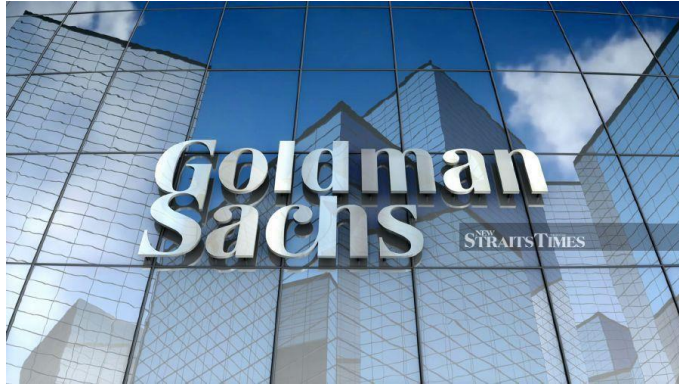


**New Straits Times November 2019**

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**1. Mahathir says no to Goldman's 1MDB offer of under \$2 bln to Malaysia- FT**



Malaysia has rejected an offer from Goldman Sachs of less than US\$2 billion in compensation over the 1MDB scandal, Prime Minister Mahathir Mohamad told the Financial Times on Friday, compared with its publicly stated demand of US\$7.5 billion.

KUALA LUMPUR: Malaysia has rejected an offer from Goldman Sachs of less than US\$2 billion in compensation over the 1MDB scandal, Prime Minister Mahathir Mohamad told the Financial Times on Friday, compared with its publicly stated demand of US\$7.5 billion.

The Southeast Asian nation has charged Goldman and 17 current and former directors of its units for allegedly misleading investors over bond sales totalling \$6.5 billion that the U.S. bank helped raise for sovereign wealth fund 1Malaysia Development Bhd (1MDB).

"Goldman Sachs has offered something like less than US\$2 billion," Mahathir told the newspaper. "We are not satisfied with that amount so we are still talking to them... If they respond reasonably we might not insist on getting that US\$7.5 billion."

Goldman declined to comment to the FT. The bank did not immediately respond to a Reuters request for comment. Goldman said last month it was in discussions with authorities on the possibility of a resolution of investigations relating to 1MDB.

A spokesman for Mahathir travelling with the leader could not immediately be reached.



*"Goldman Sachs has offered something like less than US\$2 billion," Tun Dr Mahathir told the newspaper. "We are not satisfied with that amount so we are still talking to them... If they respond reasonably we might not insist on getting that US\$7.5 billion."*

U.S. authorities say about US\$4.5 billion was siphoned from 1MDB, founded in 2009 by then-Malaysian Prime Minister Najib Razak. The scandal helped Mahathir hand a surprise defeat to Najib in a general election last year.

Mahathir told the FT the Southeast Asian country was not negotiating or in contact with fugitive financier Jho Low, accused of playing a central role in the scam.

Low has consistently denied wrongdoing and says he does not expect a fair trial in Malaysia as long as Mahathir is in power.

The U.S. Justice Department said this week it had struck a deal to recover \$1 billion in funds allegedly looted from 1MDB from Low, in a record haul for a U.S. anti-corruption probe.

The deal does not include an admission of guilt or wrongdoing and is not tied to criminal action against Low.

Mahathir said on Thursday Malaysia would file a claim on Low's forfeited assets.

"The DoJ has indicated that if we can prove claim of ownership, then we will be able to get the money for ourselves," Mahathir told the

**2. Former New Jersey governor said to be behind Jho Low - DoJ settlement**



The settlement reached between businessman Low Taek Jho and the United States' Department of Justice (DoJ) reported recently was negotiated by a highly-paid legal team led by former New Jersey governor Chris Christie, according to the Singapore Straits Times

KUALA LUMPUR: The settlement reached between businessman Low Taek Jho and the United States' Department of Justice (DoJ) reported recently was negotiated by a highly-paid legal team led by former New Jersey governor Chris Christie, according to the Singapore Straits Times.

Low, or Jho Low as he is more commonly known as, is deemed the alleged mastermind of the 1Malaysia Development Berhad (1MDB) scandal and is currently wanted by the government.

His whereabouts remain unknown and a spokesperson of Low recently said the businessman was offered asylum but did not mention by which country.

The settlement between Low and the US DoJ puts an end to the Penang-born man's contest to assets amounting to US\$900 million or RM3.74 billion. However the DoJ stressed that the deal does not exempt Low from being slapped with any criminal charges.

These assets were seized by the DoJ in civil forfeiture cases filed in the central district court of California between 2016 and 2017.

The Straits Times said legal sources believe another settlement was possible in the coming months. This is with regard to the a criminal charge brought against Low in the Eastern New York District Court.

The article remarked how the settlement, though hailed by the US as the "biggest-ever recovery from an anti-corruption crackdown launched by Washington", did not do much to pacify Malaysians.

It said the Malaysian government has to deal with various unknown complications the settlement could have on the 1MDB trials against former Prime Minister Datuk Seri Najib Razak.

On the settlement and Christie's involvement, the Straits Times quoted an unnamed legal source close to Low as saying that the negotiations were going nowhere until the former governor took up a more direct role.

This happened sometime in the middle of last year and the talks with DoJ started in August this year, the source said.

Initially, Low's legal team was made up of Kobre & Kim and Lowenstein and Sandler.

The Christie Law Firm joined early last year.

Christie was New Jersey governor until Jan 16, 2018, and according to a report by North Jersey, the Christie Law Firm was registered with the New Jersey state Office of Attorney Ethics in April, 2018.

"The firm's address is registered to Christie's home in Mendham (a township in New Jersey)," the report by North Jersey said.

The Straits Times quoted another lawyer close to the situation as saying that Low was either the first, or one of Christie's first clients.

The settlement proved lucrative to Low's legal team as they would be paid US\$15 million in fees, to be raised from the proceeds of the sale of Low's stake in EMI music publishing which the DoJ earlier seized with an estimated value of US\$400 million.

**3. Witness: 1MDB also engaged in money lending**



**There was more confirmation of how 1Malaysia Development Bhd (1MDB) had been nothing but an unmitigated disaster after it entered into a joint venture (jv) with PetroSaudi International Ltd (PSI) to undertake so-called oil and gas exploration activities**

KUALA LUMPUR: There was more confirmation of how 1Malaysia Development Bhd (1MDB) had been nothing but an unmitigated disaster after it entered into a joint venture (jv) with PetroSaudi International Ltd (PSI) to undertake so-called oil and gas exploration activities.

This was affirmed by the former chief executive of the sovereign wealth fund, Datuk Shahrol Azral Ibrahim Halmi, after he was questioned under cross-examination while testifying in the 1MDB trial involving former prime minister Datuk Seri Najib Razak.

The 49-year-old also revealed that PSI owed 1MDB US\$2.2 billion when he last checked before leaving the fund in 2015.

It was revealed that apart from pumping in money into the venture, 1MDB had also given a US\$500 loan to PSI at 8.67 per cent interest.

However, the fund only saw US\$41 million returned in the first year and never got a single sen after that.

Lead defence lawyer Tan Sri Muhammad Shafee Abdullah, who seemed amused upon hearing that 1MDB had actually loaned money to PSI, asked Shahrol whether he knew one needed a money lender's licence before giving others money and charging interest on it.



Shafee: Was 1MDB empowered to do money lending?

Shahrol: Yes

Shafee: Really?... Did 1MDB have a money lender's licence from Bank Negara?

Shahrol: No

Shafee then chided Shahrol by saying that even Chettians need a licence before they lend out money.

The witness, who has been on the stand since Sept 23, did not say anything upon hearing the lawyer's remark.

It was previously recorded that 1MDB had entered into the joint venture with PSI by pumping in US\$1 billion in 2009. This gave it a 40 per cent stake in the venture while the balance of 60 per cent was held by PSI, which did not contribute any money but put in its so-called assets as capital.

However, it has since been discovered that a Turkmenistan oil field, purportedly valued at US\$3.51 billion did not belong to PSI while an Argentinian oil field was worth only US\$108 million.

In another development today, Shahrol denied that he was part of a plot to steal 1MDB money.

He rebutted the accusation after Shafee questioned him about 1MDB's planned venture with French energy company GDF Suez.

Shafee raised the issue after referring to minutes which had been prepared even before the meeting actually took place in 2010.

However, Shahrol said this could have happened as a result of earlier discussions between 1MDB representatives, namely fugitive businessman Low Taek Jho and 1MDB's former investment officer Nik Faisal Ariff Kamil (who is also on the run).

Shafee: Nik Faisal already prepared the minutes before the meeting took place. He must have a special talent to know what is going to happen before it happens.

Shahrol: I can't say how it happened... maybe it was based on earlier discussions

Shafee: You are just guessing

Shahrol: Yes... the same way you guessed that Nik Faisal has special talent

Shafee: I put it to you that you are part of a conspiracy with Jho Low and Nik Faisal.

Shahrol: I disagree



Shafee: You are like a Malay proverb... Cuba menegakkan benang yang basah (trying to defend the indefensible)

Shahrol: I disagree

The trial before judge Collin Lawrence Sequerah continues.

Najib, 66, is facing 25 charges of money laundering and abuse of power over alleged 1MDB funds in his AmBank accounts.

He is accused of abusing his position to obtain RM2.28 billion in bribes in February 2011 and December 2014.

He is also said to have transferred RM2.28 billion in illegal funds to his bank accounts and to have subsequently used the money.

**4. RM18.9bil in 1MDB assets worldwide being tracked down**



Malaysian Anti-Corruption Commission (MACC) Chief Commissioner Latheefa Koya said the anti-graft body had been working with the National Anti-Financial Crime Centre (NAFCC) to locate, investigate and conduct research in tracing the properties

KUALA LUMPUR: There are still RM18.9 billion worth of unidentified assets from 1Malaysia Development Bhd (1MDB), which are still being pursued by the Malaysian Anti-Corruption Commission in at least five countries.

Malaysian Anti-Corruption Commission (MACC) Chief Commissioner Latheefa Koya said the anti-graft body had been working with the National Anti-Financial Crime Centre (NAFCC) to locate, investigate and conduct research in tracing the properties.

She said MACC was pursuing RM18.9 billion in 1MDB assets.

"This is why we are working with NAFCC, which was just formalised because it's not just a one-off transaction.

"They were multiple transactions and we need to work together with other countries on this matter," Latheefa said after the International Conference on Financial Crime and Terrorism Financing at Shangri-La Hotel here yesterday.

She said MACC could not share with the public details on the unidentified 1MDB assets as it would affect the ongoing investigation and the people who may be involved.

"We certainly do not want them to cover their tracks as we speak."

When asked about the number of countries where the unidentified 1MDB assets were located, Latheefa said: "I would think, not less than five. Yes, at least five."

Although she did not mention the countries, she said the authorities in the five countries were cooperating with Malaysia.

"They (the countries) are cooperating but they will take time because we are talking about being very specific and precise in knowing what property we are looking into and what we are going after."

Latheefa said the conference also discussed cross-border money laundering and other related issues.

She said cooperation that extended beyond diplomatic ties was crucial in the investigation of the cases.

MACC had been intensifying efforts to recover 1MDB related monies this year.

On June 21, MACC filed civil forfeiture applications against 41 people and entities, including Umno, to recover RM270 million allegedly taken from 1MDB.

Latheefa had said the funds were allegedly transferred from the personal AmBank account of former prime minister Datuk Seri Najib Razak.

On July 12, Finance Minister Lim Guan Eng had said RM925.1 million of 1MDB-related money had been returned to the government.

Of that amount, RM805.8 million of the funds were returned from the United States, of which RM567.8 million was from the Park Lane Hotel in Manhattan and RM238 million from Red Granite Pictures.

Funds totalling RM92.3 million were recovered from Singapore and RM27 million was recovered locally, of which RM6.1 million was from the 1MDB Foundation and RM20.9 million from the company itself.

The efforts to recover 1MDB monies were a result of the work of MACC, police and the Attorney-General's Chambers with help of foreign authorities.

Lim had also said efforts to recover the monies was continuous as the government needed to repay 1MDB's debts amounting to RM51 billion.

**5. US\$17,000 of 1MDB money used to pay for Starbucks coffee**



**Lead defence counsel Tan Sri Muhammad Shafee Abdullah questioned former 1MDB chief executive Datuk Shahrol Azral Ibrahim Halmi at length about Obaid's role in the scandal.**

KUALA LUMPUR: It took just one week for the owner of PetroSaudi International Ltd (PSI), Tarek Obaid, to steal 82 million Swiss Francs from a joint venture company (jv) which 1Malaysia Development Bhd (1MDB) had invested in.

The Saudi businessman had diverted the money, which was part of a US\$500 million which 1MDB had pumped into the jv company for an investment in French energy company GDF Suez, into his own personal account before it was channeled to Low Taek Jho @ Jho Low's company Good Star Ltd.

Documents which showed the money trail were produced in court today in the 1MDB trial involving former prime minister Datuk Seri Najib Razak.

Lead defence counsel Tan Sri Muhammad Shafee Abdullah questioned former 1MDB chief executive Datuk Shahrol Azral Ibrahim Halmi at length about Obaid's role in the scandal.

The documents included Obaid's account statement which showed that 82 million Swiss Francs had been moved out of PSI's account into the businessman's personal account before it was channeled into Good Star's account at RBS Coutts Bank.

Asked if he realised that the 82 million Swiss Francs was not going to GDF Suez, Shahrol acknowledged that he now knew that the money had been diverted to Good Star.

"I was not shown all this during the investigation stage," he said when asked if the investigators had shown him the documents when he was called to give his statement prior to the 1MDB trial.

Shafee: These documents clearly show that Tarek Obaid was working with Jho Low.

Shahrol: I cannot draw that conclusion. All I can say is that 82 million Swiss Francs was transferred to Jho Low's company.

Shafee: The investigators never asked you about what happened to the US\$500 million which 1MDB gave to PSI?

Shahrol: We never went through the details. I was just shown very high level money trail which involved Good Star and other accounts.

Shahrol was also asked about a phone number in one of the documents shown to him and questioned if he knew who it belonged to.

Shafee: Do you know whose number this is?

Shahrol: It may be Tarek Obaid's number, but I cannot confirm it. Why don't you try to call...

Shafee: I doubt anybody will answer.

There were also some light moments in court earlier today when Shahrol complained that the court room was too cold and his hands were beginning to freeze.

He requested for the air conditioning to be turned down before joking that he would start wearing gloves from now on.

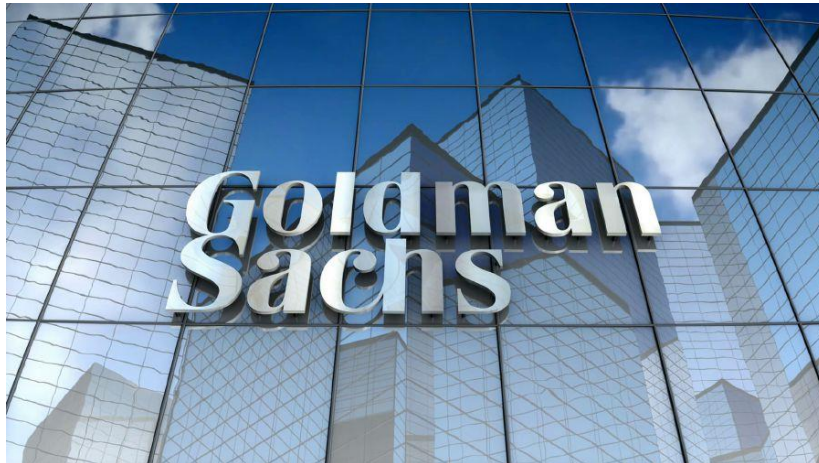
Later, when going through one of the documents shown to him, Shahrol drew Shafee's attention to a US\$17,000 expenditure incurred by Obaid and charged to PSI.

The US\$17,000 was used as payment for Starbucks coffee.

"That is a lot of money for coffee," lead prosecutor Datuk Seri Gopal Sri Ram was heard saying in jest.

The trial before judge Collin Lawrence Sequerah continues.

**6. Ex-Goldman Sachs exec to stand trial in Malaysia next year**



**Malaysia rejected an offer from Goldman of less than US\$2 billion in compensation over the scandal, Prime Minister Tun Dr Mahathir Mohamad told the Financial Times last week.**

KUALA LUMPUR: Former Goldman Sachs banker Roger Ng will face trial in Malaysia in April for allegedly abetting the sale of US\$6.5 billion (RM26.9 billion) in bonds tied to troubled state fund 1Malaysia Development Berhad (1MDB), a judicial official said on Wednesday.

Malaysia had temporarily surrendered Ng for 10 months to the United States, where he has been charged for conspiring to launder money and bribe government officials in Malaysia and Abu Dhabi through bond offerings that Goldman Sachs Group Inc had handled.

Ng has pleaded not guilty to the charges in Malaysia and the United States.

Malaysia had requested that a trial start in April, as the 10-month period of US custody agreed to by the countries would lapse in March, deputy public prosecutor Zaki Asyraf Zubir told Reuters.

"Prosecution requested for the trial in April," Zaki said in a text message.

Prosecutors have said that Goldman Sachs generated about US\$600 million in fees for its work with 1MDB, which included three bond offerings in 2012 and 2013 that raised US\$6.5 billion.

Ng, along with Tim Leissner, a former partner at Goldman Sachs in Asia, received large bonuses in connection with that revenue.

Malaysia has said it was seeking up to US\$7.5 billion in reparations from Goldman over its dealings with 1MDB, set up in 2009 by the then prime minister, Datuk Seri Najib Razak.

Najib, who lost a general election last year, faces 42 criminal charges related to losses at 1MDB and other state entities. He has pleaded not guilty.

Goldman said last month it was in discussions with authorities on the possibility of a resolution of investigations relating to 1MDB.

Malaysia rejected an offer from Goldman of less than US\$2 billion in compensation over the scandal, Prime Minister Tun Dr Mahathir Mohamad told the Financial Times last week.



**7. 1MDB trial: I want to make him swallow his own vomit, says Shafee**



**Najib is seen with Tan Sri Muhammad Shafee Abdullah**

KUALA LUMPUR: The lead defence counsel in the 1Malaysia Development Bhd (1MDB) trial said he wanted to make the former chief executive of the sovereign wealth fund "swallow his own vomit" for linking Datuk Seri Najib Razak to notorious businessman Low Taek Jho @ Jho Low.

Tan Sri Muhammad Shafee Abdullah said Datuk Shahrol Azral Ibrahim Halmi had consistently said that Najib was close to Low and therefore knew about the fugitive businessman's plans to defraud 1MDB.

However, he said, Shahrol who trusted Low, had made all the decisions which backfired on 1MDB.

"My client is not the professional who managed the fund..it is Shahrol who was the professional..he was the CEO of 1MDB.

"He is now saying that he was not suspicious of Low and trusted him.

"If he can claim lack of knowledge, my client's position was even more difficult. I want to make him swallow his own vomit," he said.

Shafee said this after he was asked to explain where he was going with his lengthy cross examination of the prosecution witness, who has been on the stand since September.

Lead prosecutor Datuk Seri Gopal Seri Ram had earlier stood up to query Shafee's repeated bombardment of the witness with one document after another on various transactions which had taken place involving 1MDB and its joint venture partner, PetroSaudi International Ltd (PSI).

Shafee replied that he had taken great pains to adduce the documents for Shahrol to reconfirm or refute evidence which was different from his interpretation of things.

"It would have alerted any CEO as the transactions involved not millions but billions of US dollars..yet he keeps saying that he acted without knowledge of the truth.

"All because he trusted Jho Low," he said.

Earlier, Shafee also put Shahrol under the hammer over how 1MDB had transferred US\$1 billion to Low's company (Good Star Ltd), instead of PSI.

He chided Shahrol how 1MDB seemed to be making mistake after mistake even when handling huge sums of money.

Shahrol admitted that 1MDB had transferred the money into Good Star's account even though the beneficiary in the remittance forms was listed as PSI.

The first transfer of US\$700 million via Deutsche Bank was done in Sept 2009, while another transfer of US\$330 million was done via Ambank in May 2010.

Shahrol said he did not suspect that Low owned Good Star at that time.

"There was no reason for me to be suspicious then..it was just an account number given to us by a trusted partner.

"I did not memorise their account number," he said.

Shafee: But you were sending a lot of money..it was not in the bracket of millions but billions. It looks like you were negligent. You did not even check the account number of the recipients.

Shahrol: I disagree.

Shafee: There was no diligence on your part, or your team.

Shahrol: I disagree.

Later, Shahrol said he had queried Low about Good Star but the latter denied that the company belonged to him.

"He told me PSI will explain everything and they sent me a letter to explain that Good Star was indeed affiliated to them," he said.

However, Shafee then read out the contents of the letter and said: "It was a very calculated, limited answer which is clinically correct but morally wrong."

Today's session ended with Shahrol revealing that 1MDB eventually ended up giving away US\$1.83 billion to PSI after entering into a joint venture with the company and the murabaha financing agreement.

The trial before justice Collin Lawrence Sequerah will continue on Monday.

Najib, 66, is facing 25 charges of money laundering and abuse of power over alleged 1MDB funds. He is accused of abusing his position to obtain RM2.28 billion in bribes in February 2011 and December 2014.

He is also alleged to have transferred RM2.28 billion in illegal funds to his bank accounts and subsequently using the money.

**8. 11.11: Najib to know his fate on SRC case**



**Najib, 66, served as Malaysia's sixth prime minister from April 2009 to May 2018, and is the country's first premier to find himself in the dock of a court**

KUALA LUMPUR: Apart from the biggest one day online sale on 11.11, all eyes will also be on Datuk Seri Najib Tun Razak, whose fate will be determined on that same day when the High Court delivers its verdict on his case for alleged misappropriation of RM42 million in SRC International Sdn Bhd funds.

Najib, 66, served as Malaysia's sixth prime minister from April 2009 to May 2018, and is the country's first premier to find himself in the dock of a court.

Justice Mohd Nazlan Mohd Ghazali is scheduled to pronounce the verdict at 10am, whether to order Najib to enter his defence or walk free on three charges of criminal breach of trust (CBT), one count of abusing his position and three counts of money laundering of SRC funds.

If Najib is ordered to enter his defence, he will have to answer the charges against him.

The Pekan MP will have three options to make his defence.

They are by sworn evidence from the witness box, where he will be subjected to cross-examination by the prosecution; through unsworn statement from the dock and to remain silent.

However, testifying from the witness stand will be given more weight by the court compared to the other two options, and if he chooses to remain silent, the court has no other choice but to convict him.

Justice Mohd Nazlan had previously fixed Dec 3 to 4, Dec 9 until 12, and Dec 16 to 19 for Najib to enter his defence if the court were to find that the prosecution has established a prima facie case against him.

On Oct 22 and 23, the court heard lengthy submissions from the prosecution and defence teams. The prosecution had on Aug 27, closed its case after 58 days of trial with 57 witnesses called to testify.

The prosecution team, led by Attorney-General Tan Sri Tommy Thomas, also includes ad-hoc deputy public prosecutor Datuk V. Sithambaram, while prominent lawyer Tan Sri Muhammad Shafee Abdullah led the defence team.

During the trial, the prosecution tendered more than 750 exhibits, including bank documents relating to Najib's bank accounts, cash transactions, minutes of meetings and Blackberry Messenger chats over Najib's transactions.

The witnesses included Ambank Jalan Raja Chulan branch manager R. Uma Devi, 40; Retirement Fund Incorporated (KWAP) former CEO Datuk Azian Mohd Noh, 66; former member of SRC board of directors Tan Sri Ismee Ismail, 54; and SRC non-executive director Datuk Suboh Md Yassin, 68.

Others were former Finance Ministry secretary-general Tan Sri Dr Wan Abdul Aziz Wan Abdullah, 67; former AmBank relationship manager Joanna Yu Ging Ping, 48; former finance minister II Datuk Seri Ahmad Husni Hanadzlah, 67; and Malaysian Anti-Corruption Commission senior assistant commissioner (Special Operations Division) Rosli Husain, 54, who is also the investigating officer.

Najib was first brought to the Sessions Court here on July 4, 2018 where he was charged with three counts of CBT and one count of power abuse.

On Aug 8, he was brought to the Sessions Court again and charged with three counts of money laundering, involving the same money. The cases were later transferred to the High Court with the charges consolidated in one trial.

Thus, he was charged with committing seven offences between Aug 17, 2011 and Feb 10, 2015.

With regard to the CBT charges, Najib, as a public servant and agent, namely Prime Minister and Finance Minister of Malaysia, and Advisor Emeritus of SRC International Sdn Bhd (SRC), allegedly misappropriated RM27 million and RM5 million respectively of RM4 billion belonging to SRC.

He was charged with committing the two offences at AmIslamic Bank Berhad, Ambank Group Building, No 55, Jalan Raja Chulan here, between Dec 24, 2014, and Dec 29, 2014.

On the third count, Najib allegedly misappropriated RM10 million of RM4 billion belonging to SRC at the same place between Feb 10, 2015, and March 2, 2015.

The three charges are framed under Section 409 of the Penal Code which provides an imprisonment for up to 20 years, with whipping and liable to fine upon conviction.

On the charge of abusing his position, Najib as Prime Minister and Minister of Finance of Malaysia, allegedly used his position to commit bribery involving RM42 million through his participation or involvement in the decision to provide government guarantees for loans from the Retirement Fund Incorporated to SRC International amounting to RM4 billion.

He was charged with committing the offence at the Prime Minister's Office, Precinct 1, Putrajaya, Federal Territory of Putrajaya, between Aug 17, 2011 and Feb 8, 2012.

The charge, under Section 23 of the Malaysian Anti-Corruption Commission Act 2009 and punishable under Section 24 of the same Act, provides an imprisonment for up to 20 years and a fine of not less than five times the amount or value of the bribe or RM10,000, whichever is higher, upon conviction.

On the three money laundering charges, Najib is alleged to have received RM27 million, RM5 million and RM10 million, respectively, of proceeds from unlawful activities, via Real Time Electronic Transfer of Funds and Securities (Rentas) into his two AmIslamic Bank Berhad accounts, bearing the numbers 2112022011880 and 2112022011906.

The offences were allegedly committed at AmIslamic Bank Berhad, AmBank Group Building, No. 55, Jalan Raja Chulan here, between Dec 26, 2014, and Feb 10, 2015.

The charges were framed under Section 4(1)(b) of the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act (AMLATFPUAA) 2001.

If convicted, the ex-premier faces up to 15 years imprisonment and a fine of up to five times the sum or value of the illicit proceeds or RM5 million, whichever is higher, on each count.

**9. Najib shocked by High Court order, was expecting to be freed**

KUALA LUMPUR: Datuk Seri Najib Razak was shocked that he had been ordered to enter his defence against all seven charges of abusing SRC International Sdn Bhd funds today.

"He was expecting to be acquitted of all the charges," said Najib's lawyer, Tan Sri Muhammad Shafee Abdullah.

The lead counsel in Najib's defence team said that the former Prime Minister had anticipated being acquitted, as he felt that the defence had successfully rebutted every single point raised by the prosecution.

"So, of course, he was surprised... 'shocked' is the word," Shafee said.

In a Facebook posting after the proceedings, Najib said that the ruling would enable him to call his own witnesses to testify.

He said so far, only the prosecution had been giving their version of events.

"So, by giving the defence an opportunity to call our witnesses, it will enable me to give a true picture of events and prove that I am not guilty.

"InsyaAllah, this is an opportunity to clear my name in court," he said.

Meanwhile, Shafee said he, too, had anticipated an acquittal based on their overwhelming submissions.

However, he said one could never predict the outcome of a trial, as a judge would have his or her own views and interpretation of things.

"What can I say... the learned judge saw things differently and we respect his views.

"I am sad that the defence was called, but in many ways, I am also happy for two reasons. One is: You will now hear the real story from Najib... his version of what happened in SRC International.





*Tan Sri Muhammad Shafee Abdullah addresses the media at the Kuala Lumpur Court Complex.*

"We will hear whether or not he was actually in control of SRC International," he said.

Asked how long he expects the defence would take to present its case, Shafee said it may take up to March or April next year, before the trial is concluded.

However, he said the entire case may go on until after the next general election, if it goes to the Court of Appeal and the Federal Court.

On how today's ruling will affect Najib's 1Malaysia Development Bhd (1MDB) trial, Shafee said "technically, it wouldn't".

"Because this is SRC International, where it is all local transactions. It is not 1MDB's money.

"I think we are doing extremely well (with the 1MDB case). I mean, you have heard all the witnesses, and you have to stop and ask for a while whether this is a joke that is going on," he said, adding that he plans to call several witnesses to testify during the defence stage, including professionals and experts.

Asked on fugitive businessman Low Taek Jho, or Jho Low's, recent settlement with the United States Department of Justice (DoJ) and how it will affect Najib's defence strategy, Shafee said it would not harm his case.

"It actually indicates that Jho Low is the one who has got something to worry about.

"Apart from pulling a Houdini on us, the others who were complicit with him have also disappeared and are on the run.

"The fact that he has settled US\$1 billion shows he took the money. In fact, you and I know he took something like US\$5 or US\$6 billion," he said.

Shafee said Najib is not going to run away from the fact that he knew Low.

He said his client is, however, going to dispute that he knew about Low's criminal intentions.



*Datuk Seri Gopal Sri Ram at the High Court.*

"You must bear in mind that in this case, you have to distinguish (between) whether Najib was naïve or too trusting, from whether he had a criminal mind, like that of Jho Low.

"To convict him, you must be satisfied that he had the same mind as Jho Low's.

"In terms of 1MDB, all the money that was sent to him was donation money. What did he spend it on? Did he buy Balenciaga, Bally or other branded items? He spent it all on welfare and political purposes, you know that," he said.

Shafee said one has to ask oneself whether this is the mentality of a thief or that of a person who trusted the people around him, and they let him down.

It was reported that the DoJ had reached a settlement to recover more than US\$700 million worth of assets from Low and his family using funds misappropriated from 1MDB.

The assets are located in the United States, the United Kingdom and Switzerland.

The settlement, the DoJ said, forces Low and his family to relinquish hundreds of billions of dollars in ill-gotten gains that were intended to be used for the benefit of the Malaysian people.

Low, however, maintains that the agreement does not constitute an admission of guilt, liability or any form of wrongdoing by him or the asset owners.

**10. Dr M: I am shocked that Najib is 'shocked' over High Court ruling**



Prime Minister Tun Dr Mahathir Mohamad said that he is surprised by Datuk Seri Najib Razak's reaction to being ordered by the Kuala Lumpur High Court to enter his defence for all charges in his SRC International trial, on Monday

PUTRAJAYA: Prime Minister Tun Dr Mahathir Mohamad said that he is surprised by Datuk Seri Najib Razak's reaction to being ordered by the Kuala Lumpur High Court to enter his defence for all charges in his SRC International trial, on Monday.

"I am shocked (that) he is shocked," said Dr Mahathir, adding that the decision was made after many months of deliberation and according to the rule of law, Bernama reported.

The Prime Minister added that Najib has had a fair hearing and is free on bail - even making time to participate in ongoing campaigning for the Tanjung Piai parliamentary by-election.

"He had sore eyes (and was not able to attend his trial), but when (it came to) campaigning (in Tanjung Piai, he seemed) okay.

"All this nonsense you get from him... because we are being lenient and we follow the rule of law," Dr Mahathir added.

The Prime Minister made his comments at a news conference after chairing a Parti Pribumi Bersatu Malaysia (Bersatu) Supreme Council meeting here, yesterday. Dr Mahathir is also chairman of Bersatu.

Lead counsel in Najib's defence team, Tan Sri Muhammad Shafee Abdullah, told the media on Monday that his client was shocked by the court's decision, as he had expected to be acquitted of all charges.

In a highly-anticipated announcement, the KL High Court ordered Najib to enter his defence on all seven charges of abusing his position for gratification, criminal breach of trust and money laundering involving RM42 million of SRC International Sdn Bhd's funds.

**11. Najib's defence in SRC International case to proceed on Dec 3 as scheduled**



**Datuk Seri Najib Razak's SRC International trial will proceed on Dec 3 as scheduled.**

KUALA LUMPUR: Datuk Seri Najib Razak will enter his defence on Dec 3 as scheduled on seven charges involving RM42 million allegedly siphoned out from SRC International Sdn Bhd.

The High Court today dismissed his application to postpone the trial.

In his decision, Judge Mohd Nazlan Mohd Ghazali said the former prime minister and his defence team have been given ample time to prepare the defence.

He said he had taken into consideration the background of the trial, its start and progress, and the key dates and directions which were given in advance.

"I find that ample notice and reasonable time has been given to prepare and re-strategise the relevant arrangement.

"The request for adjournment in my view cannot be sustained. Accordingly, I dismiss the application, and trial will therefore resume on Dec 3," he said.

Najib's counsel Harvinderjit Singh had sought for a long adjournment from the court on grounds that the defence needed more time to prepare their case.

Attorney-General Tan Sri Tommy Thomas meanwhile said lawyers should not have taken the cases if they were not free.

"Barristers should not take risks. In this country, there are 4,000 to 5,000 criminal lawyers. If the defence chooses the same defence counsel, they must pay the price. I object to this adjournment application," he said.

Senior lawyer Tan Sri Muhammad Shafee Abdullah is leading the defence team for all of Najib's cases, while Harvinderjit is the co-counsel.

In the same proceedings, the judge also dismissed the former prime minister's application to obtain a list of witnesses that the prosecution had not offered to the defence but who had their statements recorded.

In dismissing the application, Nazlan said it was a 'fishing expedition'.

He said the list of witnesses and the witness statements remain privileged because of public policy considerations and risk of witness tampering.

"Statements taken by the investigating officer under the Malaysian Anti-Corruption Commission (MACC) Act are privileged and not subject to disclosure for inspection at any stage of the trial.

"I find that the test of desirability and necessity in respect of the witnesses already offered to the defence is not satisfied because the applicant (Najib) has not identified which witnesses' statements he required and what were the roles of these witnesses and the relevance of the evidence.

"In this context, the application appears to be a fishing expedition," he said.

Najib, who is now attending the Tanjung Piai by-election, was exempted from attending today's proceedings.

He is facing seven charges of criminal breach of trust, abuse of power and money-laundering involving RM42 million of SRC International funds.

The Pekan MP is charged with committing the offences between Aug 17, 2011, and Feb 10, 2015.

He faces 20 years' jail and fine for the offences, if convicted.

**12. DPP: Najib lied to the world that it was a donation from Saudi Arabia**



**Former Prime Minister Datuk Seri Najib Razak knew that money which flowed into his personal bank accounts belonged to 1Malaysia Development Bhd (1MDB), but he lied to the world that it was a donation from Saudi Arabia.**

KUALA LUMPUR: Former Prime Minister Datuk Seri Najib Razak knew that money which flowed into his personal bank accounts belonged to 1Malaysia Development Bhd (1MDB), but he lied to the world that it was a donation from Saudi Arabia.

Deputy public prosecutor Datuk Seri Gopal Sri Ram said this in his opening statement in the 1MDB audit tampering trial involving Najib and former chief executive of the sovereign wealth fund, Arul Kanda Kandasamy, today.

The Former Federal Court judge said the prosecution will show Najib's involvement in the case which has come to be known as the "1MDB scandal".

He said Najib had supreme power over 1MDB, and that the board and management of the company were accustomed to acting upon his direction.

"He was the shadow director of 1MDB. As such, he would be both civilly and criminally liable for any breach of duty (to) the company.

"Monies belonging to 1MDB flowed into the account of a company called Good Star Limited, which was controlled by Najib's mirror image or alter ego... a man called Low Taek Jho or Jho Low, whom the accused was particularly protective of.

"Some of those monies also went to Najib's stepson, Riza Shahriz Abdul Aziz," he said.



Sri Ram said Najib also received large amounts of money belonging to 1MDB.

"The adage is that 'the truth will out'. That happened here.

"Sometime in early July 2015, the 1MDB scandal broke. It received wide publicity and Najib began to cover his tracks," he said, adding that much of what Najib had done was subject of the latter's ongoing 1MDB trial.

Touching on the latest case of audit tampering, Sri Ram said that there were passages in the Auditor-General's report that caused concern for Najib, even though they were, in fact, true.

"He became nonplussed if not agitated and he took steps to have those passages altered or removed.

"What happened was abnormal. Although the report was ready to be placed before the Public Accounts Committee (PAC), a meeting was convened on Feb 24, 2016 at Najib's behest. It was chaired by the chief secretary to the government and as a result of what transpired at the meeting, the passages were altered or removed."

Sri Ram said Arul Kanda had, preceding the meeting and after that, abetted and aided Najib in the transaction.

He said the prosecution will, through direct and circumstantial evidence, prove the extent to which the accused went to remove material from an official record to prevent disclosure of the true state of affairs.

"Najib knew that if the truth emerged, he would be exposed to civil or criminal liability.

"The accused used his position as Prime Minister and Finance Minister to direct the removal of material information as specified in the charge against him," he said.

Sri Ram said the totality of evidence will lead to the "irresistible conclusion" that not only was the crime committed, but it was the accused who did it.

He, however, also noted that the court may in the course of the trial hear from witnesses who may display an obvious bias in favour of the accused, but pointed out that their evidence is necessary for the unfolding of the prosecution's case.

Najib, 66, is accused of ordering the 1MDB audit report to be tampered with before it was presented to the PAC in 2016.

He is charged with using his office or position for gratification, an offence under Section 23 of the MACC Act 2009.

**13. Ali Hamsa reveals how Muhyiddin and Gani Patail were booted out of government**



**Ali, who was the chief secretary to the government from 2012 to 2018, was forced to broach the subject when he was questioned by Deputy Public Prosecutor Datuk Seri Gopal Sri Ram in the ongoing trial involving the tampering of the 1MDB audit report**

KUALA LUMPUR: The former top civil servant in the country today revealed the intrigues behind events which led to the removal of former deputy prime minister Tan Sri Muhyiddin Yassin and former Attorney General (AG) Tan Sri Abdul Gani Patail in the wake of the 1Malaysia Development Bhd (1MDB) scandal in 2015.

There was absolute silence in an already quiet court room when Tan Sri Ali Hamsa started talking about the controversial events which eventually contributed to the collapse of the Barisan Nasional (BN) government under Datuk Seri Najib Razak in the 14th General Election (GE14).

Ali, who was the chief secretary to the government from 2012 to 2018, was forced to broach the subject when he was questioned by Deputy Public Prosecutor Datuk Seri Gopal Sri Ram in the ongoing trial involving the tampering of the 1MDB audit report.

Najib and co-accused Arul Kanda Kandasamy listened closely from the dock as Sri Ram meticulously took Ali, 64, through a series of questions on Gani and Muhyiddin's exit from the Najib administration.

He started off by asking Ali to explain the circumstances that led to Gani's ouster from office.

Sri Ram: Can you explain the circumstances behind Gani's leaving office.

Ali: There was no trust in Gani

Sri Ram: Who did not trust him?

Ali: The prime minister...Najib. There was loss of trust in Gani.

Sri Ram: Why was there this loss of trust?

At this point Ali seemed hesitant to answer but was prodded on by Sri Ram, who said: "Don't worry...you can speak freely. You are in a court of law."

Ali then went on to say that at that time Muhyiddin had been kicking up a storm about 1MDB in Cabinet meetings and he was informed that the former deputy prime minister had also met Gani.

Ali: I was informed by the prime minister that Muhyiddin and Gani had co-incidentally met at a shopping centre in Kuala Lumpur. That is one thing that may have become an issue (that led to the loss of trust). Muhyiddin was asking a lot of questions about 1MDB.

Sri Ram: How did Najib react?

Ali: He answered some of the questions

Sri Ram: What happened to Muhyiddin after that?

Ali: He was removed.

Sri Ram: You were then the chief secretary to the government. You gave evidence that Muhyiddin asked a lot of questions about 1MDB in Cabinet. He was then removed.

Ali: The act of removing him was not within my jurisdiction. It is up to the PM. Most of the arguments were one sided. Muhyiddin was making all the noise and we all knew something was coming up.

Sri Ram: So Gani was asked to leave and Muhyiddin was also removed after he asked questions about 1MDB.

Ali: Yes.

Earlier, Sri Ram also asked Ali how Gani had reacted when he was given the letter of his removal.

Ali said Gani merely responded by saying that he had expected it to happen.

He said the letter of Gani's removal was drafted by his assistant in Najib's presence before the then prime minister took it to the Yang di-Pertuan Agong to be signed.

Sri Ram: So how did you come to be the bearer of the bad news?

Ali: I was called by the PM and he said go and give this to Gani. Tell him to vacate and don't take any documents from the office.

Najib's decision to shore up his Cabinet happened in 2015 and it was widely reported that detractors, including his deputy who had openly criticised the government's handling of public funds by 1MDB, were sacked from office.

Muhyiddin was replaced by then Home Minister Datuk Seri Dr Ahmad Zahid Hamidi, who is ironically also sitting in the dock facing corruption charges one floor below this court where Najib's trial is taking place.

Gani meanwhile was replaced as AG and the government had then cited the latter's ill health behind his removal.

Prior to that Gani had led a high level probe into allegations that money linked to 1MDB was deposited in Najib's personal account.

However, his successor Tan Sri Mohamed Apandi Ali - who is now the Umno disciplinary board chairman - had cleared Najib of any criminal wrongdoing.

Najib subsequently explained the Cabinet reshuffle by saying that while he could accept differences of opinion and criticism as part of the decision making process, Cabinet ministers should not air their differing views in public forums as it could negatively impact the perception of the government and nation.

The 66-year old is now accused of ordering the 1MDB audit report to be tampered before it was presented to the Public Accounts Committee (PAC) in 2016.

He is charged with using his office or position for gratification, an offence under Section 23 of the Malaysian Anti Corruption Act 2009.

He faces up to 20-years jail and fine, if convicted.

Arul Kanda is charged with abetting Najib and faces the same penalties if convicted.

**14. 1MDB audit report doctored as Najib unhappy with content; Jho Low's name removed**



**The High Court today heard how Datuk Seri Najib Razak had instructed that certain portions of the 1Malaysia Development Bhd (1MDB) audit report be removed before it was presented to the parliamentary Public Accounts Committee (PAC) in 2016**

KUALA LUMPUR: The High Court today heard how Datuk Seri Najib Razak had instructed that certain portions of the 1Malaysia Development Bhd (1MDB) audit report be removed before it was presented to the parliamentary Public Accounts Committee (PAC) in 2016.

Former chief secretary to the government, Tan Sri Ali Hamsa, said Najib had given the instruction to him and the then-Auditor-General Tan Sri Amrin Buang after they were summoned to his office on Feb 22, 2016.

"During the meeting, Najib informed us that he was not satisfied with the contents of the 1MDB audit report which was going to be presented to the PAC.

"He mentioned that he did not want two different financial statements for 1MDB to be submitted in the report. At that time, I did not know what the problem was with the annual statement submitted in the report," he said.

Ali, who is the fourth witness to be called in the trial involving Najib and former 1MDB chief executive Arul Kanda Kandasamy who are accused of tampering with 1MDB's audit report, said that after the meeting he was instructed to call for a coordination meeting between the National Audit Department and Arul Kanda to sort out the issue.

"I was also instructed not to print the 1MDB audit report until I had his (Najib's) approval," Ali said, adding that he subsequently instructed his senior private secretary to organise a meeting involving representatives from 1MDB, the National Audit Department, the Treasury, the Attorney General's Chambers and the Prime Minister's Office.

Ali said he met Amrin and a private secretary to the Prime Minister, Tan Sri Shukry Mohd Salleh on Feb 23, when Shukry informed them that the 1MDB audit report had become a crisis which needed to be handled immediately.

He said on the following day, a meeting involving all the parties was held but no minutes were recorded.

"I informed everyone present that the meeting was held on the instructions of Datuk Seri Najib who wanted coordination on the 1MDB audit report.

"I then left them to discuss the issues and these were all discussed one by one. They were then addressed by Arul Kanda."

Ali said Arul Kanda had voiced his disapproval on various matters in the 1MDB report by the National Audit Department.

"He argued that matters raised in the report were not factual but mere hearsay.

"He insisted that they should not be in the report. He also insisted that the 1MDB audit report prepared by the National Audit Department be in accordance with what he wanted. I then asked Tan Sri Amrin to answer and reason on the matters raised by Arul Kanda."

Ali said Amrin had then mentioned that there were difficulties faced by the 1MDB audit team throughout the audit process.

He said Amrin also brought up issues on the two different versions of 1MDB's financial statements for 2014.

"I asked Arul Kanda to explain and he admitted that there were two different versions of the financial statements.

"He insisted that the conflicting versions should not be included in the 1MDB report and asked for a police investigation to be conducted."

Ali said it was agreed at the meeting that the Ministry of Finance Incorporated (MOF Inc) would lodge a police report.

However, he said for some reason, the report was never lodged.

At this juncture, lead prosecutor Datuk Seri Gopal Sri Ram said the prosecution will also be calling Amrin to testify.

Ali then continued and said he wanted a police report to be lodged so that the authorities could investigate whether there were elements of fraud or concealment of facts with regard to the 2014 1MDB financial statement.

"At that time, there were no objections towards my instructions. In fact, the representative from the Treasury promised to form a special committee to take follow up actions on the issue. After that, Tan Sri Amrin agreed to remove the issue from the 1MDB audit report," Ali said.

The 64-year-old, who has since retired from the civil service, said that the Feb 24 meeting also discussed the issue of fugitive Low Taek Jho @ Jho Low's presence at the 1MDB board of directors meeting.

He said the issue was addressed in the audit report because the National Audit Department's due diligence found that Low did not hold any position nor played any role in 1MDB.

"Therefore, his presence in the meeting was viewed as a red flag.

"However, Tan Sri Shukry requested for this issue to be removed from the audit report. He said we needed to take into account the sensitivity of the matter and to prevent it from being manipulated by the Opposition party at that time."

Ali said Amrin subsequently agreed that it should be removed.

He said in the end, four issues were removed from the 1MDB audit report, including the two conflicting versions of the 1MDB financial statements for 2014 and the presence of Jho Low in the 1MDB board of directors meeting.

The trial before justice Mohamed Zaini Mazlan continues.

Najib, 66, is accused of ordering the 1MDB audit report to be tampered with before it was presented to the PAC in 2016.

He is charged with using his office or position for gratification, an offence under Section 23 of the MACC Act 2009.

He faces up to 20 years' jail and a fine if convicted.

Arul Kanda, who is his co-accused, is charged with abetting Najib and faces the same penalties if convicted.



**15. Conflicting 1MDB financial statements removed**

KUALA LUMPUR: Two conflicting versions of the 1Malaysia Development Bhd (1MDB) financial statements for the year 2014 were among four issues removed from the 1MDB audit report.

Former Chief Secretary to the Government Tan Sri Ali Hamsa, who was reading his witness statement at the Public Accounts Committee (PAC) trial involving Datuk Seri Najib Razak and former 1MDB CEO Arul Kanda Kandasamy, said the matter was raised during a coordination meeting he chaired with representatives from relevant agencies on Feb 24, 2016.

The meeting was directed by Najib to address his dissatisfaction with the 1MDB audit report prepared by the National Audit Department (NAD).

"He did not want two different financial statements for 1MDB to be submitted in the audit report.

"At that time, I did not know what was the problem with 1MDB's annual financial statement submitted in the report," he testified yesterday.

Despite being a member of the 1MDB board of advisers, Ali said he was never called to attend any meeting and never signed any document.

At the meeting on Feb 24, Arul Kanda, then auditor-general Tan Sri Ambrin Buang and Saadatul Nafisah (NAD), Datuk Seri Mohamad Isa Hussain and Asri Hamdin (Treasury), Datuk Dzulkifli Ahmad (Attorney General's Chambers), Tan Sri Shukry Mohd Salleh (Prime Minister's Office) and Ali's senior private secretary Datuk Norazman Ayob were present. No minutes were recorded.

Ali said Arul Kanda had voiced his disapproval on various matters in the report, saying that they were not factual and merely hearsay.

"Arul Kanda insisted that these should not be included in the report. He also insisted that the report be in accordance with what he wanted," Ali added.

At the meeting, Ali said Ambrin brought up the issue of two different versions of financial statements, and this was admitted by Arul Kanda.

Arul Kanda insisted that the conflicting versions be omitted and asked for a police investigation to

be conducted, he added.

Ali said the meeting agreed that the Ministry of Finance Inc (MOF Inc) should lodge the police report.

Ali said he instructed Isa to do so and the latter had no objections.

Another matter that was struck out of the report was the presence of fugitive financier Low Taek Jho at the 1MDB board of directors meeting relating to the Islamic Medium Term Notes (IMTN) investment.

Low's presence was addressed in the report because the NAD's due diligence found that he did not hold any position or played any role in 1MDB.

"Therefore, his presence in the meeting was viewed as a red flag," Ali said.

Shukry then requested for Low's presence to be removed after taking into account the sensitivity of the matter and to prevent it from being manipulated by the Opposition at that time.

Another matter that was requested to be removed was an agreement between Country Groups Securities Thailand and ACME Time Limited.

Arul Kanda said the agreement was out of the NAD's auditing scope because it involved a "secondary market" and outside of 1MDB's involvement, Ali testified.

The fourth matter, he said, was the delay in the issuance of IMTN bonds with government guarantees and Arul Kanda said issues pertaining to the issuance were business decisions.

According to Ali, Ambrin agreed to have all four issues removed.

On March 1, 2016, Ali said a final review session by the audit team and 1MDB was held at his office.

"I was not involved in the discussion that day. I only prepared the space for both parties to resolve issues," he added.

On March 3, he said Norazman informed him that Saadatul would come to the office to deliver the newly printed audit report.



**16. Nor Salwani Muhammad described how she had secretly placed a digital voice recorder in a pencil box which had been taken into the meeting room by her superior.**

KUALA LUMPUR: Nobody may have known what transpired in a meeting on Feb 24, 2016, which has led to a former prime minister and the top gun of 1Malaysia Development Bhd (1MDB) sitting in the dock today, had it not been for a lowly officer who was chased out of the room.

Nor Salwani Muhammad described how she had secretly placed a digital voice recorder in a pencil box which had been taken into the meeting room by her superior.

That audio recording was played in court yesterday and those present could be heard discussing how certain portions of the 1MDB report, which was going to be tabled to the parliamentary Public Accounts Committee (PAC), needed to be doctored.

It was today revealed that Nor Salwani was the one who had actually recorded the whole thing without anyone knowing it.

Nor Salwani, who was the fifth prosecution witness in the 1MDB audit tampering trial involving Datuk Seri Najib Razak and former chief executive of the sovereign wealth fund, Arul Kanda Kandasamy, coolly related what transpired on that fateful day in the then Chief Secretary to the Government Tan Sri Ali Hamsa's room.

The 52-year old explained how she had been directed to be present at Ali's office by her boss, then Auditor General Tan Sri Ambrin Buang, before she was unceremoniously asked to leave the meeting.

"I was there by about 8.30am but when the meeting was just about to start, Tan Sri Ali's staff suddenly told all the lower ranking officers to leave the room.

"They were very insistent and everything became very chaotic. I was supposed to take down the minutes of the meeting for the Audit Department but they were asking me to leave the room," she said.

However, Nor Salwani said just before she was shooed out, she managed to slip a voice recorder into her boss, Sa'adatul Nafisah Bashir Ahmad's pencil case which was left partially open on the desk.

She said Sa'adatul Nafisah did not know about it and neither did anyone else in the meeting room.

The court had previously heard that the meeting was convened by Ali after Najib complained that he was not happy with the contents of the 1MDB audit report and wanted it sorted out.

It was also revealed that following the meeting, the 1MDB audit report was re-worked and four important but contentious points were removed before it was tabled at the PAC hearings.

Those present in the meeting included Ali, his private secretary Datuk Norazman Ayob, Ambrin, Sa'adatul Nafisah, representatives from the Treasury Datuk Seri Mohamad Isa Hussain and Asri Hamdin, representative from the Attorney General's office Datuk Dzulkifli Ahmad, representative from the Prime Minister's Office Tan Sri Shukry Mohd Salleh and Arul Kanda.

Nor Salwani, who is now a director at the National Audit Department, said she retrieved the recorder after the meeting and went back to her office where she listened to what had been discussed with her colleagues who were part of the 1MDB special audit team.

"I played back the recording and we were shocked to hear what had been decided at the meeting," she said.

Asked by Deputy Public Prosecutor Datuk Seri Gopal Sri Ram why she was shocked, Nor Salwani said it was because of the decision to remove portions of the audit report.

Nor Salwani said she later transferred the recording to a hard disc before it was copied to yet another hard disc and thumb drive.

"I returned the voice recorder to the office after transferring the original recording to a hard disc," she said, adding she kept the hard disc and thumb drive in a safe which was only accessible to her and her deputy.

This later became a point of contention when Najib's lead counsel Tan Sri Muhammad Shafee Abdullah started cross-examining her.

Shafee drove home the point that the audio recording which was in the prosecution's hands had been re-recorded from a third device.

He said the original recording was transferred to a hard disc before it was copied to yet another hard disc and thumb drive.

The senior counsel also cornered Nor Salwani on the ethics of recording someone without the person's knowledge.

He questioned her at length on this issue but Nor Salwani maintained that she was forced to do it as she needed to jot down the minutes of the meeting.

"I was asked to be present at the meeting to record the minutes but then I was chased away from the room.

"I had to leave my voice recorder in the room to know what was discussed," she said, adding the hard disc and thumb drive in her possession was later handed over to the investigating officer in the case.

Shafee: Who asked you to leave the room

Nor Salwani: The secretariat from Tan Sri Ali Hamsa's office

Shafee: Did you inform anyone that you needed to record the minutes of the meeting

Nor Salwani: No ...the situation was very chaotic then...they were just shooing the lesser officers out of the room. I did not have a chance to inform anyone.

Shafee: But you still managed to slip the voice recorder into the pencil case.

Nor Salwani: Yes...it was partially open and left on the desk...I just slipped it in without anyone noticing

Shafee: Isn't it unethical...You could have always informed the chief secretary...it is the chief secretary to the government we are talking about here. You could have said that you were going to record the proceedings.

Nor Salwani: It was very chaotic then..everything was being rushed. I was just a lowly officer and I did not have the opportunity to inform anyone.

Shafee: You could have informed your own superior.

Nor Salwani: No..I was being chased out.

Shafee: Are you a kalut (panicky) kind of person?

Nor Salwani: It was very chaotic then...I was being chased out.

Shafee: It was only ethical for you to have obtained an approval first.

Nor Salwani: My boss, Ambrin and Sa'adatul Nafisah know that all meetings are recorded.

Shafee: But in this case the voice recorder was put in a pencil box..it was hidden.

Nor Salwani: I don't agree.

The trial before Judge Mohamed Zaini Mazlan continues.

Najib, 66, is accused of ordering the 1MDB audit report to be tampered before it was presented to the PAC in 2016.

He is charged with using his office or position for gratification, an offence under Section 23 of the MACC Act 2009.

He faces up to 20-years jail and fine if convicted.

Arul Kanda, who is his co-accused, is charged with abetting Najib and faces the same penalties if convicted.

**17. Witness: Ex-Auditor General Ambrin was shaken after meeting, mumbling to himself**



**Former Auditor General Tan Sri Ambrin Buang was so shaken after attending a meeting which led to the 1Malaysia Development Bhd (1MDB) audit report**

KUALA LUMPUR: A National Audit Department (NAD) staff today described how former Auditor General Tan Sri Ambrin Buang was so shaken after attending a meeting which led to the 1Malaysia Development Bhd (1MDB) audit report being tampered that he was left mumbling to himself.

"I saw that he looked very fragile and he was very upset...I heard him mumbling to himself...he was saying what is the purpose of auditing.

"I had to follow him to the washroom as I was afraid he would collapse..." NAD director Nor Salwani Muhammad revealed after she was called to the stand today.

Nor Salwani, 52, said her then boss was left in such a state after he attended the meeting at Chief Secretary to the Government Tan Sri Ali Hamsa's office on Feb 24, 2016.

The meeting was convened by Ali on former prime minister Datuk Seri Najib Razak's behest after the latter said he was not satisfied with the contents of the 1MDB audit report for 2015 which was going to be tabled at the parliamentary Public Accounts Committee (PAC).

Later, after Nor Salwani completed her testimony, Ambrin was called to the stand as the prosecution's sixth witness in the case where Najib, 66, and former 1MDB chief executive Arul Kanda Kandasamy, 43, are accused of tampering with the audit report.

Ambrin, 70, read from a witness statement in Bahasa Malaysia and started off by detailing his long and illustrious career in the civil service.

He related how he joined the civil service in 1971 and was now attached to the Prime Minister's Department as chairman of the committee overlooking management, acquisitions and finance, a post he has held since July last year.

Ambrin, who has also served in the Malaysian Embassy in Tokyo, Japan, and as senior general manager of the Kuala Lumpur International Airport from 1995 to 1999, said he was appointed as the Auditor General on Feb 22, 2006, and held the post until he retired in 2017.

Talking about the 1MDB audit, he said the NAD faced numerous challenges in preparing the report as there were many missing or unavailable documents.

He said an audit which could have been done within five months took the department a year to complete.

Ambrin said the audit team was also unable to access computers, servers and notebooks in 1MDB to obtain data and information during the auditing process.

He said eventually the audit which started on March 9, 2015, was only submitted to the PAC on March 4, 2016.

He said it was originally supposed to be given to the PAC on Feb 24, 2016, but was delayed due to amendments which had to be made.

Ambrin will continue his testimony next week.



**18. Gutsy officer's audio recording becomes highlight of 1MDB audit report trial**



**Nor Salwani Muhammad described how she had secretly placed a digital voice recorder in a pencil box which had been taken into the meeting room by her superior.**

KUALA LUMPUR: Nobody may have known what transpired in a meeting on Feb 24, 2016, which has led to a former prime minister and the top gun of 1Malaysia Development Bhd (1MDB) sitting in the dock today, had it not been for a lowly officer who was chased out of the room.

Nor Salwani Muhammad described how she had secretly placed a digital voice recorder in a pencil box which had been taken into the meeting room by her superior.

That audio recording was played in court yesterday and those present could be heard discussing how certain portions of the 1MDB report, which was going to be tabled to the parliamentary Public Accounts Committee (PAC), needed to be doctored.

It was today revealed that Nor Salwani was the one who had actually recorded the whole thing without anyone knowing it.

Nor Salwani, who was the fifth prosecution witness in the 1MDB audit tampering trial involving Datuk Seri Najib Razak and former chief executive of the sovereign wealth fund, Arul Kanda Kandasamy, coolly related what transpired on that fateful day in the then Chief Secretary to the Government Tan Sri Ali Hamsa's room.

The 52-year old explained how she had been directed to be present at Ali's office by her boss, then Auditor General Tan Sri Ambrin Buang, before she was unceremoniously asked to leave the meeting.

"I was there by about 8.30am but when the meeting was just about to start, Tan Sri Ali's staff suddenly told all the lower ranking officers to leave the room.

"They were very insistent and everything became very chaotic. I was supposed to take down the minutes of the meeting for the Audit Department but they were asking me to leave the room," she said.

However, Nor Salwani said just before she was shooed out, she managed to slip a voice recorder into her boss, Sa'adatul Nafisah Bashir Ahmad's pencil case which was left partially open on the desk.

She said Sa'adatul Nafisah did not know about it and neither did anyone else in the meeting room.

The court had previously heard that the meeting was convened by Ali after Najib complained that he was not happy with the contents of the 1MDB audit report and wanted it sorted out.

It was also revealed that following the meeting, the 1MDB audit report was re-worked and four important but contentious points were removed before it was tabled at the PAC hearings.

Those present in the meeting included Ali, his private secretary Datuk Norazman Ayob, Ambrin, Sa'adatul Nafisah, representatives from the Treasury Datuk Seri Mohamad Isa Hussain and Asri Hamdin, representative from the Attorney General's office Datuk Dzulkifli Ahmad, representative from the Prime Minister's Office Tan Sri Shukry Mohd Salleh and Arul Kanda.

Nor Salwani, who is now a director at the National Audit Department, said she retrieved the recorder after the meeting and went back to her office where she listened to what had been discussed with her colleagues who were part of the 1MDB special audit team.

"I played back the recording and we were shocked to hear what had been decided at the meeting," she said.

Asked by Deputy Public Prosecutor Datuk Seri Gopal Sri Ram why she was shocked, Nor Salwani said it was because of the decision to remove portions of the audit report.

Nor Salwani said she later transferred the recording to a hard disc before it was copied to yet another hard disc and thumb drive.

"I returned the voice recorder to the office after transferring the original recording to a hard disc," she said, adding she kept the hard disc and thumb drive in a safe which was only accessible to her and her deputy.

This later became a point of contention when Najib's lead counsel Tan Sri Muhammad Shafee Abdullah started cross-examining her.

Shafee drove home the point that the audio recording which was in the prosecution's hands had been re-recorded from a third device.

He said the original recording was transferred to a hard disc before it was copied to yet another hard disc and thumb drive.

The senior counsel also cornered Nor Salwani on the ethics of recording someone without the person's knowledge.

He questioned her at length on this issue but Nor Salwani maintained that she was forced to do it as she needed to jot down the minutes of the meeting.

"I was asked to be present at the meeting to record the minutes but then I was chased away from the room.

"I had to leave my voice recorder in the room to know what was discussed," she said, adding the hard disc and thumb drive in her possession was later handed over to the investigating officer in the case.

Shafee: Who asked you to leave the room

Nor Salwani: The secretariat from Tan Sri Ali Hamsa's office

Shafee: Did you inform anyone that you needed to record the minutes of the meeting

Nor Salwani: No ...the situation was very chaotic then...they were just shooing the lesser officers out of the room. I did not have a chance to inform anyone.

Shafee: But you still managed to slip the voice recorder into the pencil case.

Nor Salwani: Yes...it was partially open and left on the desk...I just slipped it in without anyone noticing

Shafee: Isn't it unethical...You could have always informed the chief secretary...it is the chief secretary to the government we are talking about here. You could have said that you were going to record the proceedings.

Nor Salwani: It was very chaotic then..everything was being rushed. I was just a lowly officer and I did not have the opportunity to inform anyone.

Shafee: You could have informed your own superior.

Nor Salwani: No..I was being chased out.

Shafee: Are you a kalut (panicky) kind of person?

Nor Salwani: It was very chaotic then...I was being chased out.

Shafee: It was only ethical for you to have obtained an approval first.

Nor Salwani: My boss, Ambrin and Sa'adatul Nafisah know that all meetings are recorded.

Shafee: But in this case the voice recorder was put in a pencil box..it was hidden.

Nor Salwani: I don't agree.

The trial before Judge Mohamed Zaini Mazlan continues.

Najib, 66, is accused of ordering the 1MDB audit report to be tampered before it was presented to the PAC in 2016.

He is charged with using his office or position for gratification, an offence under Section 23 of the MACC Act 2009.

He faces up to 20-years jail and fine if convicted.

Arul Kanda, who is his co-accused, is charged with abetting Najib and faces the same penalties if convicted.

**19. Former Auditor General: Nor Salwani did not breach code of conduct for civil servants**



**Prosecuting witness, former Chief Auditor Tan Sri Ambrin Buang is in court for the 1MDB Audit Report amended by former Prime Minister Datuk Seri Najib Razak and 1MDB former Chief Executive Officer Arul Kanda at the Kuala Lumpur Court Complex.**

KUALA LUMPUR: A National Audit Department staff who secretly recorded a high level meeting involving the chief secretary to the government where instructions were issued to tamper with 1Malaysia Development Bhd (1MDB) audit report did not breach any code of conduct.

Nor Salwani Muhammad's former boss Ambrin Buang, who was then the Auditor General, cleared her of any wrongdoing while testifying in the High Court today.

Ambrin said Nor Salwani had been instructed to attend the meeting and she was supposed to take down notes of whatever that was discussed during the meeting on Feb 24, 2016.

However, he said she was asked to leave the room just before the meeting started.

Lead prosecutor Datuk Seri Gopal Sri Ram then asked Ambrin if Nor Salwani had breached the code of conduct for civil servants by secretly placing an audio recorder in the pencil case of another higher ranking colleague who sat in the meeting.

Ambrin: No, she did not breach any code of conduct. She was supposed to take down notes of the meeting anyway. The notes were for internal use.

Nor Salwani testified last week that she had secretly recorded the meeting held at former chief secretary Tan Sri Ali Hamsa's office which was attended by her then boss, Ambrin, and other top

officers from the prime minister's office, Attorney General's Chambers, the Treasury and also former 1MDB chief executive Arul Kanda Kandasamy.

The recording was subsequently played in the court and those whose voices were recorded could be heard discussing contentious paragraphs in the audit report which should be removed.

In the end, four important but controversial points - including one involving the presence of fugitive businessman Low Taek Jho @ Jho Low in one of the 1MDB board of directors meeting, were removed altogether.

The same recording was replayed in court today for Ambrin to hear and verify its contents.

Earlier, Ambrin said he felt cheated after finding out that a police report to initiate investigations over two conflicting financial reports which 1MDB had tendered to be audited, was never lodged.

The 70-year old also talked about all the promises and assurances which former prime minister Datuk Seri Najib Razak had made to him in the days running up to the 1MDB audit report being tabled to the Public Accounts Committee (PAC).

Ambrin said Najib, who was also chairman of 1MDB board of advisors, had promised him that he would investigate "to the bottom of this" during one of the meetings they had at the latter's office in 2016.

"At that time he was the prime minister and there was no reason for me to doubt him....he promised to get to the bottom of things," he said when testifying in the audit tampering trial involving Najib and Arul Kanda.

However, Ambrin said he doesn't know if Najib ever "got to the bottom of things," after that.

Ambrin said Treasury officials were supposed to lodge a police report over the two conflicting financial reports submitted by 1MDB.

However, he said that too never happened.

"I told my officers to check with the Treasury people if the police report which was supposed to be lodged was done.

"However, they got back to me and said it was not done...I felt cheated."

Najib, 66, is accused of ordering the 1MDB audit report to be tampered with before it was presented to the PAC in 2016.

He is charged with using his office or position for gratification, an offence under Section 23 of the Malaysian Anti Corruption Act 2009 and faces up to 20 years jail if convicted.

Arul Kanda, who is his co-accused, is charged with abetting Najib and faces the same penalties if convicted.

**20. Ex Auditor-General: 'I did not sell out my position'**



**The stoic-looking 70-year-old maintained that he had never compromised his integrity or 'sold out' his position throughout the time the 1MDB audit was done**

KUALA LUMPUR: There was palpable tension at the High Court here today when former Auditor-General Tan Sri Ambrin Buang was questioned on his integrity, and whether he had at any time compromised his position when auditing 1Malaysia Development Bhd (1MDB).

The stoic-looking 70-year-old maintained that he had never compromised his integrity or "sold out" his position throughout the time the 1MDB audit was done.

He also declared that his conscience was clear as far as the audit involving the sovereign wealth fund is concerned.

Ambrin repeatedly said this when he was grilled by former Prime Minister Datuk Seri Najib Razak's lead counsel, Tan Sri Muhammad Shafee Abdullah.

Shafee had quizzed Ambrin over his position on the 1MDB audit and posed some hard-hitting questions to the latter, who is the sixth prosecution witness in the 1MDB audit tampering trial involving Najib and former chief executive of the fund, Arul Kanda Kandasamy.

The senior lawyer went on the attack right from the first question at the start of his cross examination, and continued pushing Ambrin from then on.

At one point, Shafee apologised to Ambrin for speaking in a loud manner, prompting the retired A-G to just nod his head in understanding.



The proceedings today started off with the prosecution replaying an audio recording of a meeting which was held at the office of former Chief Secretary to the government, Tan Sri Ali Hamsa, on Feb 24, 2016.

The meeting, involving Ali, Ambrin, Arul Kanda and several other top government officers from various agencies, was held to discuss how the 1MDB audit report needed to be tweaked, as it contained some contentious findings.

Ambrin had before this testified that he was left frustrated and felt cheated after the meeting, as the National Audit Department (NAD) had to rework the report and a police report that was supposed to be lodged about the shenanigans at 1MDB was never made.

Shafee today questioned Ambrin on whether he, or anyone else from the NAD, was responsible for lodging a complaint about the matter, which had led to charges being filed against Najib and Arul Kanda.

However, Ambrin denied this and said neither he nor any other NAD officer had ever complained about the audit report.

To another question, he said Malaysian Anti-Corruption Commission (MACC) officers only approached him sometime towards the end of last year as they started digging into the 1MDB files.

Shafee: This happened six months after the 14th general election, right?

Ambrin: Yes

Shafee: Were you the first person in the NAD to be contacted by them?

Ambrin: I don't know

Shafee: How many times did they record your statement?

Ambrin: They did it several times... there were at least four or five sessions held from last year to this year

Shafee: In your testimony, is there anywhere you are suggesting that as a result of the Feb 24 meeting, you compromised your position as the A-G?

Ambrin: In spite of the changes made to the audit report, it still has the integrity

Shafee: So in spite of the request - if there was a request - you and your department never compromised anything

Ambrin: No, we have to defend our report

Shafee: Did you compromise your position when you made the changes to the audit report? Did you sell out your position?

Ambrin: No, I did not sell out my position

Shafee then touched on Ambrin's appointment as A-G, noting that it was a constitutional appointment which was as good as the appointment of judges who cannot be randomly sacked "just like that".

However, Ambrin had everyone in stitches when he said that at that time, he was already past his retirement age and was just hired on a contract basis.

Shafee: But still, if someone asked you to do an illegal act or something which could compromise your integrity, would you do it?

Ambrin: Of course I won't

Shafee: What if you were pushed to do it?

Ambrin: I won't do it. In this case I made the amendments based on my judgment as the A-G

Shafee: Did anyone say that there are facts in the report which we don't like, so please change them?

Ambrin: That is what was implied

Shafee: Did you change the factual findings as a result of any such request?

Ambrin: Yes there were changes

Shafee: Were the changes dishonest? Did you compromise with the truth?

Ambrin: I did not compromise

Shafee: If someone pushed you to commit an illegal act, what are your choices?

Ambrin: In this case, I had no choice. They were saying it involved national interest and all that.

Shafee then went on to ask Ambrin if he had lodged any police report after the Feb 24 meeting. Ambrin said he did not, because he did not see that anything wrong had been committed.

The trial before judge Mohamed Zaini Mazlan will continue on Jan 13.

Najib, 66, is accused of ordering the 1MDB audit report to be tampered with before it was presented to the Public Accounts Committee in 2016.

He faces 20-years' jail if convicted of the offence, while Arul kanda - who is his co-accused, also faces the same penalties if found guilty.

**21. It wasn't me...I seldom laugh, says Ambrin Buang**



**Former Auditor General Tan Sri Ambrin Buang is present at the trial hearing of the 1MDB Audit Report at the Kuala Lumpur Court, Jalan Duta. -NST**

KUALA LUMPUR: Former Auditor General Tan Sri Ambrin Buang is known for his no nonsense, straight-laced approach in dealing with his job throughout his long career in the civil service.

The 70-year old lived up to his reputation when he was cross-examined by senior counsel Tan Sri Muhammad Shafee Abdullah in the 1Malaysia Development Bhd (1MDB) audit tampering trial today.

He was unfazed despite coming under fire from Shafee, who shot some hard hitting questions at the retiree, who is the sixth prosecution witness in the trial.

Ambrin took everything thrown at him and on occasions had everyone fixated with his deadpan, one line responses.

At one point when Shafee asked him if he had taken down notes during a meeting with former chief secretary Tan Sri Ali Hamsa where the controversial decision to rework the 1MDB audit report was taken, Ambrin replied in the affirmative.

Shafee then asked if Ambrin could produce the notebook but the latter said he couldn't.

Shafee: But you said you took down notes, right?

Ambrin: I did.

Shafee: Where did you jot everything down?

"Here...in my head," Ambrin replied, while tapping his head with his finger.

His response had the entire court, including Shafee and judge Mohamed Zaini Mazlan, laughing out loud.

Shafee then went on to question Ambrin about an audio recording of the meeting, touching on the poor quality of the recording.

The lawyer pointed out a portion of the recording where someone could be heard laughing loudly as the discussions were going on.

However, before Shafee could continue, Ambrin cut in and said the person captured laughing loudly wasn't him.

"It was not me...I seldom laugh," he said.

His offbeat reply caught Shafee by surprise and after the laughter died down, he replied: "So you see, someone else laughed and you got the blame.

"That is what was recorded in the transcript of the conversation in the audio recording...that it was you who had laughed loudly."

Ambrin did not respond to Shafee's explanation before another lawyer, Datuk N Sivananthan - who is representing former 1MDB chief executive Arul Kanda Kandasamy, started cross-examining him.

Sivananthan questioned Ambrin about the meeting, pointing out that it involved some of the topmost ranking officers in the country at that time.

He noted that Arul Kanda was literally the smallest person in the meeting and asked if Ambrin had at any time mentioned being influenced by his client.

To this Ambrin confirmed that he had never mentioned Arul Kanda's name.

The trial will continue on Jan 13.

Najib, 66, is accused of ordering the 1MDB audit report to be tampered with before it was presented to the Public Accounts Committee in 2016.

He faces 20-years jail if convicted of the offence. Arul Kanda, who is his co-accused, also faces the same penalties if found guilty.