increased by one or two degrees due to the nature of the offence being a continuous one, under Article 18 of the Criminal Code.

2. Length of the custodial sentence or detention order imposed:
N/A.

3. Remaining sentence to be served: N/A.

(d) Decision rendered in absentia and:

- ☐ – the person concerned has been summoned in person or otherwise informed of the date and place of the hearing which led to the decision rendered in absentia.

Or

- ☐ – the person concerned has not been summoned in person or otherwise informed of the date and place of the hearing which led to the decision rendered in absentia but has the following legal guarantees after surrender (such guarantees can be given in advance):

Specify the legal guarantees;

(e) Offences:

This warrant relates to in total: **Four Offences**

Description of the circumstances in which the offence(s) was (were) committed, including the time, place and degree of participation in the offence(s) by the requested person:

Whereas the Executive Police received a confidential report in October 2018 stating that Pilatus

Dr Robert Aquilina B.A., LL.D.
NOTARY PUBLIC

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Siggiewi SGW1016, Malta

Bank Ltd. is not operating according to the measures and procedures against money laundering and financing of terrorism.

Whereas on 2 November 2018, a Magisterial Inquiry was initiated and the necessary experts were appointed to help in the investigation. On the same day, the Inquiring Magistrate together with the Executive Police acceded to Pilatus Bank plc whereby they ordered all those present thereat to take their personal effects and leave the Bank. Pilatus Bank plc was put under lock and key under the authority of the Magisterial Inquiry.

Whereas on 17 December 2018, the Inquiring Magistrate appointed Duff and Phelps as experts to carry out an exercise in order to determine whether Pilatus Bank Ltd. was operating according to the measures and procedures against money laundering and financing of terrorism. This exercise was conducted between 8 January 2019 and 30 June 2020. Duff and Phelps visited the premises of Pilatus Bank whereby they obtained copies of the Bank's digital data and scanned the hard copy documents. This information was then processed and Duff and Phelps started their investigations.

The investigation of Duff and Phelps shows that Hamidreza GHANBARI was hired by Pilatus Bank plc as a relationship manager/Head of Private Banking responsible for CIS and Middle East Region. As such he was responsible for sourcing and introducing customers to the Bank. Many of the Bank's customers had prior business relationships with Mr. GHANBARI. Thus, it is expected that he knew whether customers were politically exposed persons, the nature of the customers' business activities, their backgrounds and connections. He was often the only employee of the Bank who met certain high-risk customers in person. Mr. GHANBARI appears to have certified corporate documentation as a true copy of the original without having sight of the originals. He was involved also in resolving the majority of account and transaction related queries. He was also a member of the Credit Committee where he was able to influence decisions regarding granting and renewal of loans.

After Duff and Phelps presented their final report, and following further investigations from the Executive Police, there seems to be enough reasons in order to initiate criminal proceedings against **Hamidreza GHANBARI**.

Nature and legal classification of the offence(s) and the applicable statutory provision/code:

Article 2 (1) of Chapter 373 of the Prevention of Money Laundering Act of the Laws of Malta:

Money Laundering means:

- (i) The conversion or transfer of property knowing or suspecting that such property is derived directly or indirectly from, or the proceeds of, criminal activity or from an act or acts of participation in criminal activity, for the purpose of or purposes of concealing or

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1/6, Triq Santa Margherita
Siggiewi SGW1016, Malta

disguising the origin of the property or of assisting any person or persons involved or concerned in criminal activity;

- (ii) the concealment or disguise of the true nature, source, location, disposition, movement, rights with respect of, in or over, or ownership of property, knowing or suspecting that such property is derived directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- (iii) the acquisition, possession or use of property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- (iv) retention without reasonable excuse of property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- (iv) attempting any of the matters or activities defined in the above foregoing sub-paragraphs(i), (ii), (iii) and (iv) within the meaning of article 41 of the Criminal Code;
- (v) acting as an accomplice within the meaning of article 42 of the Criminal Code in respect of any of the matters or activities defined in the above foregoing sub- paragraphs (i), (ii), (iii), (iv) and(v)

Article 3 of Chapter 373 of the Prevention of Money Laundering Act of the Laws of Malta:

- (1) Any person committing any act of money laundering shall be guilty of an offence and shall, conviction, be liable to a fine (multa) not exceeding two million and five hundred thousand euro (€2,500,000), or to imprisonment for a period not exceeding eighteen years, or to both such fine and imprisonment.
- (2) Where an offence against the provisions of this Act is committed by a body of persons, whether corporate or unincorporate, every person who, at the time of the commission of the offence, was a director, manager, secretary or other similar officer of such body or association, or was purporting to act in any such capacity, shall be guilty of that offence unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence

Hamidreza Ghanbari will also be charged or having failed to adhere with the following regulations in his personal capacity and also in his capacity as Director of Pilatus Bank Ltd:

Dr Robert Aquilina B.A., LL.D.
NOTARY PUBLIC

176, The Santa Margherita
Siggiewi, GW1016, Malta

Customer due diligence measures shall consist in:

Subsidiary Legislation 373.01, Prevention of Money Laundering and Funding of Terrorism Regulations:

- 7.(c) assessing and, as appropriate, obtaining information on the purpose and intended nature of the business relationship, and establishing the business and risk profile of the customer;
- (d) conducting ongoing monitoring of the business relationship.
- 8. (1) Subject persons shall verify the identity of the customer and, where applicable, the identity of the beneficial owner, before the establishment of a business relationship or the carrying out of an occasional transaction.
- 11. (1) In addition to the requirements under regulation 7, subject persons shall apply enhanced customer due diligence measures in the following situations:
 - (a) in relation to activities or services that are determined by the Financial Intelligence Analysis Unit to represent a high risk of money laundering or funding of terrorism, having taken into consideration the findings of any national risk assessment and any other relevant factors as may be deemed appropriate;
 - (b) where, on the basis of the risk assessments carried out in accordance with regulation 5, the subject person determines that an occasional transaction, a business relationship or any transaction represents a high risk of money laundering or funding of terrorism; and (c) in the cases referred to in sub-regulations (3) to (10).

Article 18, Chapter 9 of the Laws of Malta, Criminal Code:

Where the several acts committed by the offender, even if at different times, constitute violations of the same provision of the law, and are committed in pursuance of the same design, such acts shall be deemed to be a single offence, called a continuous offence, but the punishment may be increased by one or two degrees.

I. If applicable, tick one or more of the following offences punishable in the issuing Member State by a custodial sentence or detention order of a maximum of at least 3 years as defined by the laws of the issuing Member State:

- 0 participation in a criminal organisation;

Dr Robert Aquilina A.A., LL.D.
NOTARY PUBLIC

176, T. Santa Margherita
Siggiewi SGW1016, Malta

- 0 terrorism;
- 0 trafficking in human beings;
- 0 sexual exploitation of children and child pornography;
- 0 illicit trafficking in narcotic drugs and psychotropic substances;
- 0 illicit trafficking in weapons, munitions and explosives;
- 0 corruption;
- 0 fraud, including that affecting the financial interests of the European Communities within the meaning of the Convention of 26 July 1995 on the protection of European Communities' financial interests;
- X laundering of the proceeds of crime;
- 0 counterfeiting of currency, including the euro;
- 0 computer-related crime;
- 0 environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties;
- 0 facilitation of unauthorised entry and residence;
- 0 murder, grievous bodily injury;
- 0 illicit trade in human organs and tissue;
- 0 kidnapping, illegal restraint and hostage-taking;
- 0 racism and xenophobia;
- 0 organised or armed robbery;
- 0 illicit trafficking in cultural goods, including antiques and works of art;
- 0 swindling;
- 0 racketeering and extortion;
- 0 counterfeiting and piracy of products;
- 0 forgery of administrative documents and trafficking therein;
- 0 forgery of means of payment;
- 0 illicit trafficking in hormonal substances and other growth promoters;
- 0 illicit trafficking in nuclear or radioactive materials;
- 0 trafficking in stolen vehicles;
- 0 rape;
- 0 arson;
- 0 crimes within the jurisdiction of the International Criminal Court;
- 0 unlawful seizure of aircraft/ships;

Dr Robert Aquilina B.A., LL.D.

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Siggiewi SGW1016, Malta

0 sabotage.

II. Full descriptions of offence(s) not covered by section I above:

Subsidiary Legislation 373.01, Prevention of Money Laundering and Funding of Terrorism Regulations:

7.(c) assessing and, as appropriate, obtaining information on the purpose and intended nature of the business relationship, and establishing the business and risk profile of the customer;

(d) conducting ongoing monitoring of the business relationship.

8. (1) Subject persons shall verify the identity of the customer and, where applicable, the identity of the beneficial owner, before the establishment of a business relationship or the carrying out of an occasional transaction.

11. (1) In addition to the requirements under regulation 7, subject persons shall apply enhanced customer due diligence measures in the following situations:

(a) in relation to activities or services that are determined by the Financial Intelligence Analysis Unit to represent a high risk of money laundering or funding of terrorism, having taken into consideration the findings of any national risk assessment and any other relevant factors as may be deemed appropriate;

(b) where, on the basis of the risk assessments carried out in accordance with regulation 5, the subject person determines that an occasional transaction, a business relationship or any transaction represents a high risk of money laundering or funding of terrorism; and (c) in the cases referred to in sub-regulations (3) to (10).

(f) Other circumstances relevant to the case (optional information):

(NB: This could cover remarks on extraterritoriality, interruption of periods of time limitation and other consequences of the offence)

(g) This warrant pertains also to the seizure and handing over of property which may be required as evidence:

This warrant pertains also to the seizure and handing over of property acquired by the requested person as a result of the offence:

Dr Robert Aquilina B.A., M.D.
NOTARY PUBLIC
176, Triq. Salun Margerita
Siggiewi SGW1016, Malta

Description of the property (and location) (if known):

(h) The offence(s) on the basis of which this warrant has been issued is(are) punishable by/has(have) led to a custodial life sentence or lifetime detention order:

– the legal system of the issuing Member State allows for a review of the penalty or measure imposed – on request or at least after 20 years – aiming at a non-execution of such penalty or measure,

and/or

– the legal system of the issuing Member State allows for the application of measures of clemency to which the person is entitled under the law or practice of the issuing Member State, aiming at non-execution of such penalty or measure.

(i) The judicial authority which issued the warrant:

Official name: **Court of Magistrate (Malta) as an Inquiring Court**

Name of its representative ²: **Magistrate Dr. Ian Farrugia LL.D**

Post held (title/grade): **Magistrate**

File reference:

Address:

**Chambers of Magistrate Dr. Ian Farrugia LL.D
Court of Justice
Republic Street,
Valletta,
Malta.**

Dr Robert Aquilina B.A., LL.D.
NOTARY PUBLIC
176, Triq Santa Margherita
Siggiewi, SW1016, Malta

Tel. No.: (country code) (area/city code) (...)

Fax No. (country code) (area/city code) ()

E-mail: **marica.b.mifsud@courtservices.mt**

Contact details of the person to contact to make necessary practical arrangements for the surrender:

Inspector Keith Vella / Inspector Claire Borg / Inspector Pauline Bonello

² In the different language versions a reference to the "holder" of the judicial authority will be included.

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The Oaks Business Centre, 19 Block A,
Farsons Street,
Hamrun.

Tel: +35622940000

Where a central authority has been made responsible for the transmission and administrative reception of European arrest warrants:

Name of the central authority: **Attorney General.**

Contact person, if applicable (title/grade and name): **Dr. Meredith Ebejer**

Address:

**Office of the Attorney General
International Co-operation in Criminal Affairs Unit
53, Admiralty House,
Valletta,
Malta**

Tel. No.: (country code) (area/city code) (...) **356 22488800**

Fax No.: (country code) (area/city code) (...)

E-mail: meredith.ebejer.1@attorneygeneral.mt

Signature of the issuing judicial authority and/or its representative:

Name: **Ms. Eunice Maria Fiorini LL.B L.P**

Post held (title/grade): **Director and Registrar – Criminal Law Courts.**

Date: **24/2/2021**

Official stamp (if available)



Certified true copy of the original
30/04/2021

Notary Dr Robert Aquilina B.A., LL.D.
176, Triq Santa Margherita, Siggiewi, SCW10105, Malta
Tel 21463536 Email: notary.aquilina@crivol.net

Document W

CFR5
4938

EUROPEAN ARREST WARRANT¹

This warrant has been issued by a competent judicial authority. I request that the person mentioned below be arrested and surrendered for the purposes of conducting a criminal prosecution or executing a custodial sentence or detention order.

Dokument Marka	CFR 5
Ippezentat minni	Sgt V. Velle
Illum.	26/2/21
Marta Velle	
Dep. Mag.	


Dr Robert Aquilina B.A., LL.D.
NOTARY PUBLIC
176, Triq Santa Margherita
Siggiewi 3600 Malta

¹ This warrant must be written in, or translated into, one of the official languages of the executing Member State, when that State is known, or any other language accepted by that State.

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(a) Information regarding the identity of the requested person:

Name: **Rivera**

Forename(s): **Luis Felipe**

Maiden name, where applicable: **N/A**

Aliases, where applicable: **N/A**

Sex: **Male**

Nationality: **American**

Date of birth: **19/10/1981**

Place of birth: **Florida, United States of America**

Residence and/or known address: **Howard Milner Res 2', Flat 27, Triq Ġuże' Howard, Sliema, Malta**

Language(s) which the requested person understands (if known): **English**

Distinctive marks/description of the requested person: **Image from American Passport with no. 531183028 issued on 28.01.2016**

Photo and fingerprints of the requested person, if they are available and can be transmitted, or contact details of the person to be contacted in order to obtain such information or a DNA profile (where this evidence can be supplied but has not been included)

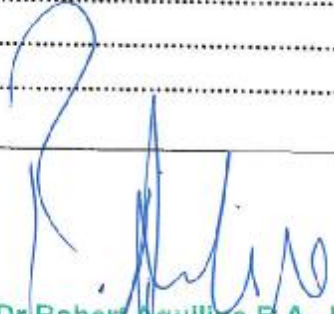
(b) Decision on which the warrant is based:

1. Arrest warrant or judicial decision having the same effect: Part III Warrant issued by the Court of Magistrates (Malta) as an Inquiring Court; Magistrate Dr Ian Farrugia LL.D in terms of article 62 of Legal Notice 320 of 2004, Extradition (Designated Foreign Countries) Order, 2004, Extradition Act.

Type: Arrest Warrant issued for the purpose of prosecution

2. Enforceable judgement:

Reference: **N/A**.....


Dr Robert Aquilina B.A., LL.D.

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Siggiewi SGW1016, Malta

(c) Indications on the length of the sentence:

1. Maximum length of the custodial sentence or detention order which may be imposed for the offence(s):

Any person committing any act of money laundering shall be guilty of an offence and shall, on conviction, be liable to a fine (multa) not exceeding two million and five hundred thousand euro (€2,500,000), or to imprisonment for a period not exceeding eighteen years, or to both such fine and imprisonment. The punishment may be increased by one or two degrees due to the nature of the offence being a continuous one, under Article 18 of the Criminal Code.

2. Length of the custodial sentence or detention order imposed:

N/A.

3. Remaining sentence to be served: N/A.

(d) Decision rendered in absentia and:

- ☐ – the person concerned has been summoned in person or otherwise informed of the date and place of the hearing which led to the decision rendered in absentia.

Or

- ☐ – the person concerned has not been summoned in person or otherwise informed of the date and place of the hearing which led to the decision rendered in absentia but has the following legal guarantees after surrender (such guarantees can be given in advance):

Specify the legal guarantees;

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Siggiewi, SW1016, Malta

(e) Offences:

This warrant relates to in total: **Four Offences**

Description of the circumstances in which the offence(s) was (were) committed, including the time, place and degree of participation in the offence(s) by the requested person:

In 2018, a Magisterial Inquiry was lodged into the workings of a particular bank licensed in

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Malta bearing the name of Pilatus Bank Ltd (**Bank**). This took place following a report filed by Inspectors within the Economic Crimes Unit of the Malta Police Force with the Inquiring Magistrate Dr Ian Farrugia LL.D (**Inquiring Magistrate**) on the 6th of November 2018. This report explained how the Malta Financial Services Authority (**MFSA**) and the Financial Intelligence Analysis Unit (**FIAU**) had conducted an investigation into the operations of the Bank and in particular with regards to its compliance with applicable laws and regulations, especially those concerning anti-money laundering and financing of terrorism. In this exercise, the MFSA and the FIAU had conducted an extensive analysis of the bank accounts, client relationships and other files pertaining to Pilatus Bank Ltd. This included the analysis of every transaction which had taken place in the name of this limited liability company.

Experts appointed during the Magisterial Inquiry to investigate the Bank's operations learned that the senior management and UBO of the Bank had:

1. failed to report unusual/suspicious transactions to the Bank's Money Laundering Reporting Officer or the FIAU
2. had transferred proceeds of crime
3. converted proceeds of crime
4. concealed proceeds of crime
5. assisted customers to realise the benefit from crimes previously committed and knowingly misled financial institutions.

Mr Rivera has held the following positions within the Bank:

1. Chief Information Officer (CIO) between 1st December 2014 and April 2018
2. Chief Operating Officer between 1 April 2015 and April 2018
3. Executive Director of Pilatus Bank Ltd (now Pilatus Bank plc) as of the 17 December 2015
4. Company Secretary as of 19 February 2016

His employment within the Bank started on the 1 December 2014 and ended on the 24 April 2018. From the analysis carried out by experts appointed by the Inquiring Magistrate during the course of the inquiry, it emerged that Mr Rivera has had a long-standing relationship with Mr Seyed Ali Sadr Hasheminejad. In fact investigations have shown that Mr Rivera has been Mr Sadr's associate and business partner and has served on the Boards of a number of companies belonging to Mr Sadr. Mr Rivera was hired by the Bank initially as CIO and in this role he was made responsible for directing the planning and implementation of the IT systems supporting the Bank's operations. Due to this position, he was responsible for all systems used by the Bank and was privy to substantial amounts of confidential information.

Mr Rivera appears to have acted as consultant for the Bank before his formal employment as emails show correspondence between him and employees of the Bank in April 2014.

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Siggiewi SGW1016, Malta

Investigations have also shown that the relationship between Mr Rivera and Mr Sadr extends to the latter's family. The long-standing connection between the two is also shown by Mr Rivera's involvement in Span Group, A&R Capital Partners and Altitude Capital, all companies belonging to Mr Sadr. This suggests that Mr Rivera may have been aware of Mr Sadr's involvement in the Housing Project in Venezuela and therefore the source of the Bank's capitalization. Mr Rivera is also suspected of having assisted in the attempt to destroy information relating to transactions involving the MAK Group.

From the report filed by the MFSA and the FIAU, it transpired that Pilatus Bank Ltd could have, repeatedly and on separate occasions, facilitated the laundering of proceeds of crime by having:

1. Opened bank accounts without the necessary documentation;
2. Accepted documents which *prima facie* appeared to be false;
3. Authorised transactions without having conducted the necessary due diligence and/or without having the necessary documents to support those transactions;
4. Operated not in accordance with the plan which it had initially provided to the authorities;

As a member of the Board of Directors of the Bank from September 2015, Mr Rivera was exposed to information reported to the Board and to the MLRO. Therefore, Mr

Rivera bore responsibility for oversight of the business affairs of the Bank. Mr Rivera was responsible, together with other individuals within the Bank for the implementation of anti-money laundering and financing of terrorism laws.

In light of all this, the Inquiring Magistrate directed the Commissioner of Police and the Attorney General to take criminal action against a number of natural and legal persons, including Mr Rivera.

The present request for the extradition to Malta of Luis Felipe Rivera is intended for his prosecution for the crime of money laundering, before the Courts in Malta.

Nature and legal classification of the offence(s) and the applicable statutory provision/code:

Article 2 (1) of Chapter 373 of the Prevention of Money Laundering Act of the Laws of Malta:

Money Laundering means:

[Handwritten signature]
Dr Robert Aquilina B.A., LL.D.
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176, Triq Santa Margherita
Sliema, SGW1016, Malta

- (i) The conversion or transfer of property knowing or suspecting that such property is derived directly or indirectly from, or the proceeds of, criminal activity or from an act or acts of participation in criminal activity, for the purpose of or purposes of concealing or disguising the origin of the property or of assisting any person or persons involved or concerned in criminal activity;
- (ii) the concealment or disguise of the true nature, source, location, disposition, movement, rights with respect of, in or over, or ownership of property, knowing or suspecting that such property is derived directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- (iii) the acquisition, possession or use of property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- (iv) retention without reasonable excuse of property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- (iv) attempting any of the matters or activities defined in the above foregoing sub-paragraphs(i), (ii), (iii) and (iv) within the meaning of article 41 of the Criminal Code;
- (v) acting as an accomplice within the meaning of article 42 of the Criminal Code in respect of any of the matters or activities defined in the above foregoing sub- paragraphs (i), (ii), (iii), (iv) and(v)

Article 3 of Chapter 373 of the Prevention of Money Laundering Act of the Laws of Malta:

- (1) Any person committing any act of money laundering shall be guilty of an offence and shall, on conviction, be liable to a fine (multa) not exceeding two million and five hundred thousand euro (€2,500,000), or to imprisonment for a period not exceeding eighteen years, or to both such fine and imprisonment.
- (2) Where an offence against the provisions of this Act is committed by a body of persons, whether corporate or unincorporate, every person who, at the time of the commission of the offence, was a director, manager, secretary or other similar officer of such body or association, or was purporting to act in any such capacity, shall be guilty of that offence

Robert Aquilina B.A. LL.
NOTARY PUBLIC
176, Triq Santa Margherita
Siggiewi SGW1016, Malta

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unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence

Luis Felipe Rivera will also be charged or having failed to adhere with the following regulations in his personal capacity and also in his capacity as Director of Pilatus Bank Ltd: Customer due diligence measures shall consist in:

Subsidiary Legislation 373.01, Prevention of Money Laundering and Funding of Terrorism Regulations:

7.(c) assessing and, as appropriate, obtaining information on the purpose and intended nature of the business relationship, and establishing the business and risk profile of the customer;

(d) conducting ongoing monitoring of the business relationship.

8. (1) Subject persons shall verify the identity of the customer and, where applicable, the identity of the beneficial owner, before the establishment of a business relationship or the carrying out of an occasional transaction.

11. (1) In addition to the requirements under regulation 7, subject persons shall apply enhanced customer due diligence measures in the following situations:

(a) in relation to activities or services that are determined by the Financial Intelligence Analysis Unit to represent a high risk of money laundering or funding of terrorism, having taken into consideration the findings of any national risk assessment and any other relevant factors as may be deemed appropriate;

(b) where, on the basis of the risk assessments carried out in accordance with regulation 5, the subject person determines that an occasional transaction, a business relationship or any transaction represents a high risk of money laundering or funding of terrorism; and (c) in the cases referred to in sub-regulations (3) to (10).

Article 18, Chapter 9 of the Laws of Malta, Criminal Code:

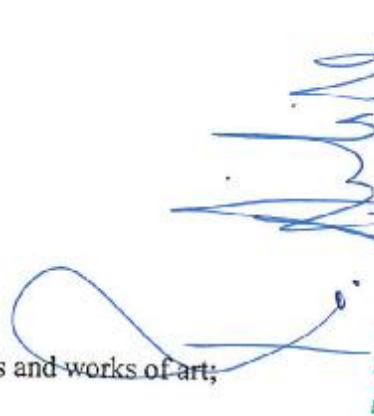
Where the several acts committed by the offender, even if at different times, constitute violations of the same provision of the law, and are committed in pursuance of the same design, such acts shall be deemed to be a single offence, called a continuous offence, but the punishment may be increased by one or two degrees.

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NOTARY PUBLIC

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Għajnejn, SGW1016, Malta

I. If applicable, tick one or more of the following offences punishable in the issuing Member State by a custodial sentence or detention order of a maximum of at least 3 years as defined by the laws of the issuing Member State:

- ☐ participation in a criminal organisation;
- ☐ terrorism;
- ☐ trafficking in human beings;
- ☐ sexual exploitation of children and child pornography;
- ☐ illicit trafficking in narcotic drugs and psychotropic substances;
- ☐ illicit trafficking in weapons, munitions and explosives;
- ☐ corruption;
- ☐ fraud, including that affecting the financial interests of the European Communities within the meaning of the Convention of 26 July 1995 on the protection of European Communities' financial interests;
- ☒ laundering of the proceeds of crime;
- ☐ counterfeiting of currency, including the euro;
- ☐ computer-related crime;
- ☐ environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties;
- ☐ facilitation of unauthorised entry and residence;
- ☐ murder, grievous bodily injury;
- ☐ illicit trade in human organs and tissue;
- ☐ kidnapping, illegal restraint and hostage-taking;
- ☐ racism and xenophobia;
- ☐ organised or armed robbery;
- ☐ illicit trafficking in cultural goods, including antiques and works of art;
- ☐ swindling;
- ☐ racketeering and extortion;
- ☐ counterfeiting and piracy of products;
- ☐ forgery of administrative documents and trafficking therein;
- ☐ forgery of means of payment;
- ☐ illicit trafficking in hormonal substances and other growth promoters;
- ☐ illicit trafficking in nuclear or radioactive materials;
- ☐ trafficking in stolen vehicles;


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 Siggiewi SGW1016, Malta

- 0 rape;
- 0 arson;
- 0 crimes within the jurisdiction of the International Criminal Court;
- 0 unlawful seizure of aircraft/ships;
- 0 sabotage.

II. Full descriptions of offence(s) not covered by section I above:

Subsidiary Legislation 373.01, Prevention of Money Laundering and Funding of Terrorism Regulations:

- 7.(c) assessing and, as appropriate, obtaining information on the purpose and intended nature of the business relationship, and establishing the business and risk profile of the customer;
- (d) conducting ongoing monitoring of the business relationship.
- 8. (1) Subject persons shall verify the identity of the customer and, where applicable, the identity of the beneficial owner, before the establishment of a business relationship or the carrying out of an occasional transaction.
- 11. (1) In addition to the requirements under regulation 7, subject persons shall apply enhanced customer due diligence measures in the following situations:
 - (a) in relation to activities or services that are determined by the Financial Intelligence Analysis Unit to represent a high risk of money laundering or funding of terrorism, having taken into consideration the findings of any national risk assessment and any other relevant factors as may be deemed appropriate;
 - (b) where, on the basis of the risk assessments carried out in accordance with regulation 5, the subject person determines that an occasional transaction, a business relationship or any transaction represents a high risk of money laundering or funding of terrorism; and (c) in the cases referred to in sub-regulations (3) to (10).
 - (f) Other circumstances relevant to the case (optional information):
(NB: This could cover remarks on extraterritoriality, interruption of periods of time limitation and other consequences of the offence)

Dr Robert Aquilina B.A., LL.D.
NOTARY PUBLIC
176, Triq. Santa Margherita
Siggiewi, SGW1016, Malta

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- (g) This warrant pertains also to the seizure and handing over of property which may be required as evidence:

This warrant pertains also to the seizure and handing over of property acquired by the requested person as a result of the offence:

Description of the property (and location) (if known):

- (h) The offence(s) on the basis of which this warrant has been issued is(are) punishable by/has(have) led to a custodial life sentence or lifetime detention order:

- the legal system of the issuing Member State allows for a review of the penalty or measure imposed – on request or at least after 20 years – aiming at a non-execution of such penalty or measure,

and/or

- the legal system of the issuing Member State allows for the application of measures of clemency to which the person is entitled under the law or practice of the issuing Member State, aiming at non-execution of such penalty or measure.

- (i) The judicial authority which issued the warrant:

Official name: **Court of Magistrate (Malta) as an Inquiring Court**

Name of its representative ¹: **Magistrate Dr. Ian Farrugia LL.D**

Post held (title/grade): **Magistrate**

File reference:

Address:

Chambers of Magistrate Dr. Ian Farrugia LL.D
Court of Justice
Republic Street,
Valletta,
Malta.

Dr Robert Aquilina B.A., LL.D.

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176, Triq Santa Margherita
 Siggiewi SW1016, Malta

¹ In the different language versions a reference to the "holder" of the judicial authority will be included.

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Tel. No.: (country code) (area/city code) (...)

Fax No. (country code) (area/city code) ()

E-mail: marica.b.mifsud@courtservices.mt

Contact details of the person to contact to make necessary practical arrangements for the surrender:

Inspector Keith Vella / Inspector Claire Borg / Inspector Pauline Bonello
The Oaks Business Centre, 19 Block A,
Farsons Street,
Hamrun.

Tel: +35622940000

Where a central authority has been made responsible for the transmission and administrative reception of European arrest warrants:

Name of the central authority: **Attorney General.**

Contact person, if applicable (title/grade and name): **Dr. Meredith Ebejer**

Address:

Office of the Attorney General
International Co-operation in Criminal Affairs Unit
53, Admiralty House,
Valletta,
Malta

Tel. No.: (country code) (area/city code) (...) **356 22488800**

Fax No.: (country code) (area/city code) (...)

E-mail: meredith.ebejer.1@attorneygeneral.mt

Certified true copy of the original
30.05.2022

Notary Dr Robert Aquilina B.A., LL.D.
176, Trib Santa Margherita Siggiewi SGW1016 Malta
Tel 21463536 Email notary.aquilina@onvol.net

Signature of the issuing judicial authority and/or its representative:

Name: **Ms. Eunice Maria Florini LL.B L.P**

Post held (title/grade): **Director and Registrar – Criminal Law Courts.**

Date: **24/2/2021**

Official stamp (if available)




Dr Robert Aquilina B.A., LL.D.
 NOTARY PUBLIC
 176, Triq Santa Margherita
 Siggiewi SGW1016, Malta

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Certified True Copy
of Original Document
Signed:
Date:
Name:

1/04/16

Claude - Anne Saint Farnie

Bank Ltd,
Whitehall Mansions
Level 2 Ta'Xbiex Wharf
Xbiex XBX1026 Malta

[Signature]
Dr Robert Aquilina B.A., LL.B.
NOTARY PUBLIC
176, Triq Santa Margherita
Siggiewi SGW1016, Malta

EUROPEAN ARREST WARRANT¹

4951
MTZ

Dokument X

This warrant has been issued by a competent judicial authority. I request that the person mentioned below be arrested and surrendered for the purposes of conducting a criminal prosecution or executing a custodial sentence or detention order.

Dokument Markat	MTZ
Ipprovdentat minn	Sgt H. Vella
Illum:	26/2/21
Mandat ta' - ud	
D. G. G.	
D. G. G.	


Dr Robert Aquilina B.A., LL.B.
NOTARY PUBLIC
176, Triq Santa Margherita
Siggiewi SGW016, Malta

¹ This warrant must be written in, or translated into, one of the official languages of the executing Member State, when that State is known, or any other language accepted by that State.

(a) Information regarding the identity of the requested person:

Name: **Tasli**Forename(s): **Mehmet**Maiden name, where applicable: **N/A**Aliases, where applicable: **N/A**Sex: **Male.**Nationality: **Cypriot**Date of birth: **22/04/1975**Place of birth: **Turkey**Residence and/or known address: **Last known address is Gravel Row, 8, Flat 1, Reggie Miller Street, Gzira, GZR 1544, Malta**

Language(s) which the requested person understands (if known):

Distinctive marks/description of the requested person: **Image from Cypriot Passport with number E443647 issued on the 18/02/2014**

Photo and fingerprints of the requested person, if they are available and can be transmitted, or contact details of the person to be contacted in order to obtain such information or a DNA profile (where this evidence can be supplied but has not been included)

(b) Decision on which the warrant is based:

1. **Arrest warrant or judicial decision having the same effect: Part III Warrant issued by the Court of Magistrates (Malta) as an Inquiring Court; Magistrate Dr Ian Farrugia LL.D in terms of article 62 of Legal Notice 320 of 2004, Extradition (Designated Foreign Countries) Order, 2004, Extradition Act.**

Type: **Arrest Warrant issued for the purpose of prosecution**

2. Enforceable judgement:

Reference: **N/A**.....

Dr Robert Aquilina B.A., LL.D.
 NOTARY PUBLIC
 17C, Triq Santa Margherita
 Siggiewi SW1016, Malta

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(c) Indications on the length of the sentence:

1. Maximum length of the custodial sentence or detention order which may be imposed for the offence(s):

Any person committing any act of money laundering shall be guilty of an offence and shall, on conviction, be liable to a fine (multa) not exceeding two million and five hundred thousand euro (€2,500,000), or to imprisonment for a period not exceeding eighteen years, or to both such fine and imprisonment. The punishment may be increased by one or two degrees due to the nature of the offence being a continuous one, under Article 18 of the Criminal Code.

2. Length of the custodial sentence or detention order imposed:

N/A.

3. Remaining sentence to be served: N/A.

(d) Decision rendered in absentia and:

- ☐ – the person concerned has been summoned in person or otherwise informed of the date and place of the hearing which led to the decision rendered in absentia.

Or

- ☐ – the person concerned has not been summoned in person or otherwise informed of the date and place of the hearing which led to the decision rendered in absentia but has the following legal guarantees after surrender (such guarantees can be given in advance):

Specify the legal guarantees;

Dr Robert Aquilina B.A., LL.D.
NOTARY PUBLIC
176, Triq. Santa Margherita
Siggiewi, SGW1015, Malta

(e) Offences:

This warrant relates to in total: **One Offence**

Description of the circumstances in which the offence(s) was (were) committed, including the time, place and degree of participation in the offence(s) by the requested person:

In 2018, a Magisterial Inquiry was lodged into the workings of a particular bank licensed in

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Malta bearing the name of Pilatus Bank plc (Bank). This took place following a report filed with the Inquiring Magistrate Dr Ian Farrugia LL.D on the 6th of November 2018 by Inspectors within the Economic Crimes Unit of the Malta Police Force. This report explained how the police had received a report from Malta Financial Services Authority (MFSA) and the Financial Intelligence Analysis Unit (FIAU) about an investigation which they had conducted into the operations of Pilatus Bank Ltd and in particular with regards to its compliance with applicable laws and regulations, especially those concerning anti-money laundering.

On the basis of the report filed by the Inspectors in charge of the investigation of the case, a Magisterial Inquiry was launched. On the 2nd November 2018, the premises of the bank were acceded to and all employees of the bank were told to leave. The premises have since been closed off.

A number of experts were appointed to aid with the Magisterial Inquiry. One of the experts appointed was the company Duff and Phelps that carried out an analysis of the role which various individuals within the Bank played in its operations, one of them being Mehmet Tasli.

Mr Tasli was employed, originally as an Operations Assistant and later as an Associate/Operations Specialist. His employment with the bank started on the 13th January 2014 and ended on the 1st of August 2018. Mr Tasli was aware of or involved in various transactions or actions which were deemed by the experts appointed by the Inquiring Magistrate, to be unusual or suspicious and which should have led to further investigation and a report to the Bank's Money Laundering Reporting Officer. Nevertheless, such reports were never made. According to Mr Tasli's contract of employment, his role included the execution of daily banking operations including, for example, opening accounts for new and existing customers, performing AML and sanctions control, receiving and processing payment instructions and preparing Swift messages.

Mr Tasli was also involved in dealing with queries from other financial institutions wherein potentially misleading information was identified. He was also involved in the processing of loans and appeared, at least on one occasion to have acted as secretary on the Credit Committee.

It has been concluded that Mr Tasli has processed or was otherwise made aware of transactions which are considered to have been unusual and in some cases bearing the typologies of money laundering. It is considered that he was privy of information which should have been flagged for suspicion of money laundering and which should have been reported to those responsible. Nevertheless no evidence was found that such reports had ever been made by Mr Tasli.

The Malta Police have therefore enough evidence to proceed with the prosecution of Mehmet Tasli for having committed the offence described hereunder and to face charges in front of the Courts of Malta as allegedly committed on the 21st March 2018 and on the days, months and years preceding that date.

The present request for the extradition to Malta of Mehmet Tasli is intended for his prosecution for the crime of money laundering, before the Courts in Malta.

Nature and legal classification of the offence(s) and the applicable statutory provision/code:

Article 2 (1) of Chapter 373 of the Prevention of Money Laundering Act of the Laws of Malta:

Money Laundering means:

- (i) The conversion or transfer of property knowing or suspecting that such property is derived directly or indirectly from, or the proceeds of, criminal activity or from an act or acts of participation in criminal activity, for the purpose of or purposes of concealing or disguising the origin of the property or of assisting any person or persons involved or concerned in criminal activity;
- (ii) the concealment or disguise of the true nature, source, location, disposition, movement, rights with respect of, in or over, or ownership of property, knowing or ~~suspecting that~~ such property is derived directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- (iii) the acquisition, possession or use of property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity; (iv) retention without reasonable excuse of property knowing or suspecting that the same was derived or originated directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;
- (iv) attempting any of the matters or activities defined in the above foregoing sub-paragraphs(i), (ii), (iii) and (iv) within the meaning of article 41 of the Criminal Code;
- (v) acting as an accomplice within the meaning of article 42 of the Criminal Code in respect of any of the matters or activities defined in the above foregoing sub- paragraphs (i), (ii), (iii), (iv) and(v)

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Article 3 of Chapter 373 of the Prevention of Money Laundering Act of the Laws of Malta:

- (1) Any person committing any act of money laundering shall be guilty of an offence and shall, on conviction, be liable to a fine (multa) not exceeding two million and five hundred thousand euro (€2,500,000), or to imprisonment for a period not exceeding eighteen years, or to both such fine and imprisonment.
- (2) Where an offence against the provisions of this Act is committed by a body of persons, whether corporate or unincorporate, every person who, at the time of the commission of the offence, was a director, manager, secretary or other similar officer of such body or association, or was purporting to act in any such capacity, shall be guilty of that offence unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence

Article 18, Chapter 9 of the Laws of Malta, Criminal Code:

Where the several acts committed by the offender, even if at different times, constitute violations of the same provision of the law, and are committed in pursuance of the same design, such acts shall be deemed to be a single offence, called a continuous offence, but the punishment may be increased by one or two degrees.

I. If applicable, tick one or more of the following offences punishable in the issuing Member State by a custodial sentence or detention order of a maximum of at least 3 years as defined by the laws of the issuing Member State:

- ☐ participation in a criminal organisation;
- ☐ terrorism;
- ☐ trafficking in human beings;
- ☐ sexual exploitation of children and child pornography;
- ☐ illicit trafficking in narcotic drugs and psychotropic substances;
- ☐ illicit trafficking in weapons, munitions and explosives;
- ☐ corruption;
- ☐ fraud, including that affecting the financial interests of the European Communities within the meaning of the Convention of 26 July 1995 on the protection of European Communities' financial interests;
- ☒ laundering of the proceeds of crime;

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- 0 counterfeiting of currency, including the euro;
- 0 computer-related crime;
- 0 environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties;
- 0 facilitation of unauthorised entry and residence;
- 0 murder, grievous bodily injury;
- 0 illicit trade in human organs and tissue;
- 0 kidnapping, illegal restraint and hostage-taking;
- 0 racism and xenophobia;
- 0 organised or armed robbery;
- 0 illicit trafficking in cultural goods, including antiques and works of art;
- 0 swindling;
- 0 racketeering and extortion;
- 0 counterfeiting and piracy of products;
- 0 forgery of administrative documents and trafficking therein;
- 0 forgery of means of payment;
- 0 illicit trafficking in hormonal substances and other growth promoters;
- 0 illicit trafficking in nuclear or radioactive materials;
- 0 trafficking in stolen vehicles;
- 0 rape;
- 0 arson;
- 0 crimes within the jurisdiction of the International Criminal Court;
- 0 unlawful seizure of aircraft/ships;
- 0 sabotage.

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II. Full descriptions of offence(s) not covered by section I above:

(f) Other circumstances relevant to the case (optional information):
(NB: This could cover remarks on extraterritoriality, interruption of periods of time limitation and other consequences of the offence)

(g) This warrant pertains also to the seizure and handing over of property which may be required as evidence:

This warrant pertains also to the seizure and handing over of property acquired by the

requested person as a result of the offence:

Description of the property (and location) (if known):

.....

.....

.....

- (h) The offence(s) on the basis of which this warrant has been issued is(are) punishable by/has(have) led to a custodial life sentence or lifetime detention order:
- the legal system of the issuing Member State allows for a review of the penalty or measure imposed – on request or at least after 20 years – aiming at a non-execution of such penalty or measure,

and/or

- the legal system of the issuing Member State allows for the application of measures of clemency to which the person is entitled under the law or practice of the issuing Member State, aiming at non-execution of such penalty or measure.

- (i) The judicial authority which issued the warrant:

Official name: **Court of Magistrate (Malta) as an Inquiring Court**

Name of its representative ²: **Magistrate Dr. Ian Farrugia LL.D**

Post held (title/grade): **Magistrate**

File reference:

Address:

Chambers of Magistrate Dr. Ian Farrugia LL.D
Court of Justice
Republic Street,
Valletta,
Malta.

Dr Robert Agius B.A., LL.D.
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 176, Triq Santa Margherita
 Siggiewi SGW1016, Malta

Tel. No.: (country code) (area/city code) (...)

Fax No. (country code) (area/city code) ()

E-mail: marica.b.mifsud@courtservices.mt

Contact details of the person to contact to make necessary practical arrangements for the surrender:

Inspector Keith Vella / Inspector Claire Borg / Inspector Pauline Bonello

² In the different language versions a reference to the "holder" of the judicial authority will be included.

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The Oaks Business Centre, 19 Block A,
Farsons Street,
Hamrun.

Tel: +35622940000

Where a central authority has been made responsible for the transmission and administrative reception of European arrest warrants:

Name of the central authority: **Attorney General.**

Contact person, if applicable (title/grade and name): **Dr. Meredith Ebejer**

Address:

Office of the Attorney General

International Co-operation in Criminal Affairs Unit

53, Admiralty House,

Valletta,

Malta

Tel. No.: (country code) (area/city code) (...) **356 22488800**

Fax No.: (country code) (area/city code) (...)

E-mail: meredith.ebejer.1@attorneygeneral.mt

Signature of the issuing judicial authority and/or its representative:

Name: **Ms. Eunice Maria Fiorini LL.B L.P**

Post held (title/grade): **Director and Registrar – Criminal Law Courts.**

Date: **24/2/2021**

Official stamp (if available)



Certified copy of the original

24/2/2021

Notary Dr Robert Aquilina B.A., LL.D.
176, The Santa Margherita, Siggiewi SGW1016, Malta
Tel 21463536 Email notary.aquilina@envol.net

TO ΔΙΑΒΑΤΗΡΙΟ ΑΥΤΟ ΙΣΧΥΕΙ
ΓΙΑ ΟΛΕΣ ΤΙΣ ΧΩΡΕΣ
ΒU PASAPORT TÜM ÜLKELER
İÇİN GEÇERLİDİR
THIS PASSPORT IS VALID
FOR ALL COUNTRIES

Embiyobonur Aqxi / Pasaportu wera makam / Issuing Authority (P)

1. *Chlorophyll a* (Chl *a*)
 2. *Chlorophyll b* (Chl *b*)
 3. *Chlorophyll c* (Chl *c*)
 4. *Chlorophyll d* (Chl *d*)
 5. *Chlorophyll e* (Chl *e*)
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 133.

Υπογραφή συντάκτη / Falsignat solution: lezard / Signature of lezard (10)

W. J. H. H. H.

KYΠΡΙΑΚΗ ΔΗΜΟΚΡΑΤΙΑ - KIBRIS CUMHURİYETİ - REPUBLIC OF CYPRUS

ΔΙΑΒΑΤΗΡΙΟ
PASAPORT / PASSPORT

[illegible]

Dr Robert Aquilina B.A., LL.B.

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