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Around Lm100m in construction profits have been reinvested as shareholders' loans

Government will not extend amnesty to shareholders' loans

THE business community will be shocked to learn there will be no amnesty on shareholders' loans, after government decided it would not extend its registration scheme ahead of the Euro changeover on company profits which were

declared as loans.

It is believed thousands of small businesses will now be liable to pay millions in taxes to the government on profits which they had redirected into shareholders' loans.

A spokesman for the gov-

ernment, who insisted on not being named, said Prime Minister Lawrence Gonzi is adamant not to give an amnesty for shareholders' loans, just days before the 31 July deadline for individuals to declare any black money ahead of the

Euro changeover.

"We are aware this could be a winner from an electoral point of view... but it is a loser when considering all those who honestly declared their takings and pay tax on their income,"

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254 presidential pardons requested in three years

RAPHAEL VASSALLO

THERE have been 254 formal requests for Presidential pardons since 2004: an average of 85 a year. Of these, 141 were granted and 113 refused. The overwhelming majority (132) of granted presidential pardons concern pardons or reductions in prison sentences for VAT related offences. None of the pardons in the last three years involved general amnesties.

These are among the figures released by the Justice Minis-

try in reply to questions sent by MaltaToday, after a spate of requests for such information appeared in the press following the Prime Minister's public defence of Roads Minister Jesmond Mugliett, and his role in the ADT's "cash for licenses" scandal.

Replying to our questions, Justice Ministry spokesman Joe Azzopardi explained that a number of criteria exist for the application of the Presidential pardon rule, which is governed by the Constitution (articles 85 and 93). "The most impor-

tant ones are: (a) humanitarian reasons where special reasons militate in favour of a mitigation of punishment; (b) legal, e.g., an error committed in deciding a case, or the awarding of punishment which is disproportionate to the offence committed. The AG's advice is sought in such legal matters."

The figures appear at a glance to reinforce the notion, popularised by the recent scandal, that Presidential pardons are routinely requested by criminal defence lawyers in the case of

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MLP's Joe Brincat had applied for pardon on behalf of Lorry Sant



Joe Brincat

LABOUR MP and criminal lawyer Joe Brincat had filed a request for a Presidential pardon in 1992, despite telling this newspaper last Sunday he had never asked for a pardon on behalf of his "constituents", while refraining from commenting about pardons filed for his "clients".

Joe Brincat had in fact written to the President of Malta back on 8 May, 1992, to stay the criminal procedures instituted against former Labour minister Lorry Sant, in the infamous law courts incidents during the afternoon of 19 June, 1987.

The incident involved the fiery ex-minister

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Mellieha tragedy – negligence ruled out

KARL SCHEMBRI

A judge has ruled out negligence on the part of rescuers in the tragic case of Marc Bradshaw that happened seven years ago in a rescue operation that took two hours to retrieve the lifeless body of the 22-year-old man off the cliffs of Mellieha.

Ric Bradshaw filed a case in the Civil Court against the government in May 2001 – a year after the accident – suing for damages and holding the emergency services responsible for the death of his son, Marc, on 8 July of seven years ago.

His son plummeted to his death from the height of around 10 storeys at l-Ahrax tal-Mellieha on 8

July 2000 and the rescuers recovered his body after around two hours of manoeuvres carried out by the police, the Armed Forces of Malta and the Civil Protection Department. Marc had just finished working at a party and decided to go with his friends to l-Ahrax tal-Mellieha watch sunrise at around 4.30am.

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