

New Straits Times July 2020

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1. Shafee to 1MDB's Shahrol: Did you make a deal with the prosecution...?



Datuk Shahrol Azral Ibrahim said he had never been detained or remanded by any enforcement agency from the day the 1MDB scandal broke.

KUALA LUMPUR: The former chief executive officer of 1Malaysia Development Bhd (1MDB) today denied that he had made a deal with the prosecution to testify against Datuk Seri Najib Razak to save his own neck.

Datuk Shahrol Azral Ibrahim said he had never been detained or remanded by any enforcement agency from the day the 1MDB scandal broke.

Instead, the 50-year old said he had merely been called to assist investigations as a witness in the case by police and Malaysian Anti Corruption Commission (MACC) officers.

He said this happened sometime in 2016 and 2017.

However, Najib's lead counsel Tan Sri Muhammad Shafee Abdullah did not let the former top executive of the sovereign wealth fund which lost billions under his watch to escape some hard hitting questions on the issue.

Shafee reminded Shahrol how the Public Accounts Committee (PAC) had regarded the latter as one of the main persons responsible for the 1MDB fiasco.

Shafee: Are you aware that the PAC had in April 2016 recommended that you should be held accountable for 1MDB losses?

Shahrol: Yes

Shafee: They called you the Number 1 culprit?

Shahrol: Yes

Shafee: Were you ever arrested or remanded by the police or MACC?

Shahrol: No

Shafee: Did you make a deal with the prosecution that you will sing like a bird here to avoid being charged?

Shahrol: No

Shafee: However, you were barred from leaving the country from July 2018 to January this year.

Shahrol: Yes...but I never applied for the travel restrictions to be lifted. I just informed the investigators that I was finding it impossible to find a job in Malaysia.

Shafee then asked Shahrol if he had ever read the novel The Billion Dollar Whale on the 1MDB scandal and the role played by fugitive financier Low Taek Jho @ Jho Low.

Shahrol replied that he had never read the book even though the authors had contacted him for comments prior to the novel being written.

Asked why this was so, Shahrol said he never bothered to read the book as it was not something he wanted to do.

Earlier, Shahrol said he had also not bothered to read the United States Department of Justice (DoJ) report on 1MDB even though his name featured prominently in it and his reputation was at stake.

Asked why this was so, he replied: "It is my own way of managing the stress I go through everyday."

Najib, 68, is facing 25 counts of abuse of power and money laundering involving RM2.28 billion of 1MDB funds which were deposited into his accounts between 2011 and 2014.

2. US seeks Monet, Warhol art linked to 1MDB scanda



The United States is seeking to seize another US\$96 million in assets allegedly linked to Malaysia's 1MDB corruption scandal, including Claude Monet and Andy Warhol paintings, officials said.

KUALA LUMPUR: The United States is seeking to seize another US\$96 million in assets allegedly linked to Malaysia's 1MDB corruption scandal, including Claude Monet and Andy Warhol paintings, officials said.

Billions of dollars were looted from Malaysian sovereign wealth fund 1MDB in a fraud allegedly involving the country's ex-leader and his cronies, and used to bankroll a worldwide spending spree.

The US Department of Justice said its latest legal action to recover 1MDB-linked items means it has now sought to claw back over \$1.8 billion in assets.

The latest items include artworks "Vetheuil Au Soleil" by French Impressionist master Monet and "Colored Campbell's Soup Can (Emerald Green), 1965" by pop artist Warhol, according to court documents released by the DoJ.

They also include a drawing by American artist Jean-Michel Basquiat, as well as a high-end real estate in Paris, officials said Wednesday.

The move is "just the latest demonstration of (the DoJ's) longstanding commitment to tracing, seizing, and forfeiting assets acquired through grand corruption," said US Assistant Attorney General Brian Benczkowski.

The US has so far returned or helped Malaysia recover more than \$1 billion in funds and assets lost in the scam.

More than \$4.5 billion originally meant to fund state investments was looted from 1MDB between 2009 and 2015, according to US investigators.

A young Malaysian businessman, Low Taek Jho, allegedly played a central role in the fraud and used much the money to buy luxurious homes and art and invest in Hollywood movies.

In October, he struck a settlement with US officials to forfeit assets worth \$700 million including a Beverly Hills hotel and a private jet, as part of efforts to claw back stolen cash.

Malaysia's ex-prime minister Datuk Seri Najib Razak lost power at 2018 elections in large part due to his alleged involvement in the scandal, and is now on trial. He denies wrongdoing.

Low also maintains his innocence, and his current whereabouts are unknown.

3. Court boots out MACC's forfeiture action against IT firm

KUALA LUMPUR: The Malaysian Anti-Corruption Commission's (MACC) bid to seize RM3 million allegedly linked to the 1Malaysia Development Bhd (1MDB) scandal from IT firm AGA Touch (M) Sdn Bhd was dismissed by the High Court today.

In his brief ruling, judge Datuk Muhammad Jamil Hussin said the prosecution had failed on a balance of probability to prove that the amount in the bank account of AGA Touch were proceeds from unlawful activities.

He said the respondent, (AGA Touch), had never denied the fact that it received the money via cheque from former prime minister Datuk Seri Najib Razak, who was Umno president and Barisan Nasional (BN) chairman in 2014.

He also said the court agreed with the respondent's contention that the RM3 million was for its services to Umno and that the amount had been used for business operations by the time the authorities seized the firm's account.

This, he said, has been proven through invoices exhibited during the proceedings in court.

"The applicant (prosecution), on a balance of probabilities, had failed to prove that the RM3 million was proceeds of illegal activities. This (forfeiture) application is dismissed," the judge said.

Counsel Datuk Hariharan Tara Singh, who appeared for the IT company, subsequently applied for the money to be released to his client immediately.

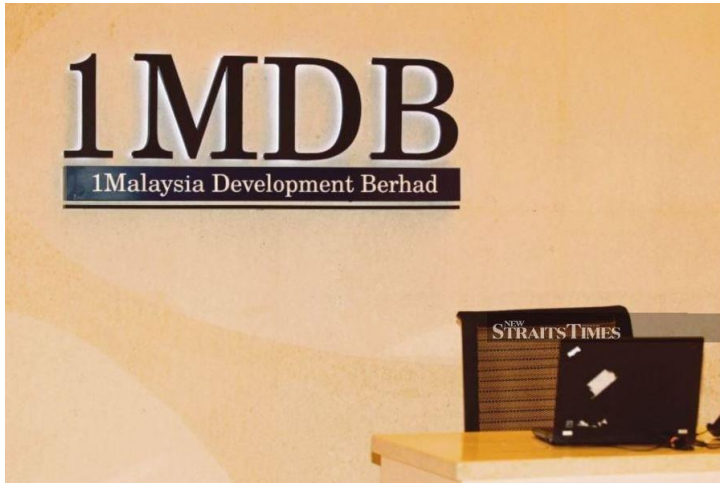
MACC deputy public prosecutor Farah Yasmin Salleh then made an oral application for an interim stay of today's decision pending the prosecution's appeal to the Court of Appeal.

However, the application was rejected.

AGA Touch's bank account was frozen by the MACC on June 29, 2018 over alleged links to the 1MDB fraudulent money scandal.

When met outside the court, Hariharan said he will be writing a letter to Public Bank for the immediate release of AGA Touch's bank account, which had been frozen for over two years.

4. Government committed to recovery of 1MDB assets



The recovery of 1Malaysia Development Bhd's (1MDB) assets remains a key priority for the Malaysian government

KUALA LUMPUR: The recovery of 1Malaysia Development Bhd's (1MDB) assets remains a key priority for the Malaysian government, said Finance Minister Tengku Datuk Seri Zafrul Abdul Aziz.

He said the government has proactively taken action involving multiple countries and organisations.

"The government has been conducting discussions and negotiations with multiple international organisations, including Goldman Sachs Group Inc, led by Malaysia's Attorney-General's Chamber," the finance minister said in a statement today.

5. Govt files law suit to recover US\$340 million 1MDB funds from PetroSaudi

KUALA LUMPUR: The government has initiated legal proceedings to recover more than USD340 million of 1Malaysia Development Berhad (1MDB) money from PetroSaudi International (PSI) and its director Tarek Obaid.

The USD340,258,246.87 is stashed in United Kingdom (UK) based law firm Clyde & CO LLP belonging to PSI and its subsidiary company Petrosaudi Oil Services (Venezuela) Limited.

The government in its notice of motion named Tarek Obaid, PSI, Petrosaudi Oil Services (Venezuela) Ltd, Clyde & Co. LLP and Temple Fiduciary Services Ltd as the first, second, third, fourth, and fifth respondents respectively.

The government through the Malaysian Anti-Corruption Commission (MACC) is also seeking to freeze an unspecified amount of money deposited in an intermediate account name of Temple Fiduciary Services at Barclays Bank.

The application was related to an offence under Section 4(1) of the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 (Amlatfapuaa).

MACC officer Mohd Afiq Ab Aziz who was the investigating officer of the case said he believed that the monies in Clyde & Co LLP would be dispersed after a legal dispute between Petrosaudi Oil Services (Venezuela) Ltd and Venezuelan government-owned Petróleos de Venezuela.

Afiq in his affidavit said his investigation revealed that in September 2019, the law firm had entered into an agreement to use the money for the arbitration proceedings.

"They plan to use the money to pay outstanding balances and liabilities, paying the Dutch tax authority, as well as distributing the money to Tarek.

"I believe that the USD340 million was part or evidence in connection with the conspiracy to defraud or fraud which involves former prime minister Datuk Seri Najib Razak, fugitive businessman Low Taek Jho, and several other individuals relating to 1MDB.

"I also believe and suspect that the assets being held or deposited abroad were proceeds from illegal activities," he said.

He said the Pekan member of parliament was slapped with multiple criminal charges involving money laundering and power abuse relating to the sovereign state fund.

The High Court fixed July 16 for hearing.

Deputy public prosecutors Budiman Lufti Mohamed and Muhammad Izzat Fauzan appeared for the prosecution.

When met after the proceedings, Budiman said the prosecution would request for a mutual legal assistance (MLA) from the UK courts to enforce the prohibition order.

6. Penang company director charged with misappropriation of RM96,780



At the time of committing the offences, Kamaruzzaman Kamaludeen was the director of Syarikat Northern Petrochem Sdn Bhd while also holding the position of financial officer at Syarikat Natureceuticals

BUTTERWORTH: A company director claimed trial at the Special Sessions Court for Corruption here today to four charges of misappropriation of property amounting to RM96,780 five years ago.

Kamaruzzaman Kamaludeen, 47, pleaded not guilty after the charges were read to him before judge Ahmad Azhari Abdul Hamid.

According to the first charge, Kamaruzzaman misappropriated RM5,600 belonging to Syarikat Natureceuticals on Dec 5, 2014 and on May 11, 2015 at RHB Bank Berhad, Jalan Chain Ferry.

For the second charge, he was accused of misappropriating RM920 belonging to Syarikat Natureceuticals at AmBank Berhad, Jalan Todak 2, on Dec 29, 2014.

He was also accused of misappropriating RM8,800 belonging to Syarikat Natureceuticals from Dec 15, 2014 to March 6, 2015 at Malayan Banking Berhad, Alma.

He was also charged with misappropriating RM81,460 belonging to Syarikat Natureceuticals between Dec 8, 2014 and May 27, 2015 at Public Bank, Jalan Jelutong.

At the time of committing the offences, he was the director of Syarikat Northern Petrochem Sdn Bhd while also holding the position of financial officer at Syarikat Natureceuticals.

He was charged under Section 403 of the Penal Code which provides for a jail sentence of between six months and five years, and a whipping, and possible fine, upon conviction.

Malaysian-Anti Corruption Commission (MACC) deputy public prosecutor Mohamad Azlan Basri and S. Selvaranjini prosecuted the case, while the accused was not represented.

Mohamad Azlan proposed bail of RM50,000 and for the accused to surrender his passport to the court.

"We also propose for him to report to the MACC office monthly," he said.

The accused, however, requested for a lower bail.

"I cannot afford such an amount, please allow for lower bail, Your Honour," he told the court.

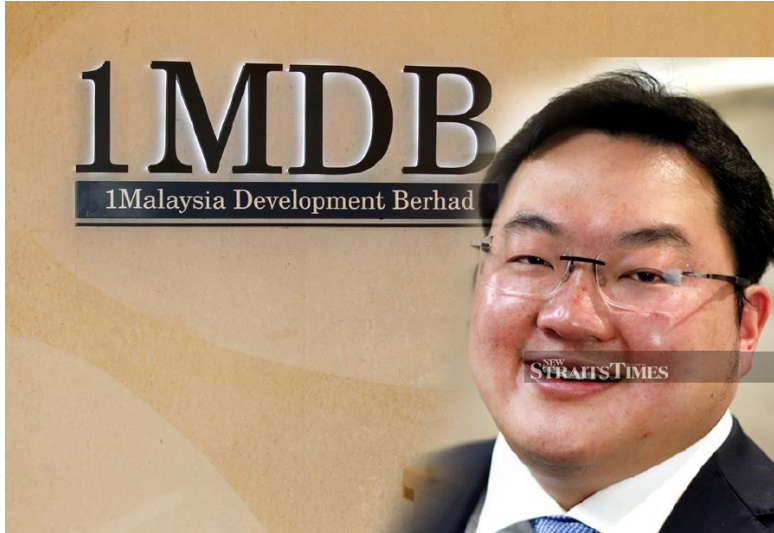
Ahmad Azhari then set bail at RM30,000, and ordered for Kamaruzzaman's passport to be surrendered to the court.

The accused was also told to report to the MACC office every month.

Despite that, the accused still requested for lower bail, claiming that he could not afford the bail amount.

He was then told to sit down by the court interpreter.

7. Jho Low kept 'out of sight' from 1MDB board of directors



Low Taek Jho or Jho Low who was said to be an adviser to Datuk Seri Najib Razak had to be concealed from the 1Malaysia Development Bhd (1MDB) board of directors

KUALA LUMPUR: The name of infamous fugitive businessman Low Taek Jho or Jho Low who was said to be an adviser to Datuk Seri Najib Razak had to be concealed from the 1Malaysia Development Bhd (1MDB) board of directors to protect the former prime minister, the High Court heard.

This was revealed by former 1MDB chief executive officer Datuk Shahrol Azral Ibrahim Halmi during Najib's trial involving the misappropriation of RM2. 28 billion from the sovereign wealth fund.

Shahrol had in his previous testimony last year said Jho Low's name had to be kept under wraps in board meetings as there were people within Umno who were envious of his influence and direct access to Najib.

Under cross-examination by Najib's lawyer Wan Aizuddin Wan Mohammed today, Shahrol confirmed that he had concealed Jho Low's involvement in 1MDB affairs and kept the businessman's name out in board meetings.

"Jho Low had from the beginning told me that his appointment must be kept out of the radar to protect Najib," he said.

The ninth prosecution witness however disagreed with the lawyer's contention that the reason for the cover-up was because he was colluding with Jho Low to get remuneration from investment management firm Goldman Sachs.

Earlier, Shahrol confirmed that Jho Low was involved in 1MDB's plan to acquire independent power producer Tanjong Energy Holdings Sdn Bhd for RM10.6 billion in 2012.

He said Jho Low had proposed Goldman Sachs as the financial adviser for the 1MDB deal as well as the positions of "bookrunner, underwriter and arranger" for the funding of the acquisition process.

Goldman Sachs was appointed in February 2012, to represent 1MDB in the deal with a 0.5% fee from the bid price if the acquisition was successful.

Wan Aizuddin then contended that Jho Low's role was as a broker to Goldman Sachs since he kept on recommending the firm.

To this, Shahrol said: "I didn't see him as a broker but more of a facilitator."

He said Goldman Sachs' appointment by Jho Low was also not relayed to the 1MDB board of directors to protect Najib.

He also denied allegations of collusion with Goldman Sachs in the acquisition of Tanjong Energy to get higher kickbacks from the investment firm in return.

"Receive kickbacks from Goldman Sachs? I absolutely disagree," he said when Wan Aizuddin implied this to him.

He had executed the confirmation for Goldman Sachs to become the financial adviser a day before the board meeting on Feb 8, 2012.

The 50-year old witness told the court that he had to sign the confirmation letter before the board meeting in order for Goldman Sachs to present its proposal on the Tanjong Energy acquisition in the meeting.

Wan Aizuddin: You approved Goldman Sachs' engagement prior to obtaining the 1MDB boards' approval on their appointment.

Shahrol: I disagree.

Najib, 67, is facing 25 counts of abuse of power and money laundering involving RM2.28 billion of 1MDB funds which were deposited into his accounts between 2011 and 2014.

As Wan Aizuddin ends his cross-examination, Najib's lead counsel Tan Sri Muhammad Shafee Abdullah applied for tomorrow's trial to be vacated to allow the Pekan MP to attend Parliament.

He told the judge that Najib was scheduled to speak in the sitting tomorrow.

Shafee submitted that preventing an MP from attending to his duty could be subject to contempt of Parliament.

Responding to this, judge Collin Lawrence Sequerah asked: "Are you saying I will be held for contempt of Parliament if I don't allow it? "

Shafee then replied that it is an MP's privilege to attend the parliamentary sitting.

Sequerah then rejected the application.

"I understand that he has his duty, but this court has its duty too. The trial continues tomorrow from 9.30am to 4.30pm." he said before adjourning the proceedings.

8. High Court issues order preventing PetroSaudi Int't from moving 1MDB funds



Datuk Seri Najib Razak arrives at the Kuala Lumpur Courts Complex ahead of the trial.

KUALA LUMPUR: The High Court has issued a temporary order to prevent PetroSaudi International (PSI), its director Tarek Obaid and several entities to move US\$340 million of 1Malaysia Development Berhad (1MDB) funds stashed in a foreign law firm.

Judge Mohd Nazlan Mohd Ghazali issued the ad-interim order after hearing submissions from both parties during the management of the case today.

The order would last until the disposal of an asset forfeiture application filed by the government through the Malaysian Anti-Corruption Commission (MACC).

The US\$340,258,246.87 is stashed at United Kingdom (UK)-based law firm Clyde & Co LLP belonging to PSI and its subsidiary company Petrosaudi Oil Services (Venezuela) Limited.

The government, in its notice of motion, named Tarek Obaid, PSI, Petrosaudi Oil Services (Venezuela) Ltd, Clyde & Co. LLP and Temple Fiduciary Services Ltd as the first, second, third, fourth, and fifth respondents respectively.

Counsels Yusof Zainal Abiden and Alex Tan who appeared for Tarek and Petrosaudi Oil Services (Venezuela) Ltd said they had received instructions from their respective clients to challenge the application.

Yusof said they needed some time to file their affidavits and to receive instructions from their clients overseas.

Deputy public prosecutor Budiman Lufti Mohamed who appeared for the prosecution then urged the court to issue an interim order pending hearing next month.

"Then we can ensure that the monies will not be dispersed," he said.

The government, through the MACC, is also seeking to freeze an unspecified amount of money deposited in an intermediate account name of Temple Fiduciary Services at Barclays Bank.

The application was related to an offence under Section 4(1) of the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 (Amlatfapuaa).

MACC officer Mohd Afiq Ab Aziz, who was the investigating officer of the case, said he believed that the monies in Clyde & Co LLP would be dispersed after a legal dispute between Petrosaudi Oil Services (Venezuela) Ltd and Venezuelan government-owned Petr leos de Venezuela.

Afiq in his affidavit said his investigation revealed that in Sept 2019, the law firm had entered into an agreement to use the money for the arbitration proceedings.

He believed that the funds were part of evidence in connection with a conspiracy to defraud, which involves former prime minister Datuk Seri Najib Razak, fugitive businessman Low Taek Jho, and several other individuals relating to 1MDB.

He said the Pekan Member of Parliament was slapped with multiple criminal charges involving money laundering and power abuse relating to the sovereign state fund.

He also believed and suspected that the assets being held or deposited abroad were proceeds from illegal activities.

9. Was Najib not told about 1MDB's acquisition of Genting Sanyen?



Former prime minister Datuk Seri Najib Razak (third from left), 67, is facing 25 counts of abuse of power and money laundering involving RM2.28 billion of 1MDB funds which were deposited into his accounts between 2011 and 2014. -

KUALA LUMPUR: Former prime minister Datuk Seri Najib Razak, who was the sole shareholder of 1Malaysia Development Bhd (1MDB), never gave his written approval for the acquisition of energy company Genting Sanyen (M) Bhd by the sovereign wealth fund.

The matter was raised by counsel Wan Aizuddin Wan Mohammed when he was cross-examining prosecution witness, former 1MDB chief executive officer Datuk Shahrol Azral Ibrahim Halmi, during Najib's trial involving the misappropriation of RM2.28 billion from 1MDB.

In relation to this, Wan Aizuddin referred the witness to a document on a 1MDB Directors' Circular Resolution (DCR) to which the latter clarified that the Prime Minister's approval was not needed in the acquisition.

The approval was in line with Article 117 of the 1MDB Memorandum & Articles of Association (MAA), which states that the approval of the Prime Minister is needed in some of the company's decisions.

Shahrol further testified that the 1MDB board of directors had agreed to the Genting Sanyen deal and there was no need for a board meeting, and instead, the acquisition was passed through the 1MDB board through DCR.

He also agreed with the lawyer's contention that a board of directors meeting was never called in the acquisition of independent power producers by 1MDB, which were Genting Sanyen and Tanjong Energy Holdings Sdn Bhd.

Instead, the details of the acquisition were made known to the board through a DCR, he added.

This, Wan Aizuddin suggested, was done to avoid scrutiny from the board of directors to which the witness said he disagreed.

Wan Aizuddin: I put it to you the DCR was used instead of the full board of directors meeting because you intended to hoodwink them (board of directors).

Shahrol Azral: I disagree.

The ninth witness further testified that he was informed by the 1MDB general counsel (at that time), Jasmine Loo Ai Swan, that there was not enough time for the whole board of directors to be called in a meeting to further discuss the acquisition.

"I have no reason to be doubtful of the general counsel as the documents were already prepared by Jasmine together with Goldman Sachs (the investment firm appointed as adviser to 1MDB in the acquisition) and everything was in order," he said.

Shahrol had testified on Sept 30, last year, that the process of acquiring independent power producer Genting Sanyen, was executed by 1MDB after receiving approval from Najib, in his capacity as Finance Minister, representing Minister of Finance Incorporated in 2012.

The trial before judge Collin Lawrence Sequerah continues on Aug 3.

Najib, 67, is facing 25 counts of abuse of power and money laundering involving RM2.28 billion of 1MDB funds which were deposited into his accounts between 2011 and 2014.

10. Ex-civil servant charged with accepting RM149,600 in bribes



Former civil servant, Herman Ibrahim, 45, was charged at the Sessions Court here today with three counts of bribery amounting to RM149,600, three years ago.

IPOH: A former civil servant was charged at the Sessions Court here today with three counts of bribery amounting to RM149,600, committed three years ago.

Herman Ibrahim, 45, in his capacity as Kumpulan Selendang Perak Cultural officer at the state government Secretary's Office, as well as Secretariat of Sukma XIX Perak 2018, pleaded not guilty when the charges were read to him before judge S. Indera Nehru.

On the first count, Herman is alleged to have accepted a RM7,500 bribe from the owner of Pro Explore Event Management, Mohd Zulkhibri Abdul Mutalib.

The offence was committed at Public Bank Berhad, Jalan Sultan Idris Shah here, on Nov 15, 2018.

On the second count, he was charged with accepting a RM68,600 bribe from Raja Khairy Ehsan Raja Norddin, which was transferred to a third account, Ohana Service Company, to open a laundry shop, Eh Matrix Resources, owned by his father-in-law, Bustanudin Bustaman.

The offence was committed at the Bank Rakyat Medan Gopeng branch at Jalan Raja Dr Nazrin Shah on Feb 14, 2019.

On the third count, Herman is alleged to have accepted a RM73,500 bribe from the owner of Rainhousemusic Company, Raja Khairy Ehsan from a third party, Maarof Ahmad.

The offence was committed in the compound of the Perak Stadium on Feb 18, 2019.

He was charged under Section 165 of the Penal Code, which carries up to two years' imprisonment, or a fine, or both, upon conviction.

Malaysian Anti-Corruption Commission (MACC) prosecuting officer Nurul Wahida Jalaluddin prosecuted, while the accused was represented by lawyer, Khairilazwar Khalil.

Khairilazwar asked for a lower bail of RM3,000 for each charge, claiming that his client had quit his job last year and has three children, aged between 11 and 18, after Nurul Wahida requested for it to be set at RM15,000 for each charge.

Khairilazwar added that his client had given his full cooperation throughout the investigation and there was no reason for him to abscond.

Indera Nehru set bail at RM21,000 for all charges and the accused must report to the MACC office once a month until the case is over.

She then fixed August 19 for mention of the case.

11. Sabah Wildlife partners with MACC to combat wildlife crimes



Sabah Wildlife Department has formed a partnership with the Malaysian Anti-Corruption Commission (MACC) to combat corruption relating to wildlife crimes.

KOTA KINABALU: The Sabah Wildlife Department has formed a partnership with the Malaysian Anti-Corruption Commission (MACC) to combat corruption relating to wildlife crimes.

Its director Augustine Tuuga said the department needs to work with all possible partners to build better understanding and ensure its enforcement team is trained to respond to corruption.

This, he said, should also cover the forestry and fishery agencies.

"We must be aware that corruption is multifaceted and can occur at every stage of the wildlife, forestry and fisheries value chain.

"It can include bribe for information on the movement of animals or patrols, or to obtain rights and quotas, or grease the wheels of shipments, to ensure that they are not inspected or seized," he said in a statement jointly issued by MACC and the Danau Girang Field Centre (DGFC).

Tuuga stressed the department was looking forward to extending collaboration with the MACC, adding they would work towards the creation of an Organisational Anti-Corruption Plan.

Last week, the department along with MACC and DGFC organised a two-day workshop here, on Challenges of Enforcement in Combating Corruption in Wildlife Crimes.

Held for the first time in Sabah, the anti-corruption workshop with emphasis on wildlife crimes was aimed at increasing awareness on anti-corruption laws, including witness and whistleblower protection.

Attended by Sabah and Sarawak representatives of various law enforcement agencies, the workshop was part of the training available for the inter-agency Working Group on Wildlife Crime Intelligence.

Speaking on his concern in regards to wildlife crime, Sabah MACC director Karunanithy Subbiah emphasised that bribery is no longer seen as a local problem but has evolved into a trans-boundary crime phenomena.

"Worldwide, bribery in crime involving wildlife smuggling is increasingly spreading at a worrying pace and has become one of the driving forces for illicit trade that is still hard to curb at the national and international levels," he said.

DGFC Director Prof Dr Benoit Goossens hoped the workshop would lead to an increase in inter-agency collaboration and to work towards the objectives of the Wildlife State Action Plans adopted last year by the State Cabinet.

"During the 2017 international workshops on proboscis monkey, Sunda clouded leopard and Bornean banteng, jointly organised by SWD and DGFC, it was recognised that poaching, hunting, and illegal killing and trade, were real threats to these and other species in Sabah.

"The information compiled at the workshops includes a State Action Plans for each species, specifically to increase the capacities of wildlife law enforcement government agencies and of key partners in conservation," he said.

Goossens said this was in particular in regards to training crime analysts, investigators and intelligence gatherers, and a certified forensic technician at the Sabah Wildlife Health, Genetic and Forensic Laboratory.

12. MACC putting bids for projects under microscope



Malaysian Anti-Corruption Commission Investigation director Datuk Norazlan Mohd Razali said such probes are carried out under Section 17A of the MACC Act 2009 (Amendment 2018), which came into force on June 1

PUTRAJAYA: The Malaysian Anti-Corruption Commission (MACC) is now focusing on investigations into procurements by commercial organisations.

Investigation director Datuk Norazlan Mohd Razali said such probes are carried out under Section 17A of the MACC Act 2009 (Amendment 2018), which came into force on June 1.

"The commission will focus on investigating companies which commit corruption offences while bidding for tenders or projects. These offences include paying bribes to get into a business activity.

"This offence is not restricted to a company that is trying to secure government contracts. It could also involve dealings between one private company and another private company.

"For example, a company bids for projects from another company, and this company pays bribes to the one offering the contract.

"Even though it is between one private company and another, it is still considered an (corruption) offence. It is applicable to any sector," Norazlan said in an interview with members of the media at the MACC headquarters here on July 15.

He said the public sector recorded the highest number of bribery cases, especially involving enforcement and procurement divisions.

According to data between 2019 and June this year, 702 civil servants were arrested by the MACC for corruption offences, said Norazlan.

"This comprises 46.9 per cent of the overall 1,496 arrests that were made in the period.

"The number of private sector individuals arrested for other offences was 390, which represented 26.1 per cent of the overall arrests. These were cases involving people in the private sector and these acts were for the benefit of some organisations.

"Although the percentage of arrests from the private sector is less than from the public sector, the number is still considered high."

When explaining other provisions in the same act, Norazlan said any situation that involves graft that leads to a company benefiting is an offence.

Bribery to obtain information in order to have an advantage over other companies in the bidding process is also an offence.

"Based on previous cases, there were companies which paid bribes to get information to prepare bids to secure a project or contract.

"Bribery for the privilege of getting information that will give them undue advantage in terms of preparing their bids also falls under the same section."

Norazlan said corporate liability laws could also be found in European countries and South America.

In this regard, he said a local company that wants to compete in the international market and plans to enter a European or South American market would also be bound by the law of the country it is going into.

He said the local company should also be competent enough to bid for a contract without engaging in bribery.

"This law is applicable to any company operating in Malaysia, even if the company is not registered in Malaysia.

"For example, if a company from South America is doing business here and commits such an offence to secure a contract, that company will be liable under the same section."

Asked if the MACC would reopen old cases involving the previous government, Norazlan said it would do so if there was new evidence or leads backing up any claim.

He said investigations were conducted whether they involved the previous or new government.

Norazlan also said the MACC was reviewing information it had received about corporate liability-related complaints prior to June 1.

MACC also welcomed any company that wished to share guidelines and measures that are practised within their organisations.

He said efforts such as practising good communication and training within organisations are also helpful in getting rid of graft.

13. MACC to call up Guan Eng again on Saturday



Former Finance Minister Lim Guan Eng will return to the Malaysian Anti-Corruption Commission (MACC) on Saturday to have his statement recorded after being on two-days sick leave.

PUTRAJAYA: Former Finance Minister Lim Guan Eng will return to the Malaysian Anti-Corruption Commission (MACC) on Saturday to have his statement recorded after obtaining two-days sick leave yesterday.

Lim was seen leaving the MACC office about 7.13pm after six hours of questioning as a witness to assist in the investigations of the undersea tunnel project in Penang.

His lawyer, RSN Rayer said Lim was unwell yesterday and the sick leave was for today and tomorrow.

"We are here today (yesterday) as we have received the notice (from MACC) to be present and we will give our full cooperation to the MACC.

"We are not done yet (giving statement). We were asked to come back again on Saturday at 10am," said Rayer yesterday.

Guan Eng had earlier arrived at the MACC about 1.05pm accompanied by Rayer, who is Jelutong MP, and Puchong MP Gobind Singh Deo.

It was earlier reported that Penang Chief Minister Chow Kon Yeow and several present and former executive councillor were asked to give their statements to the MACC on the RM6.3 billion mega project.

The case has been under probe by the MACC since 2017.

To date, MACC has arrested a former officer of Penang Port Commission while three companies linked to the project were also raided.

14. Ahmad Maslan loses bid to drop charges, case to proceed



Datuk Seri Ahmad Maslan has failed in his bid strike off the charges of money-laundering and giving false statements to the Malaysian Anti-Corruption Commission (MACC)

KUALA LUMPUR: Former deputy finance minister Datuk Seri Ahmad Maslan who is facing charges of money-laundering and giving false statements to the Malaysian Anti-Corruption Commission (MACC) has failed in his bid to have the charges against him quashed.

This follows the decision of Sessions Court judge Azman Ahmad who dismissed Ahmad's application today.

In his judgement, Azman said the application made by the accused was premature and the charges framed against him were not defective.

As such, the judge said, the charges were not groundless.

"I therefore dismiss the application," he said.

The judge then set Sept 4 for mention and fixed Oct 1 and 2, Oct 16, Oct 23, Nov 6 and Dec 24 for trial.

Meanwhile, counsel Hamidi Mohd Noh who represented Ahmad told the court that they will be filing an appeal against the decision.

Deputy public prosecutor Siti Noor Hafizan Zakaria appeared for the prosecution.

Ahmad, 52, had filed the application for his charges to be dropped on Feb 21 citing that the charges under the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act (AMLATFAPUAA) 2001 frames against him were 'baseless'.

He is facing a charge of involvement in money laundering by not declaring to the Inland Revenue Board (IRB) RM2 million he received from former prime minister Datuk Seri Najib Razak via a cheque dated Nov 27, 2013, in his tax filing for the year.

He also faces another charge of giving false statements to the MACC when it was recorded under Section 32 of AMLATFAPUAA by the agency's investigating officer, Mohd Zairi Zainal.

According to the charge sheet, among Ahmad's statements which were allegedly false was his denial that he had received any money from Najib.

He allegedly committed the offence at a media conference room at the Parliament building at Jalan Parliament here, between 2.45pm and 3.30pm on July 4, last year.

15. PM lauds Goldman Sachs' RM16.6bil 1MDB settlement



Prime Minister Tan Sri Muhyiddin Yassin said the government is committed to continuing efforts to recover assets linked to 1Malaysia Development Bhd (1MDB).

KUALA LUMPUR: The government is committed to continuing efforts to recover assets linked to 1Malaysia Development Bhd (1MDB) and claims against individuals and quarters involved in the financial scandal, said Prime Minister Tan Sri Muhyiddin Yassin.

"I welcome the announcement on the settlement worth RM16.6 billion (US\$3.9 billion) reached between the Malaysian government and Goldman Sachs over the government's claims related to wrongdoing and misappropriation in the 1MDB case," he said in a media statement today.

Goldman Sachs Group Inc reportedly agreed today to pay US\$3.9 billion to settle outstanding claims related to three bond transactions arranged for 1MDB.

The settlement brings the 1MDB funds to be returned to Malaysia to RM19 billion (US\$4.5 billion), including the funds returned earlier by the US Department of Justice.

Muhyiddin also expressed his appreciation to the Finance Ministry, the Attorney-General's Chambers, the Securities Commission Malaysia, the Malaysian Anti-Corruption Commission (MACC), the National Anti-Financial Crime Centre and the negotiating team for their efforts to obtain the settlement.

"This is a success in the efforts to restore the rights and assets of the people of Malaysia," he added.

16. Guan Eng meets MACC for second time over Penang undersea tunnel project



Former Finance Minister Lim Guan Eng today presented himself for the second time before the Malaysian Anti-Corruption Commission (MACC) to assist investigation into the Penang undersea tunnel case.

PUTRAJAYA: Former Finance Minister Lim Guan Eng today presented himself for the second time before the Malaysian Anti-Corruption Commission (MACC) to assist investigation into the Penang undersea tunnel case.

He arrived at the MACC headquarters at 12.40pm, accompanied by his lawyer RSN Rayer.

The statement recording session was scheduled at 10am, but he was late as his multi-purpose vehicle's tyre sustained a puncture at Simpang Pulai, near Ipoh.

The Bagan member of parliament was called in by the anti-graft agency for the first time on Wednesday.

17. Guan Eng attends 3rd MACC session over undersea tunnel project



Former Finance Minister Lim Guan Eng attended a third session with the Malaysian Anti-Corruption Commission (MACC) at its office here today.

PUTRAJAYA: Former Finance Minister Lim Guan Eng attended a third session with the Malaysian Anti-Corruption Commission (MACC) at its office here today.

He arrived at 10.42am accompanied by his lawyer, RSN Rayer, who is also Jelutong Member of Parliament, to give his statement in connection with the undersea tunnel project by the Penang state government.

The first time he met the MACC to help in the investigations into the case was on Wednesday when he left the MACC office at 7.13pm, about seven hours after he arrived.

Penang Chief Minister Chow Kon Yeow and several current and former Exco members of the state government had also given their statements to the MACC in connection with the RM6.3 billion project.

MACC Chief Commissioner Datuk Seri Azam Baki has been reported as saying the investigations were in connection with money laundering.

The MACC has been investigating the case since 2017.

The project was planned during the time Lim was Penang Chief Minister.

18. It takes two to tango in private, public sector corruption



Three company directors were held by the Malaysian Anti-Corruption Commission (MACC) on suspicion of involvement in a Tourism Malaysia contract worth RM99 million. -Pic for illustrations purposes only

ON June 11, three company directors were held by the Malaysian Anti-Corruption Commission (MACC) on suspicion of involvement in a Tourism Malaysia contract worth RM99 million.

Last year, a former government agency chairman was detained by the MACC on allegations of abuse of power. A contract was said to have been approved in just one day without adhering to procurement regulations.

This, along with the growing number of corruption cases we read, makes us wonder when will it all end. Most of us would regard the public sector as the most corrupted sector. The fact is, it takes two to tango, where the private business sector (who pays) holds the power to corrupt public officials (who get paid) and which also practises corruption widely.

Private sector officials pay bribes to their counterparts from other private sector companies and public sector officials to get their work done. In fact, the private sector is not just a victim of corruption, but also the perpetrator of corrupt practices. Indeed, the private sector is instrumental and often works hand in glove with public officers.

Collusion between internal and external parties is rampant in fraud and corruption cases. This seems to be the modus operandi of fraudsters and white collar criminals because corruption is a win-win situation where both parties to the crime get the benefits.

The Global Infrastructure Anti-Corruption Centre revealed that corruption in relation to private sector projects takes a similar form as in the public sector, but the cost of corruption is

not directly borne by public funds. It, nevertheless, can have widespread and serious consequences.

The World Economic Forum confirmed that corruption adds up to 10 per cent to the total cost of doing business globally, while PricewaterhouseCoopers Global Economic Crime and Fraud Survey 2020 (PwCs 2020) stated that US\$42 billion is the total fraud losses reported by respondents.

Based on KPMG's 2013 Fraud, Bribery and Corruption Survey, 90 per cent of respondents said bribery and corruption were the biggest problem for businesses in Malaysia. According to PwC's 2020 survey, the number of economic crimes experienced by respondents has risen to 43 per cent, compared with 41 per cent in 2018.

In one press conference, the MACC expressed concern about bribery and corruption among businesses and considered it "an alarming issue". PwC's 2020 survey states that fraud in Malaysian organisations remains at worrying levels.

Procurement fraud is seen as high in the private sector, which involves billions of ringgit for each procurement. White elephant purchases are common, especially in the purchase of medical devices, construction, telecommunications, education and defence sectors.

Corruption in the private sector has been the focus of the MACC and other institutional reform. Corrupt behaviour, such as insider dealing and bribes to secure private contracts, has recently been more widely investigated and perpetrators charged.

MACC director of investigation division Datuk Norazlan Mohd Razali foresees there will be more reports on corruption in commercial organisations under Section 17A of the MACC Act 2009. The penalty for corporate liability under Section 17A (2) for the corruption offence shall be a fine of not less than 10 times the value of the gratification in question or RM1 million, whichever is higher or a maximum of 20 years' imprisonment, or both.

This penalty is much higher compared with the financial penalty for a bribery offence, which is a fine of not less than five times the value of the gratification in question or RM10,000, whichever is higher and no imprisonment.

Sentences imposed should not only punish the offender but should also be a lesson for others not to commit the offence. Heavier punishment will make everyone see that receiving bribes will surely lead to the ruin of not only the bribe-taker but his or her entire family as well.

Judges should use all the provisions in the act when passing the sentence which should include maximum imprisonment, whipping and forfeiture of illegally amassed wealth where the combination will serve as a good lesson to the criminals. A heavier penalty can become a greater deterrent against corruption if it is used along with longer imprisonment.

19. Najib sentenced to 12 years' jail, RM210 million fine



Former prime minister Datuk Seri Najib Razak has been sentenced to 12 years' jail and fined RM210 million after he was found guilty of all seven charges related to the misappropriation of RM42 million of SRC International funds

KUALA LUMPUR: Former prime minister Datuk Seri Najib Razak was sentenced to 12 years' jail and fined RM210 million after he was found guilty of all seven charges related to the misappropriation of RM42 million of SRC International funds.

High Court judge Mohd Nazlan Mohd Ghazali sentenced Najib to the jail term and fine for the offence related to abuse of power under Section 23 of the MACC Act 2009.

For the three criminal breach of trust offences under Section 409 of the Penal Code, he ordered Najib to serve 10 years for each count.

Najib was also ordered to serve 10 years jail for each of the three counts of money laundering under Section 4(1)(b) of the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 (AMLATFPUAA).

However, he ordered that all the sentences run concurrently. This means Najib will only serve a total of 12 years' jail.

He would have to serve an additional five years if he fails to pay the fine.

Mohd Nazlan later granted Najib a stay of execution pending his appeal to the Court of Appeal. The judge, however, ordered Najib to pay an additional RM1 million in bail to top-up the RM1 million he already paid when he was charged.

The former prime minister was ordered to pay the RM1 million by tomorrow. The judge also ordered Najib to report to a police station of his choice on the first and 15th of every month.

Najib's lead counsel, Tan Sri Muhammad Shafee Abdullah, told the court his client would pay up before the end of the day tomorrow.

In sentencing the 67-year-old Pekan Member of Parliament, Mohd Nazlan said he had taken into consideration public interest as well as contributions made by the former top leader of the country to the nation's development.

Earlier in the morning, Mohd Nazlan convicted Najib of all seven charges he faced.

He ruled that the defence had failed to raise any doubt against the prosecution's case on all the charges.

Mohd Nazlan took apart all the arguments put forward by the defence, concluding that all the evidence pointed towards the accused's guilt.

On the abuse of power charge, he said Najib's defence of blaming others, including fugitive businessman Low Taek Jho @ Jho Low, was not valid.

He said pointing the finger at others, as was Najib's main defence, did not absolve him of blame.

On the defence's argument that Najib did not manage his own accounts, the judge said it was illogical as the accused had been issuing cheques and therefore must shoulder the responsibility.

He said Najib knew of transactions involving his bank accounts, but intentionally withheld this information. He said Najib had also failed to take any action against his banks if there had been any wrongdoing committed by the financial institutions.

"There was never any indication of wrongdoing," he said.

20. Judge: Najib's lack of action to recover SRC funds 'very puzzling'



Datuk Seri Najib Razak's lack of action to recover funds linked to SRC International which were frozen by the Swiss authorities in 2015 was deemed as something very puzzling.

KUALA LUMPUR: Datuk Seri Najib Razak's lack of action to recover funds linked to SRC International which were frozen by the Swiss authorities in 2015 was deemed as something very puzzling by the High Court Judge who convicted him of power abuse charges yesterday.

Justice Mohd Nazlan Mohd Ghazali said this in his judgment in the SRC International case which saw the former prime minister convicted of all seven charges of power abuse, criminal breach of trust and money laundering before jailing 12 years and fining him RM210 million.

In his judgment, Nazlan said Najib's action was much more consistent with the conduct of one who did not want the problem to be resolved given his own complicity in the unlawful transfer of the funds in the first place.

The judge found evidence of this in the shareholder minutes of the Ministry of Finance Incorporated (MOF Inc).

He said it was clear by the end of 2015 that SRC was facing financial difficulties.

Referring to a MOF memo of Nov 4, 2015, he said this later resulted in three short term loans given to SRC to avoid the Pensioners Retirement Fund Inc (KWAP) declaring an event of default against the company.

"The accused was supportive of the efforts on the short-term loans but did not even summon the directors of SRC to provide an explanation to him despite being the advisor emeritus and the prime minister who had vast powers.

"The accused now disagrees that the RM4 billion (loan issued by KWAP to SRC International with full government guarantees) has disappeared, insisting that fact has not been established.

"Never mind the accused himself offered no evidence to show that he had taken any steps to ascertain what exactly happened to the funds."

Nazlan said Najib, 67, had also failed to provide a clear answer to the question whether he was satisfied with the progress of SRC after the first drawdown of the RM2 billion before agreeing to support the second RM2 billion loan.

Noting that there was a period of about six months between the two, he said Najib claimed that he did ask and was told that the monies had been set aside for immediate investment requirements.

"However, he did not even inquire whether the loan remained in cash. This, according to him, was a matter for the board of directors to oversee.

"The accused also disagreed that there was a duty to update on the status of the disbursement of the first loan secured by the first government guarantee when the proposal for the second government guarantee was tabled at the meeting of the Cabinet.

"I find this hard to fathom when the source of the funding was the pensions fund and the sum involved was extremely large by any measure," he said.

Mohd Nazlan concluded that after examining the defence of the accused and considering the entirety of Najib's defence in the case, the accused had failed to raise a reasonable doubt against the prosecution's case against him for the abuse of power charge under Section 23 of the MACC Act 2009.

During the course of the trial, Najib himself admitted that he did not have a plan to retrieve RM3.6 billion of SRC International's funds which were frozen by the Swiss authorities.

He had then also acknowledged preventing former second finance minister Datuk Seri Ahmad Husni Hanadzlah from going to Switzerland to negotiate for the return of the funds.

Najib had admitted to this when he was cross examined by lead prosecutor Datuk V Sithambaram.

It was previously reported that the Swiss authorities had frozen the funds after two deposits totalling USD681 million allegedly came through a Swiss bank from a company registered in the British Virgin Islands.

21. 'Apandi's decision to clear Najib in 2016 not conclusive'



Former Attorney-General Tan Sri Mohamed Apandi Ali's press statement to clear Datuk Seri Najib Razak of any criminal wrongdoing in 2016 was not conclusive.

KUALA LUMPUR: Former Attorney-General Tan Sri Mohamed Apandi Ali's press statement to clear Datuk Seri Najib Razak of any criminal wrongdoing in 2016 was not conclusive as he had only acted based on evidence gathered by the Malaysian Anti Corruption Commission (MACC) and disclosed in the Investigation Paper (IP) at that time.

High Court Judge Mohd Nazlan Mohd Ghazali said two witnesses had admitted during cross examination in Najib's SRC International Sdn Bhd trial that they were not aware of further investigations undertaken by the MACC subsequent to the announcement.

He said the court had heard that further statements were recorded from 76 new witnesses as well as further statements taken from existing witnesses.

The former AG, he said, was also not aware of the evidence of admission of knowledge (of money in Najib's personal accounts) contained in an affidavit affirmed by the former prime minister himself in a defamation suit.

He said it was thus undeniable that Najib was later charged under Section 23 of the MACC Act due to the benefit of additional evidence which was not previously available at the time the announcement was made by the former AG to NFA (no further action) the investigations.

In January 2016, Apandi cleared Najib of any criminal wrongdoing after close to six months of investigations into the RM2.6 billion channelled into the Pekan member of parliament's personal bank accounts and that of SRC International Sdn Bhd.

Apandi had then said there was insufficient evidence to implicate Najib and was quoted as saying that he found no criminal offences had been committed by the 67-year old based on facts and evidence presented to him in three investigation papers.

He subsequently ordered the MACC to close the investigation papers.

The three papers included one on the RM2.6 billion donation and two on SRC International, which took a RM4 billion loan from the Pensioners Retirement Fund (KWAP).

Apandi had then said that based on evidence from witnesses and supporting documents submitted by the MACC, the sum of USD681 million (RM2.08 billion) deposited into Najib's accounts between March 22, 2013 and April 10, 2013, was a personal donation to Najib from the Saudi Royal family, and was given to him `without any consideration.

"The MACC, in their investigation personally met and recorded statements from witnesses, including the donor, which confirmed that the donation was given to the PM personally," he was reported as saying.

Apandi said he was satisfied that there was no evidence to show that the donation was a form of gratification given corruptly.

However, Nazlan yesterday found Najib guilty of committing abuse of power under Section 23 of the MACC Act 2009 and sentenced him to 12 years jail.

The former Umno president was also fined RM210 million, in default five years jail, for committing the offence.

22. Najib's story of Arab donations 'preposterous and ridiculous'



Datuk Seri Najib Razak after posting bail at Kuala Lumpur Courts Complex.

KUALA LUMPUR: High Court judge Mohd Nazlan Mohd Ghazali yesterday ripped apart Datuk Seri Najib Razak's story of receiving donations from the late King Abdullah of Saudi Arabia.

In his judgment involving the former prime minister's SRC International Sdn Bhd case where Najib was eventually found guilty and sentenced to 12 years' jail in addition to being fined RM210 million, Nazlan said Najib's defence was centred on the premise that he believed funds which flowed into his personal bank accounts in 2014 and 2015 were Arab donation monies.

He said the question which the court needed to decide on was whether Najib's alleged belief and knowledge that the foreign remittances came from King Abdullah was genuine or contrived.

He said the defence's argument was that Najib had all the while believed funds in his accounts were further Arab donations intimated by Jho Low (fugitive businessman Low Taek Jho).

Nazlan said Najib had cited the late Saudi King's pledge of support during their meeting in early 2010 as the main premise of his belief.

"It is clear from the testimony of the accused that at the meeting with the Saudi monarch, the latter did mention his support for Najib's administration of Malaysia which - in the late King Abdullah's view - was a model of Islamic governance and a peaceful multicultural nation which should continue to be maintained.

"However, it must be noted that King Abdullah did not articulate the form of the support. In other words, Najib himself - in his witness statements and answers when cross-examined and re-examined - during the 15 days on the witness stand, admitted that King Abdullah did not

mention any intention to provide any financial support or donation of monies to him...Or to Malaysia."

Nazlan said Najib had testified that it was only in the middle of 2010 that he first got to know of King Abdullah wanting to donate funds, based on what was told to him by Jho Low.

"According to the accused, in his mind, the donation would be consistent with what King Abdullah had told him at the January meeting in Riyadh.

"However, there are many problems with Najib's testimony. First, he did not say that he directly heard from or was personally informed by the Saudi monarch about the cash donation.

"Secondly, there was no evidence of the accused attempting to verify this intention attributed to King Abdullah with anyone. Not with the King directly, nor with any of the government officials who could have easily checked to verify the information for the Prime Minister.

"There was, thirdly, no evidence if the intended donation would be accompanied by any conditions of use, either. None whatsoever. The accused merely took the word of Jho Low."

Nazlan said regardless of Jho Low's influence within segments of the Arab royalty, and Najib's own confidence in the wanted businessman, the court found the Pekan member of parliament's failure to ensure official confirmation of the intended donations from King Abdullah to have been "most improbable."

"In other words, the accused himself held no such belief.

"The claim that King Abdullah wished to make a personal donation to the accused, the leader of another country, to be paid into the latter's personal bank account appears unusual in international relations, even at the personal level between leaders of different countries.

"And there has been a total absence of any official governmental confirmation that the accused, as the Prime Minister had in actual fact been receiving in his personal account personal donation from King Abdullah during the relevant period."

Nazlan said there was also no basis given by anyone why the Saudi King would suddenly give an unsolicited donation after Najib allegedly returned USD620 million one year earlier.

He said there was no contact between the true donor and the accused before or after the arrival of the funds.

The judge said evidence in the form of Najib's bank statements point irresistibly to the true reason for the remittances, which also establishes why the funds could not have been donations.

"This is because the funds would suddenly appear - as if on fortunate episodes of fortuity and serendipity - in the personal accounts of the accused at the exact moment it was needed, usually when the account balance was very low.

"It is not open to dispute that the deposit of funds into the accounts of the accused had the real and immediate effect of regularising the said accounts exactly when it was most needed.

"Because of that they could not have possibly come from King Abdullah. It could not have been that the late Saudi monarch had information on, let alone was monitoring the balances in the accounts of the accused. That is preposterous and ridiculous."

Nazlan said the truth was that a series of orchestrated remittances of funds into Najib's accounts had been initiated to ensure he had the funds to write cheques.

He added the defence had produced a letter to show that the Saudi Royalty had promised a gift of £50 million, but only £10 million (or RM49 million) found its way into Najib's account without any explanation.

"And to think that the defence wants this Court to accept that this was the arrangement between the Ruler of the Kingdom of Saudi Arabia and the Prime Minister of Malaysia.

"From the evidence it is quite plain that the accused could not have honestly believed the Arab royalty donation story to present him with a defence that he did not know of the RM42 million paid into his account because he thought he was spending Arab funds.

"This defence is unsustainable because it is wholly contrived. This defence that Najib believed it was Arab donation monies simply cannot hold water.

"It is very difficult not to characterise the entire narrative of the defence of the "Arab donation" as a poorly orchestrated self-serving evidence," he said, adding Najib's defence simply does not pass the threshold of basic logic and common sense.

23. China denies harbouring Jho Low, calls claim 'unacceptable'



Jho Low, is accused of being the mastermind behind a fraud that saw billions of dollars looted from sovereign wealth fund 1MDB.

KUALA LUMPUR: China denied on Thursday it is harbouring fugitive financier Low Taek Jho, who is wanted over the massive 1Malaysia Development Berhad (1MDB) corruption scandal, after police here said he is hiding in Macau.

Low, commonly known as Jho Low, is accused of being the mastermind behind a fraud that saw billions of dollars looted from sovereign wealth fund 1MDB.

The money was used to buy everything from a super yacht to art in a scam that also involved former Malaysian premier Datuk Seri Najib Razak, who was convicted in his first 1MDB-linked trial this week.

Inspector-General of Police Tan Sri Abdul Hamid Bador said on Wednesday that Low is in the semi-autonomous casino hub of Macau. He has previously been rumoured to be in various locations across the world, from the United Arab Emirates to China.

However, a Chinese embassy spokesperson called the claim "groundless and unacceptable", saying the country would never "shelter foreign criminals."

"The Chinese police have followed and investigated meticulously each and every relevant clue we have received from the Malaysian police," the spokesperson said in a statement.

"Unfortunately, no relevant individuals have been found and the Malaysian side has been informed accordingly."

Low, who held no official position at 1MDB but was believed to wield enormous influence over its operations, has been charged in both Malaysia and the United States over the controversy.

He denies wrongdoing.

Najib's lawyers accused Low of having tricked the ex-leader, although this claim was rejected by a judge when he found him guilty this week.

The former premier was sentenced on Tuesday to 12 years in jail and fined almost US\$50 million on corruption charges relating to the scandal, which led to his government's downfall in 2018.

Najib is currently facing two other trials over the controversy. - AFP

24. Macau: No, Jho Low isn't here



MACAU has disputed Malaysian authorities' claim that Low Taek Jho, or Jho Low, is hiding in the territory.

MACAU has disputed Malaysian authorities' claim that Low Taek Jho, or Jho Low, is hiding in the territory as authorities continue with efforts to locate and bring the fugitive financier home to face justice for his role in the troubled state fund 1MDB.

The "unilateral" disclosure of information from the Malaysian police that Low is in Macau is "not in line with facts and the rules and practices of international police cooperation," according to a statement by the Office of the Secretary for Security dated July 30.

The Malaysian government hasn't notified Macau authorities or made any requests regarding the fugitive, the office said.

Malaysia was informed in 2018 that Low wasn't in the territory after the Macau sub-bureau of the China National Central Bureau of Interpol received a request from Malaysia.

Malaysia's court on Tuesday said that Low had played a crucial role in transferring RM42 million of funds from a former 1MDB unit to former prime minister Datuk Seri Najib Razak's accounts.

Najib was found guilty of all seven charges in the trial and faces 12 years in prison, along with a RM210 million fine.

Low has consistently denied any wrongdoing and Najib plans to appeal the court decision.