

The Star May 2020

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1. Homing in on syndicates forging MyKad

PETALING JAYA: The Home Ministry will continue with efforts to trace and take action against those behind MyKad forgery syndicates.

Its minister Datuk Seri Hamzah Zainudin said the ministry, through the National Registration Department (NRD), would work together with the police in Ops Biru to stem the illegal activity.

"A special task force has been set up to investigate such cases, and we will not protect or compromise with anyone found to be behind these illegal operations," he said yesterday.

Hamzah said this in response to the discovery of a website that claimed to offer fake MyKad.

He said the NRD has lodged a police report over the website, adding that police would launch an investigation into the matter soon.

"This crime has sullied the good name of the NRD," he said.

He added that the website used old MyKad pictures connected to a MyKad forgery case in Penang last year.

"Police have arrested those behind that syndicate and the case is now undergoing court proceedings," he said.

2. Health Ministry lodges police report over social media posts

PUTRAJAYA (Bernama): The Ministry of Health (MOH) has lodged a police report over alleged statements on social media claiming five officials from the ministry had been detained by the Malaysian Anti-Corruption Commission (MACC).

The ministry in a statement said the report was filed at the Putrajaya police headquarters against posts made on several Facebook and Twitter accounts.

According to the MOH, the posts claimed that the MACC had arrested two of the Health Minister's senior officers and three other ministry officials in connection to an investigation against a company said to have obtained a RM30mil contract.

"The MOH expresses regret over the slander," it said, hoping that the police and the Malaysian Communications and Multimedia Commission (MCMC) would take appropriate action against the alleged perpetrators.

3. MACC studying proposal to put Section 17A of graft law on hold

KUALA LUMPUR: On April 5, 2018, Parliament passed Section 17A of the Malaysian Anti-Corruption Commission (MACC) Act 2009, which provides for a law that enables companies engaging in corruption to be charged.

"There is a proposal now to suspend the implementation of Section 17A, which should be carried out on June 1," said MACC chief commissioner Datuk Seri Azam Baki.

"This is due to demands, especially from companies that are not prepared for the appropriate anti-corruption plan.

"In addition, they are experiencing a business slump due to Covid-19. They are asking for about a year to establish their businesses again before the implementation of Section 17A," he told Bernama.

Azam said this after being sworn in as the new chief commissioner of the MACC at an oath-taking ceremony held at Balai Singgahsana Kecil (Small Throne Room) at Istana Negara here yesterday.

He expressed concern about the fate of the companies involved, adding that he would take into account the views of some parties before informing the government for a decision. "I give my assurance that this proposal will be considered in the best possible manner although we are fully prepared to implement Section 17A," he said.

Before the provision came into force, the MACC Act 2009 focused only on the prosecution of "natural persons", or individuals involved in corruption.

4. US reaches settlement to recover over RM212mil involving 1MDB



KUALA LUMPUR (Reuters): The United States has reached a settlement to recover more than US\$49mil (RM212mil) involving 1Malaysia Development Bhd (1MDB), the Justice Department has said.

The government of former prime minister Datuk Seri Najib Razak set up the 1MDB fund in 2009.

The Justice Department has estimated more than US\$4.5bil (RM19.5bil) was siphoned out of Malaysia by high-level fund officials and their associates between 2009 and 2014 in a scandal that has also embroiled Goldman Sachs Group Inc.

The Justice Department said in a statement dated May 6 it has settled its civil forfeiture cases against assets acquired by the former managing director of Abu Dhabi's International Petroleum Investment Company (IPIC), Khadem al-Qubaisi, using funds allegedly misappropriated from 1MDB and laundered through financial institutions in several jurisdictions, including the United States, Switzerland, Singapore and Luxembourg.

IPIC had guaranteed bonds for 1MDB in 2012, arranged by Goldman. Al-Qubaisi is reported to have been sentenced to prison for 15 years in 2019.

With this and prior related forfeiture cases, the United States will have recovered or assisted in the recovery of nearly US\$1.1bil (RM4.8bil) in assets associated with 1MDB, representing the largest civil forfeiture ever concluded by the agency, the Department said.

The Atlantic Property Trust, which oversees the assets at issue in these forfeiture actions, has agreed to forfeit all assets subject to pending forfeiture complaints in which they have a potential interest.

The trustee, who is the wife of al-Qubaisi, is also required to cooperate and assist the Justice Department in the orderly transfer, management and disposition of the relevant assets, it added.

Efforts to contact the Trust were not immediately successful.

The assets subject to the settlement agreement include the sale proceeds of high-end real estate in Beverly Hills as well as a luxury penthouse in New York City that al-Qubaisi allegedly acquired with funds traceable to misappropriated 1MDB monies, the agency said.

Assistant Attorney General Brian A. Benczkowski of the agency's Criminal Division said the settlement "sends a clear signal that the Justice Department is committed to tracing, seizing, and forfeiting criminal proceeds that are laundered through the US financial system".

The Department said several related civil forfeiture complaints remain pending against assets associated with other alleged co-conspirators.

5. 'Long Tiger' charged with CBT involving RM3,500



KUALA LUMPUR (Bernama): An ethnic Rohingya man known as 'Long Tiger' was charged at Ampang Sessions Court here on Friday (May 8) on two charges of criminal breach of trust (CBT) involving RM3,500 belonging to a retiree to purchase cooking essentials and to renovate a shop.

Abdul Hamim Abdul Hamid, 31, from Tangkak, Johor pleaded not guilty after the charges were read separately before Judge Azrul Darus.

According to both charges, Hamim, a food shop manager was entrusted with RM2,000 and RM1,500 by Yazid Maarof, 69, and was accused of committing criminal breach of trust with the money.

Based on the charges, the money should have been used to buy cooking necessities, as revolving capital and to renovate the shop in Desa Jaya, Kepong.

Both offences were committed at Taman Keramat Permai, here at 4pm between Jan 2 and 5, 2017.

The charges were made under Section 406 of the Penal Code which provides for a maximum jail term of 10 years with whipping and also liable to a fine upon conviction

6. RM25mil from Covid-19 fund disbursed to eligible Malaysians



PETALING JAYA: Of the RM40mil collected for the Covid-19 Fund, about RM25mil has been channelled to Yayasan Kebajikan Negara and the Women, Family and Community Development Ministry in aid of the needy.

Senior Minister (security cluster) Datuk Seri Ismail Sabri Yaakob said part of the fund had been disbursed to eligible Malaysians who were forced to remain under quarantine for 14 days (RM1,400 each) and to the next-of-kin of those who died of Covid-19 (RM5,000 each).

"As on May 7, the Covid-19 Fund had attracted a total of RM40,298,699.49 from various contributors.

"For Covid-19 positive individuals and those who came into close contact with the patients, they were each given RM100 a day for the duration of the 14-day quarantine period," he told a press conference on Saturday (May 9).

However, aid is given only to eligible Malaysian citizens.

"Those eligible to apply are working Malaysians who lost income or were denied salary during the quarantine period or those who had lost income when they were warded," he said.

Ismail said those forced to stay home because of the movement control order (MCO) were not eligible to apply.

"So far, RM125,000 had been disbursed to 94 eligible individuals who had lost their earnings while being under quarantine.

"A total of RM355,000 were disbursed to next-of-kin of 71 dead Covid-19 victims. (They received RM5,000 each).

"And a total of RM25,228,105.44 was channelled to the ministry and Yayasan Kebajikan Negara," he said.

Ismail also said the Ops Compliance taskforce led by police had conducted 46,086 checks nationwide on May 8.

"They have inspected a total of 3,713 supermarkets, 3,073 restaurants, 1,244 factories, and 1,705 banks.

"They have also checked 713 land transportation terminals, 87 marine terminals and 111 air terminals and 22,741 private vehicles and 1,426 public transports.

"A total of 1,393 markets, 2,630 places of worship, 990 parks, and 520 construction sites were also checked," he said.

May 8 also saw heavy movement of traffic from Perak, Johor, and Kelantan, as those stranded in those states were given a day to travel back to their homes in various locations in the peninsula.

"A total of 76,537 applied for consent to travel via Gerak Malaysia application while 2,220 applied manually at police stations. They were allowed to travel only one way," he said.

Ismail said the authorities continued to take action against those spreading fake news regarding Covid-19.

"On May 8, the authorities had opened 262 investigation papers, of which 179 cases are still under investigation, 29 were charged in court, 11 were issued with warning notices, and 18 pleaded guilty," he said.

The Communication and Multimedia Ministry's Rapid Response Team had denounced 263 fake news.

"Even I became a victim of fake news, claiming I will appear on TV3 for an exclusive interview. I checked with my press secretary and TV3 and both confirmed it is not true," he said.

Ismail said people could call 03-8911 5103 or surf www.sebenarnya.my to verify fake news.

As of Saturday (May 9), 229 quarantine centres remained in operation, compared with 245 centres the previous day.

"A total of 14,843 individuals are undergoing compulsory quarantine, including 454 Malaysians who returned from abroad on May 8," he said.

Since April 3, a total of 30,622 Malaysians had been quarantined upon their return from abroad.

And since April 17, a total of 22,107 of them were allowed to return home after quarantine.

Ismail said another 13,824 students stranded in campuses were allowed to return home.

A total of 1,268 students returned to Sabah, Sarawak and peninsula Malaysia by flight.

To date, 38,653 students had returned home in stages

7. Najib's 1MDB trial postponed to May 19 due to parliamentary sitting



KUALA LUMPUR: The 1Malaysia Development Bhd (1MDB) trial has been rescheduled to May 19 after former prime minister Datuk Seri Najib Razak was given the green light to postpone the hearing in order for him to attend Parliament.

It is understood that Najib's defence team, led by counsel Tan Sri Muhammad Shafee Abdullah, had requested the postponement for the Pekan MP to make his way to the one-day parliamentary sitting.

The hearing was initially scheduled for May 13 but was later pushed to May 18.

Deputy Public Prosecutor Ahmad Akram Gharib confirmed the new date.

"The case will resume for hearing on May 19 at 2pm," he said.

Najib's 1MDB trial involving RM2.28bil is expected to be the first high-profile hearing to resume in open court amidst the relaxation in the movement control order (MCO) restrictions.

Najib, 67, is facing four charges of abusing his position to obtain gratification totalling RM2.28bil in 1MDB funds and 21 counts of money laundering involving the same monies.

The 1MDB trial was last heard in court before Justice Collin Lawrence Sequerah on March 12, just days before the first phase of the MCO was imposed on March 18, which effectively saw court complexes nationwide shutdown.

Shafee is expected to continue with the cross-examination of the ninth prosecution witness, former 1MDB chief executive officer Datuk Shahrol Azral Ibrahim Halmi, when the hearing resumes.

8. June 4 decision on 1MDB-linked forfeiture suit against Jakel Trading



KUALA LUMPUR (Bernama): The High Court here on June 4 will deliver its verdict on the government's application to forfeit RM628,314 allegedly linked to the 1Malaysia Development Bhd (1MDB) scandal that was seized from Jakel Trading.

The decision was supposed to be handed down by Judicial Commissioner Datuk Ahmad Shahrir Mohd Salleh on April 28 but has been rescheduled to June 4 due to the extension of the conditional movement control order by the government.

The date was confirmed by Jakel Trading's lawyer Thevini Nayagam when contacted today (May 13).

In June last year, the Malaysian Anti-Corruption Commission (MACC) filed a civil forfeiture suit against 41 entities, comprising individuals, companies and political parties, under the Anti-Money Laundering and Anti-Terrorism Financing Act to recover about RM270mil believed to be linked to 1MDB.

MACC said it believed the money was illegally transferred from the accounts of former prime minister Datuk Seri Najib Razak.

9. 1MDB: Lokman fails to set aside AG's contempt notice for alleged witness intimidation



Filepic

PUTRAJAYA (Bernama): Umno supreme council member Datuk Lokman Noor Adam (pic) has failed again to set aside the leave obtained by the Attorney General (AG) to initiate committal proceedings against him for allegedly intimidating a witness in Datuk Seri Najib Razak's 1Malaysia Development Bhd (1MDB) case.

A three member-panel of Court of Appeal led by Justice Datuk Yaacob Md Sam unanimously dismissed Lokman's appeal on Wednesday (May 13) and held that there was no error made by the High Court in allowing the leave application by the AG to commence the contempt proceedings, which warrant this court's intervention.

He said the panel of the view that a notice to show cause pertaining to committal proceedings had been given with explanations and particulars as stated in the affidavit.

"It is sufficient notice to the appellant (Lokman). Therefore, we dismiss the appeal," said Justice Yaacob who presided over the appeal with Justices Datuk Mohamad Zabidin Mohd Diah and Datuk Wira Ahmad Nasfy Yasin.

The panel made the ruling after hearing submissions from Lokman's lawyer Tan Sri Muhammad Shafee Abdullah and Deputy Public Prosecutor Datuk Mohd Dusuki Mokhtar who appeared for the AG.

Shafee informed the panel that he would file an appeal against today's decision with the Federal Court.

On Jan 14, 2020, High Court judge Collin Lawrence Sequerah dismissed Lokman's application to set aside the leave obtained by the AG after the court was satisfied that the fact and the nature of the alleged contempt were sufficiently brought to the attention of the respondent (Lokman).

On Oct 22, last year, Justice Sequerah granted leave for the AG at that time, Tan Sri Tommy Thomas, to initiate committal proceedings against Lokman for contempt of court acts perpetrated on two occasions on Sept 25, last year.

Thomas, 68, who was appointed by then prime minister Tun Dr Mahathir Mohamad on June 4, 2018, for a two-year term to replace Tan Sri Mohamed Apandi Ali, resigned from the post on Feb 29 this year.

Thomas initiated the committal proceeding against Lokman seeking an order for Lokman to be committed to prison or be fined for his action.

According to Thomas, on Sept 25 last year, Lokman had uttered words in a video interview, constituting an express or implied threat against Amhari Efendi for having given evidence in Najib's trial at the High Court.

Thomas said that on the same day, Lokman lodged a police report against Amhari, who was the eighth prosecution witness, in respect of the evidence given by him at the former prime minister's trial.

The object or purpose of the respondent's act, said the AG, was to harass and intimidate Amhari, other witnesses and any potential witnesses who may come forward to give evidence against Najib in the 1MDB trial.

10. Tommy Thomas 'absolutely shocked' by MACC's claim of his involvement in Riza Aziz case decision



PETALING JAYA: Former attorney general Tan Sri Tommy Thomas has detailed a timeline of events disputing the Malaysian Anti-Corruption Commission's (MACC) claim implicating him in the decision of the case involving Riza Abdul Aziz.

Riza Aziz, the stepson of former prime minister Datuk Seri Najib Tun Razak, was given a discharge not amounting to an acquittal by the Sessions Court here over five counts of money laundering charges involving US\$248mil (RM1.25bil) linked to 1Malaysia Development Bhd (1MDB).

Thomas said he felt compelled to issue a statement because his name had been wrongly and unfairly dragged into the Riza Abdul Aziz case.

He was referring to the MACC's statement on May 14 claiming that the agreement between the prosecution and the accused, through representation in court, was a decision previously considered and agreed upon by Thomas.

The MACC also said the government was expected to recover overseas assets worth an estimated US\$107.3mil (RM465.3mil).

Thomas refuted all claims, dismissing them as "lies".

"The true position follows. Riza was charged with five counts of money laundering before the Kuala Lumpur Sessions Court on July 5, 2019. I made the decision to charge him.

"The only other decision I took in the case against Riza was to appoint Gopal Sri Ram to lead the prosecution.

"Thereafter, I left the day-to-day handling of the case to him and the Deputy Public Prosecutor (DPP) from the Attorney General's Chambers (AGC) assisting Sri Ram," he said.

Thomas said the solicitors acting for Riza Aziz submitted a written representation seeking a review of the criminal charges against their client.

"Written representations are received by AGC on a daily basis from lawyers acting for accused facing criminal trials and appeals.

"Hence, there was nothing sinister about the sending of representations by Riza's solicitors.

"Whether I personally acted in agreeing to their request for a discharge is an altogether separate issue. I did not. It is as plain and simple as that," he said.

Thomas said he did not receive any advice from Sri Ram pertaining to the case until the day he resigned on Feb 28.

"Thus, I did not decide on the representations of Riza prior to my resignation," said Thomas.

He said on March 12, the DPP applied for a new date for the case to allow the AGC to make a decision on the representation submitted by Riza Aziz.

"The DPP's request was to allow the newly-appointed attorney general time to review the representation, according to media reports. Apparently the case was postponed to April 2," he said.

Tommy noted that Riza's Counsel Hariharan Singh was quoted in a media report on April 2 as saying that he was still awaiting a reply from AGC to his client's representation.

And subsequently on May 14 the Sessions Court Judge granted Riza a discharge not amounting to an acquittal (DNAA) in relation to his criminal charges, on the application made by ad hoc prosecutor Datuk Seri Gopal Sri Ram.

Thomas said the decision to accept Riza's representation must have been made between April 2 and May 14, when he was no longer serving as the attorney general.

Therefore, he said MACC's claim he had agreed to the decision was clearly false.

"To compound matters, after I corrected MACC's false statement on the evening of May 14, the MACC responded by stating that they stood by their first statement.

"This is absolutely shocking. It would mean that I took the decision to drop the prosecution against Riza on or before Feb 28," he said.

Thomas said the court would then have made a decision at the earliest opportunity on March 12 and not wait until 10 weeks later.

"I trust that this will set the record straight. Truth and facts matter dearly to me," he said.

11. PMO: PM played no part in Riza Aziz case



KUALA LUMPUR: The Prime Minister was not involved in the decision to grant a discharge not amounting to an acquittal to Riza Shahriz Abdul Aziz on money laundering charges related to the 1Malaysia Development Bhd (1MDB) scandal, says his office.

The Prime Minister's Office said the decision was reached between the prosecution and the accused through a representation brought before the Attorney General's Chambers (AGC).

"The Prime Minister reiterates his stand not to meddle in the affairs of the AGC and the judiciary in any decision relating to criminal cases in the country, including high-profile cases," the PMO said in a statement Monday (May 18).

Riza Aziz, the stepson of former premier Datuk Seri Najib Razak, was given a discharge not amounting to an acquittal by the Sessions Court on May 14 over five counts of money laundering charges involving US\$248mil (RM1.25bil) linked to 1MDB.

Meanwhile, former attorney general Tan Sri Tommy has hit back at his successor Tan Sri Idrus Harun, who said that Malaysia was expected to recover approximately US\$108mil (RM470mil).

The charges had originally involved US\$248mil (RM1.25bil) linked to 1MDB funds.

The purpose of prosecuting Riza, Thomas added, was not to strengthen Malaysia's chances of securing monies from the US Justice Department as the department would have returned these stolen monies in any event because it belongs to Malaysia.

"With the greatest of respect, this is a red herring. ... Riza is unnecessarily getting credit for returning monies that are not his. Hence, it is a sweetheart deal for Riza but terrible for Malaysia," Thomas had said in a statement earlier Monday.

12. 1MDB board did not minute all items of meetings, says witness in Najib's trial

KUALA LUMPUR (Bernama): Former 1Malaysia Development Berhad (1MDB) chief executive officer (CEO) told the High Court Tuesday (May 19) that the 1MDB board of directors were always careful on what they minuted during their meetings, just in case it could be turned against Datuk Seri Najib Tun Razak later.

Datuk Shahrol Azral Ibrahim Halmi, 50, said throughout his tenure as 1MDB CEO from 2009 to 2013, some items that were discussed during their board meetings were not recorded in order to not give extra ammunition for "political attacks" on the former premier.

This came after Najib's lead counsel, Tan Sri Muhammad Shafee Abdullah, asked the witness if had informed the board of the difficulty in obtaining documents for the purpose of 1MDB auditing to the Ernst and Young (EY) auditing firm since it was not recorded in the minutes of their meetings.

For the record, EY supposedly refused to sign off on the 1MDB financial statement it was auditing due to dissatisfaction over how a joint-venture (JV) asset that 1MDB had with PetroSaudi International (PSI International) was valued. EY was then terminated as 1MDB auditor.

Shafee: What was the most dominant reason for EY not to have lasted that long as 1MDB auditors?

Shahrol Azral: At that time (2009), as per the Public Accounts Committee (PAC) report, there was a strong disagreement to value the 1MDB-PSI JV in terms of book value to be put inside the 1MDB financial statement.

Shafee: Was it your idea to shorten the service of EY?

Shahrol Azral: I cannot remember who originated the idea but it wasn't me.

He added there was a proposal to replace EY with another audit firm, KPMG, and did not dismiss the idea that it could have come from fugitive businessman Low Taek Jho or Jho Low.

Further pressed by the Shafee, the witness said he had escalated the issue of the difficulty in obtaining the documents to Najib himself, but did not have it on record.

"Tan Sri Lodin Wok Kamaruddin (former 1MDB chairman) and I went to Najib's office, where we raised the issue to him. I don't remember whether it was in 2009 or 2010," he said.

Shahrol Azral also disagreed to Shafee's suggestion that as the company's CEO, he had swept every issue raised by EY under the carpet by changing auditors.

Shafee: Yet this new auditor signed off the (1MDB) financial statement. How? They did not get the documents.

Shahrol Azral: Correct.

Najib, 67, faces four charges of abusing his position to obtain gratification totalling RM2.3bil in 1MDB funds and 21 counts of money laundering involving the same money.

The Pekan MP is alleged to have committed the offences at the Jalan Raja Chulan branch of AmIslamic Bank Berhad at No. 55, Jalan Raja Chulan, Bukit Ceylon here between Feb 24,2011, and Dec 19,2014.

He was charged under Section 23(1) of the Malaysian Anti-Corruption Commission Act, which is punishable under Section 24(1) of the same law.

The former finance minister faces imprisonment of up to 20 years and a fine of up to five times the sum or value of the gratification or RM10,000, whichever is higher if found guilty.

For the 21 money laundering charges, Najib is alleged to have committed the offences at the same bank between March 22,2013, and Aug 30,2013.

All the charges were made according to Section 4(1)(a) of the Anti-Money Laundering and Anti-Terrorism Financing Act, which carries a maximum fine of RM5mil and a jail term of five years, or both, on conviction.

13. Dr M says he is surprised by PMO statement on Riza Aziz case



PETALING JAYA: Tun Dr Mahathir Mohamad said he is surprised with a media statement stating the Prime Minister was not involved in the decision to grant a discharge not amounting to an acquittal to Riza Shahriz Abdul Aziz.

"As I know, no one has accused the Prime Minister," he said in his blog Wednesday (May 20).

The former premier said such media statement was akin to Tan Sri Muhyiddin Yassin claiming that he had no intention to become the prime minister, and no protest was necessary as no one had suggested the latter for the post.

"But in the end, it's okay to let the party go to ruin, as long as the premiership is obtained," he said, referring to Muhyiddin, who is also Parti Pribumi Bersatu Malaysia president.

Dr Mahathir is no longer the chairman of Bersatu, according to a letter by the Registrar of Societies (RoS).

RoS said in the May 5 letter that it took note of the fact that Dr Mahathir resigned as Bersatu chairman via a letter dated Feb 24, which took immediate effect and was sent to Muhyiddin.

On Monday (May 18), the Prime Minister's Office (PMO) said in a statement that the Prime Minister was not involved in the decision to grant a discharge not amounting to an acquittal to Riza Shahriz Abdul Aziz on money laundering charges related to the 1Malaysia Development Bhd (1MDB) scandal.

The PMO said the decision was reached between the prosecution and the accused through a representation brought before the Attorney General's Chambers (AGC).

"The Prime Minister reiterates his stand not to meddle in the affairs of the AGC and the judiciary in any decision relating to criminal cases in the country, including high-profile cases," it said.

Riza Aziz, the stepson of former premier Datuk Seri Najib Razak, was given a discharge not amounting to an acquittal by the Sessions Court on May 14 over five counts of money laundering charges involving US\$248mil (RM1.25bil) linked to 1MDB.

14. Case management of Goldman Sachs' 1MDB bond sale on June 18

KUALA LUMPUR (Bernama): The case involving UK-based Goldman Sachs International Ltd and its Asian entities, Goldman Sachs (Asia) LLC and Goldman Sachs (Singapore), which are facing charges relating to the sale of 1Malaysia Development Berhad (1MDB) bonds amounting to RM27.2bil (US\$6.5bil) has been fixed on June 18.

Deputy public prosecutor Zaki Asyraf Zubir said the High Court had previously set May 18 for the case management, but it was then postponed to June 18.

"The court set for case management for the prosecution to serve all documents pertaining to the case to the defence under Section 51A of Criminal Procedure Code," he told Bernama in a WhatsApp message when asked on the case.

On Feb 24, Goldman Sachs through its representative, Ng Keng Leong, pleaded not guilty to the charges before Judge Mohamed Zaini Mazlan.

The court has fixed the hearing to begin on Nov 9 this year.

In December 2018, Malaysia filed four charges against the three entities for allegedly leaving out material facts on the sales of bonds between a subsidiary of 1MDB and Aabar Investment PJS Ltd (Aabar).

The offences were allegedly committed at 1MDB, Level 8, Menara IMC, No. 8, Jalan Sultan Ismail, here, between March 19, 2012, and Nov 11, 2013.

The company was charged under Section 179 (c) of the Capital Markets and Services Act 2007 and punishable under Section 182 of the same Act which provides for imprisonment for a term not exceeding 10 years and fined not less than RM1mil, upon conviction.

The US Department of Justice estimated that about \$4.5 billion was misappropriated from 1MDB between 2009 and 2014.

15. Jho Low's NY condo sold for a discount at US\$7.6mil



Jho Low

PETALING JAYA: The US government has sold a luxury condo that once belonged to Malaysian fugitive financier Low Taek Jho, also known as Jho Low, at a 45% discount, a New York real estate news website has reported.

The Real Deal said the two-bedroom, second-floor unit at 102 Prince Street - also known as 118 Greene Street - was sold to an anonymous Limited Liability Company (LLC) for US\$7.6mil (RM33.1mil), compared to the US\$13.8mil (RM60.15mil) that Jho Low had paid for in 2014.

It was one of several luxury properties that he had purchased in New York and California that became the subject of forfeiture lawsuits mounted by the US government, which accused him of buying them using money stolen from 1Malaysia Development Bhd (1MDB). The website reported that the unit sold for US\$2.7mil in 2003, before trading at US\$8.9mil in 2012.

It also reported that in recent months, the Covid-19 pandemic had added further pressure to the sales market.

In November, US authorities struck a deal with Low to recoup US\$1bil (RM4.11bil) in funds allegedly looted from 1MDB, which included a private jet, high-end real estate in Beverly Hills, New York and London, and other assets.

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

16. MACC denies buying spyware from Israeli start-up

PETALING JAYA: The Malaysian Anti-Corruption Commission (MACC) has denied any dealings with Israeli start-up Senpai for the purchase of surveillance software. MACC chief commissioner Datuk Seri Azam Baki said they had not heard of the company or dealt with it.

"We have never had any deal with this company. We don't know of it," he said when contacted yesterday.

Azam, who was MACC operations director at the time, said he would have known about the deal.

He also said they were not given any budget to purchase such software and that the Finance Ministry would have had records of the purchases as the budget would have come from them.

An Israeli financial daily, Calcalist, has claimed that the Malaysian government, then led by Datuk Seri Najib Razak, signed a deal to acquire a system that allowed it to gather information and analyse data on civilian activity just before the 14th General Election.

Najib denied knowledge of the purported spyware, saying he was not in charge of the Home Ministry then and that he never told the Special Branch what it should use.

"They decide themselves. Is it my job to grade and look for software to purchase?" he said in a Facebook post yesterday.

The daily's report, based on court documents it reviewed, alleged that the system was to be used by Malaysia's Special Branch for surveillance on political activists linked to the then Opposition.

The report added that the company which developed and supplied the system to the Malaysian government was Senpai Technologies Ltd, a small Israeli cybersecurity start-up.

Calcalist said since Israel and Malaysia did not have official diplomatic relations, the deal was signed through a Cypriot conduit company called Kohai Corp Ltd, which was founded by two Senpai shareholders for the sole purpose of serving as a front for such deals.

Senpai's flagship product is the RogueEye, a system that collects information on people from openly available online sources such as social networks and cross-references and analyses it to produce intelligence reports for the secret service, police, military as well as businesses.

Among RogueEye's official data collection methods is a network of avatars (fake social network profiles) that follow the target and extract information through direct interaction with them.

The report said Senpai was ready to sign a new contract with the Special Branch and other departments one year after the 2018 election, although this required adjusting the goals of the original contract in light of Umno's failure to retain the federal government.

Senpai was to get US\$300,000 to US\$400,000 (RM1.2mil to RM1.6mil) from the Special Branch, between US\$2mil and US\$2.5mil (RM8mil and RM10mil) from the Prime Minister's Office, between US\$800,000 and US\$2.2mil (RM3.2mil and RM8.8mil) from MACC and a similar sum from the police. The report did not, however, say whether the deals were signed or agreed upon.

Former Inspector-General of Police Tan Sri Mohamad Fuzi Harun, when contacted, said he did not wish to comment on the matter.