

NEWS PAPER CUTTING ON APRIL 2021
THE STAR

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Auditor-General uncovers syndicate hacking Immigration system

PUTRAJAYA: The findings of the 2018 Auditor-General's report has led authorities to a damning discovery.

It was found that a syndicate has been hacking into the Immigration Department's system to sell temporary employment visit passes (PLKS) to thousands of foreign workers, causing massive losses of revenue to the government.

The syndicate, believed to have been operating since 2017, was said to have installed transmitters in the computer system room with the help of "insiders".

The hidden devices allowed racketeers to not only hack the system but to make changes and use passwords belonging to senior officers.

Sources with knowledge of the case said when the syndicate members were able to gain access to the system, they would key in names and details of foreign workers to make it look as though they had obtained the PLKS via the official channel.

"Investigations showed the syndicate had hacked into the system and sold passes to foreign workers for between RM6,000 and RM8,000 per pass.

"It is estimated that the syndicate had sold hundreds of thousands of PLKS stickers illegally to foreign workers over the years and have been raking in millions of ringgit from the illegal activities," said a source.

According to the report released in July 2019, there were fraudulent approvals for foreign workers under the Malaysia Immigration System or myIMMS.

In the federal ministries/department section, the report stated that some 32,424 foreign workers were created and approved to 123 employers, as well as first-time levy payments amounting to RM40.79mil were made in an unorganised and dubious manner.

Of the 32,424 foreign workers, 21,378 of them had obtained temporary PLKS and the estimated first-time levy payments to be collected amounted to RM24.55mil, said the report.

Sources said the main concern

was that the syndicate could access the Immigration system, allowing them to "open" black list and red alert status.

"This would allow those in the lists to enter the country without getting flagged.

"To avoid detection, the syndicate moved its 'operation centre' from one luxury hotel to another," the source added.

The ruse was put to an abrupt end in a special joint operation between the Malaysian Anti-Corruption Commission and the Immigration on Monday night.

Five suspects, aged between 33 and 43, including the syndicate leader - who is a Datuk - were arrested at a hotel in the sting operation.

MACC chief commissioner Datuk Seri Azam Baki said the focus of their investigation would be to look into the role of each and every syndicate member including "insiders", adding that those involved would be dealt with according to the law.

"I would like to commend Immigration director-general (Datuk Khairul Dzaimie Daud) for his willingness to cooperate with us to uncover the case," he said.

Last year, the department also extended its help to the MACC in smashing a syndicate - whose members also include Immigration officers - for providing "immigration services" to foreign workers and illegal immigrants.

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Lifestyle of the rich, corrupt

Project cartel chief had copters, yacht, luxury cars, real estate

By MAZWIN NIK ANIS
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PUTRAJAYA: Some RM3.5mil in cash was just the "tip of the iceberg" of the vast amount of wealth and assets amassed by the Datuk ring-leader of the "project cartel", say sources.

Besides the millions of ringgit in funds and real estate, investigators have uncovered several luxury cars, a yacht and two helicopters belonging to the 47-year-old man.

In a series of raids conducted since Monday, graft-busters seized the RM3.5mil at the Datuk's house in Ampang.

This was followed by the seizure of luxury vehicles worth RM15.7mil and real estate including bungalows, shophouses and offices worth RM29mil belonging to the syndicate he led.

Sources revealed that 644 bank accounts belonging to individuals and companies, involving an estimated RM100mil, were also frozen in the course of the investigation.

"The cartel led by the Datuk has been grabbing government contracts worth more than RM3.8bil for about seven years since 2014," a source said yesterday.

The Malaysian Anti-Corruption Commission (MACC) also discovered that the cartel had set up more than 150 companies.

"Each company would have an individual as the company director with a salary of between RM5,000 and RM8,000."

"Investigators believe the names

of 114 individuals have been used to set up the 150 companies," said another source.

It was learnt that all the companies took turns to bid for government contracts and tenders at various ministries and agencies.

"Information on the tenders and contracts including the specifications and ceiling prices for the projects were provided by insiders."

"Almost all companies (in the cartel) used false information in terms of academic qualifications, professional certificates as well as financial statements."

"All this to convince the tender board of their capabilities to carry out the projects," said the sources.

It was reported earlier that the Datuk was believed to be the ring-leader of the cartel and the "force" behind 150 companies that have been grabbing the bulk of government contracts worth billions.

The "project cartel" is believed to have been awarded 345 tenders with an estimated value of RM3.6bil from various ministries and agencies nationwide since 2014.

Sources with knowledge of the case said with help of insiders in the ministries and agencies, the cartel's companies held an advantage in securing government contracts and tenders.

They added that the MACC had been working on the case for almost a year to determine the scope of the syndicate's activities before closing in on them in a special operation on Sunday night.

Following surveillance, the main suspect and six others were arrested

MACC's recent graft-busting successes

March 17

MACC's Op Sukat smashed a syndicate protecting errant lorry drivers involving Road Transport Department officers that raked in RM1.64mil in bribes.

March 18

Ex-director of shipping company first to be arrested under Section 17A of the MACC Act 2009 for bribery amounting to RM321,350.

The new corporate liability clause which came into force in June 2020 makes directors and senior management liable for any acts of corruption committed by the company.

March 21

A government department head in Keningau, Sabah was arrested on suspicion of soliciting sexual favours from a woman seeking to obtain an agricultural loan.

March 31

A former bank president with a "Datuk" title and three others were arrested over a RM400mil loan for a non-existent project.

April 5

Seven people arrested on suspicion of being involved in a "project tender cartel" which is believed to have monopolised a total of 354 tenders from several ministries. Another person with a Datuk title was arrested the next day.

April 6

MACC smashed a syndicate issuing fake temporary work permits (PLKS) which managed to hack into Immigration Department systems. A person with a "Datuk" title, who is said to have headed the syndicate was also arrested.

TheStar graphics

ed at two separate locations in Ampang and Cyberjaya where they were caught red-handed as they were filling up tender application forms.

The seven suspects were brought before Magistrate Shah Wira Abdul

Halim on Monday and remanded for six days until Saturday.

Watch the video
TheStarTV.com



MACC sends clear warning after latest bust

PUTRAJAYA: The latest anti-graft blitz which crippled the multimillion ringgit operation of two syndicates is a clear warning to all parties not to take advantage of loopholes and weaknesses in the government system, says the Malaysian Anti-Corruption Commission (MACC).

Its deputy chief commissioner Datuk Seri Ahmad Khusairi Yahaya (pic) said the arrests also showed that the authorities would go after and not spare anyone suspected of being involved in corrupt practices.

"The perception is that action will only be taken against those who accept bribes, which in most cases

involve civil servants.

"Let me point out that corruption is a 'unique' crime. Unlike other crimes, both parties benefit from acts of corruption."

"These two cases are proof that we do not take selective action. We will act against all wrongdoers," he said when contacted.

Recently, the MACC uncovered the multimillion ringgit activities of two syndicates - one that operates as a project cartel and the other which hacked the Immigration Department system to issue false



temporary employment visit passes.

In a recent interview with *The Star*, MACC chief commissioner Datuk Seri Azam Baki said between 2015 and last year, 1,131 people have been arrested for offering bribes.

Ahmad Khusairi said in the case of the project cartel, the monopolising of projects under the cartel had affected companies in construction and maintenance.

He said in order to survive, some of these companies were forced to go through the cartel to secure a

project, which hiked up the cost.

"We cannot lay blanket blame on the civil service as there are many public officers with integrity."

"Although the number of those accepting kickbacks were small, it must be put to a stop," he said.

So far, investigations showed the project cartel was involved in monopolising 345 government tenders worth RM3.8bil since 2014.

"Greedy and unethical businessmen are looking for ways to bypass laws and manipulate the system."

"It does not help that 'insiders' are in cahoots to rake in illegal gains," he said.

Rotation of officers in 'sensitive positions' to take effect

PUTRAJAYA: The Public Service Department has been ordered to conduct rotation on its officers especially those involved in "sensitive positions" which are prone to misconduct, says Tan Sri Mohd Zuki Ali.

"I have repeatedly reminded all department heads to uphold the concept of integrity in its management by strengthening awareness programmes that are in line with the National Anti-Corruption Plan," said the Chief Secretary to the Government in a statement.

Mohd Zuki said there would be no compromise for civil servants found guilty of misconduct or corrupt acts.

He expressed his disappointment on the recent exposure of a government tender cartel by the Malaysian Anti-Corruption Commission (MACC), which saw the involvement of public servants.

"I fully support all efforts to eradicate any form of misconduct in the government's delivery system, especially issues related to corruption."

"The MACC's exposure of a government tender cartel is truly worrying. Continuous intelligence by the MACC successfully led to the arrest of several suspects."

"I regret that there are a handful of civil servants who allow themselves to be used in return for kickbacks," he said.

Mohd Zuki also gave his assurance that stern action would be taken against those involved as it could taint the image of the public service.

On Sunday, the MACC crippled a "project cartel" said to involve government projects worth RM3.8bil with the arrests of seven people, including its mastermind.

It is believed that the cartel had monopolised a total of 345 tenders, involving ministries and government agencies nationwide.

The syndicate was also said to have been operating since 2014.

Sources said the head of the cartel controlled 150 companies that were being used to submit tender bids to ministries and agencies.

It is also believed that the syndicate used "insiders" who helped the mastermind's companies to submit tender bids and ensure they got the approval for the projects.

All seven suspects have been remanded to assist in investigations.

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Nation 3

Datuk in tender cartel held for using insiders to grab contracts

By MAZWIN NIK ANIS
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PUTRAJAYA: A 47-year-old Datuk is believed to be the ringleader of a cartel and the "force" behind 150 companies that have been grabbing the bulk of government contracts worth billions of ringgit.

Their activities came to an abrupt halt following an operation which crippled a syndicate that has been operating for the past six years.

The "project cartel" is believed to have been awarded 345 tenders with an estimated value of RM3.6bil from different ministries and agencies nationwide since 2014.

Sources with knowledge of the

case said with help of insiders in ministries and agencies, the cartel's companies had had an advantage in securing government contracts and tenders.

According to these sources, the Malaysian Anti-Corruption Commission had been working on the case for almost a year to determine the scope of the syndicate's activities before closing in on them in a special operation on Sunday night.

Following surveillance, the main suspect and six others were arrested at two separate locations in Ampang and Cyberjaya where they were caught red-handed by investigators - they were in the process of filling up tender application forms.

The seven suspects were brought before Magistrate Shah Wira Abdul Halim yesterday, who remanded them for six days until April 10.

It is learnt that the syndicate leader controls more than 150 companies that were used to submit bids for tenders.

He employed other individuals as company directors to hide the fact that he is actually the owner of these corporations.

The syndicate's focus was on tenders involving facility maintenance as well as development projects.

"MACC investigators believe the syndicate has the cooperation of insiders who are handsomely paid to ensure these companies are

allowed to enter the tender process and also to ensure their bids were successful.

"With the help of these insiders, the cartel was provided with information on specifications of the jobs that needed to be done, ceiling prices set by those awarding the tenders, the number of companies participating and eligibility.

"The syndicate was even given tip-offs on the right time to submit their applications," said a source.

It is also learnt that the syndicate would "control" a tender process by using different companies under its mastermind to bid for projects.

MACC officers found the names of hundreds of individuals were

used to open companies under the syndicate leader's control.

It is learnt that information provided to open the companies was false.

It is also believed that financial statements submitted to ministries and agencies for these companies to be eligible to participate in the tender process were also false.

MACC chief commissioner Datuk Seri Azam Baki confirmed the arrests, saying that the individuals were being investigated under Sections 17 and 18 of the MACC Act.

He also did not rule out the possibility of more arrests to be made in connection with the syndicate's activities.

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'Quick action due to national security threat'

By MAZWAN NIK ANIS
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PUTRAJAYA: There were telltale signs of insiders' involvement in a syndicate that hacked the Immigration Department's computer system to issue fake temporary work permits (PLKS), but authorities could not wait until officers were identified to end the racket as national security was at risk, says Malaysian Anti-Corruption Commission (MACC) chief commissioner Datuk Seri Azam Baki.

Both MACC and the Immigration Department said they would leave no stone unturned in busting the syndicate and officers who worked in cahoots with the syndicate would face the brunt of the law.

"I believe investigators have some leads now that the syndicate's activities had been exposed.

"We will nab the culprits," he told *The Star*.

Azam said he was aware of public expectation that action be taken against government officers for their involvement in corrupt activities and assured that investigations were underway to ensure culprits were booked.

He said although he and Immigration director-general Datuk Khairul Dzaimie Daud were convinced that officers from the department were involved in producing fake PLKS permits, the process of zeroing in on the culprits was not an easy task and was still ongoing.

Azam said routers were installed

in the department's computer rooms and officers' passwords were leaked, which was an indication that this could only be done with the help of those from within the department.

"From our investigation, we are convinced that certain people inside the department are involved.

"There is an element of corruption going on that enabled the syndicate to hack the system.

"However, in corruption cases, the challenge is to ensure there is strong and clear evidence of who is giving bribes and who is accepting them.

"In this case, we are still narrowing down on who the insiders are," he added.

Azam said the authorities had to move fast in this case because

of its sensitivity.

"I told Datuk Khairul that while we look for the insiders, we cannot wait too long to act.

"We need to stop the operation because of the risk the syndicate's activities have on national security," he said.

Azam praised the Immigration director-general's dedication and commitment to act against "bad apples" in the department, his willingness to expose shortcomings in the department and the cooperation given to the MACC.

Last year, the department also extended its help to the MACC in smashing a syndicate - whose members also include Immigration officers - for providing "immigration services" to foreign workers and illegal immigrants.

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New era: Hamzah (third from right) launching the development of the new system at the Hilton in Kuala Lumpur. — GLENN GUAN/The Star



Billion-ringgit NIISe to replace 'archaic' Immigration system

By MARTIN CARVALHO
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KUALA LUMPUR: More than one billion ringgit will be spent to replace the archaic Malaysian Immigration System (MyIMMs), which has become increasingly prone to hacking, says Datuk Seri Hamzah Zainudin.

The Home Minister's announcement comes just days after a syndicate involved in hacking the MyIMMs was crippled by the Malaysian Anti-Corruption Commission (MACC) and Immigration Department.

"The new National Integrated Immigration System (NIISe) will cost over a billion to develop, and will replace MyIMMs, which is over 20 years old," he said at the ceremony to mark the start of NIISe's development here yesterday.

He noted the current system has been in use by the department for

such a long time that it has become prone to manipulation.

"Even if we upgrade the present system, it would have been in use by numerous officers for such a long time that their passwords would have become known to those seeking loopholes in the system," he said, citing the recent case where the department's IT system had been compromised by a syndicate.

Hamzah said NIISe would be fully developed within 54 months, or by 2024.

"The company developing the system will work with the Immigration Department to prioritise the areas which need to be developed first," he added.

Asked if MyIMMs would still be vulnerable to hacking, he said authorities are now better equipped with the know-how on how to deal with such problems.

Hamzah noted the new system will have better security features

and will be monitored by a centralised National Immigration Command centre.

He added that NIISe will provide the department with real time data while also allowing for online services and automation.

He said the system is also capable of performing facial and biometric recognition while conducting advanced passenger screening (APS).

On Tuesday, five suspects which included a Datuk, were arrested in a nationwide joint operation by MACC and the Immigration Department.

The five men, aged 33 to 44, belonged to a syndicate that hacked into MyIMMs to produce over 21,378 forged temporary foreign workers passes (PLKS) over the past few years.

MACC also seized property and cash totaling RM25.5mil, other than freezing 147 bank accounts of 30 individuals and 11 companies.

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Mastermind with expensive tastes

EXCLUSIVE

By WONG CHUN WAI
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KUALA LUMPUR: He has become the infamous Datuk who runs a cartel that monopolised government contracts worth RM3.8bil. Not surprisingly, he has been keeping a low profile.

He has Facebook and LinkedIn accounts but even the profile picture is not clear. It is hard to make out his features.

Despite making more money than some public-listed companies, his office is an unassuming three-storey building in Ampang Jaya, Selangor.

A check on his flagship company shows it supposedly specialises in maintenance, construction and even film production and distribution.

The premises appears locked up with no sign of any staff or visitors.

It is sandwiched between a car workshop and an IT company. No one would ever imagine it was raking in billions of ringgit from unlawful cartel business in government tender procurement.

The Datuk's name is listed among the five directors, which includes a family member.

Investigations to focus on JKR tender awards



Unassuming: The premises sandwiched between a workshop and an IT firm's office in Ampang Jaya.

Of late, some of his pictures have started to appear on social media with even purported details of his many government projects in Putrajaya.

Investigations on him have been focused on the Works Department (JKR), where the tender awards were believed to have been given to the cartel headed by the Datuk in the construction of buildings in Putrajaya.

There has also been a claim that he was a runner-up in an award for best contractors in 2017 by JKR.

His listed residential address is at the posh area of Bukit Melawati, a

neighbourhood favoured by the rich and famous, especially businessmen and artists.

Those familiar with the investigations said the Datuk kept himself out of the limelight.

According to them, he had a weakness for fast cars.

"He bought so many cars, presumably under different companies, to reduce taxes as they would probably be claimed as operation costs. After all, he has over 150 companies.

"But it would also raise a lot of red flags as these are luxury cars. Why would a contractor need luxury cars to go to construction sites?

"More puzzling, there were two helicopters and a yacht, which the Inland Revenue Board (LHDN) would surely know of," an official said.

His helicopter is a Robinson 44, a four-seater light helicopter which is regarded as one of the world's best-selling general aviation helicopters every year since 1999.

"It would have cost him RM2mil each for a helicopter," said an aviation enthusiast.

The Datuk has also bought himself a Versikraft yacht, an Italian made model, which is suitable for cruises.

Checks with those familiar with the business said they believed it was refurbished as "the Datuk wanted the boat even though it needed much repairs".

"Certainly, he has developed good taste over the years as he became richer, looking at his hobby in acquisitions," said one yacht owner.

The Kuala Lumpur-born Datuk, who will celebrate his 47th birthday next month, is also a keen golfer, with pictures of him at a particular golf club in Selangor.

Investigators have said the cartel was involved in monopolising 345 government tenders worth RM3.8bil since 2014, which is certainly strong for the company incorporated in 1983.

It has over RM29mil worth of properties including bungalows, shophouses and offices.

The Malaysia Anti-Corruption Commission (MACC) has frozen 644 bank accounts, involving an estimated RM100mil in the course of its investigations.

Luxury cars including several Mercedes-Benz models, a Range Rover and a Mustang GT have also been seized. MACC officials also found RM3.5mil in cash at his home.

A search at the Companies Commission of Malaysia showed that the Datuk's company, in one audit report in 2019, claimed a revenue of RM63mil but made an after-tax profit of only RM1.4mil.

The status, as well as the names of the directors, of his estimated 100 over companies, involving more than 100 individuals, could not be ascertained.

The companies included one registered in Johor under a family member's name, which was incorporated in 2020, with a home address in Kota Damansara, Selangor.

Its 2019 audited financial results claimed it made revenue of RM20mil but had a loss of RM384,000.

The Datuk's six-day remand ends tomorrow and if he is formally charged, his identity will be made known officially and certainly his mode of operations will be better known in detail.

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Immigration hackers had help from those in the know

By MAZWIN NIK ANIS
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PUTRAJAYA: The syndicate that hacked into the Immigration's computer systems had the help of those who knew how to go about doing it without raising alarm by roping in those who had easy access to the data centre, revealed sources.

The syndicate did not only manage to "get in touch" with the people who supplied the systems to the department but also convinced unethical Immigration officers to be in cahoots with them.

In a fresh round of arrests on Thursday against individuals believed to be involved in the syndicate's activities, the Malaysian Anti-Corruption Commission arrested six suspects – two from Immigration and four employees of the company that supplies the computer systems to the department.

Sources with knowledge of the case said that the suspects were Grade KP19 officers (monthly salary between RM1,360 and about RM4,000) aged 34 and 42.

The officer who was arrested at the department's headquarters here is from the overseas affairs and development division while the suspect arrested from Pahang is from the development division.

"Investigators are determining the roles these two suspects played in the hacking."

"But they believe that the two had received payments as rewards for helping the syndicate to hack into the Immigration system," said a source.

The two suspects have been remanded until April 15.

The four employees of the computer systems supply company were arrested at several locations

around Kuala Lumpur during a round-up.

Sources said the suspects aged between 35 and 39 were believed to be the ones responsible for installing devices and software to enable the Malaysian Immigration System (MyIMMs) to be hacked. They were released after being held for questioning.

Graft investigators have seized several IT equipment and desktops from the Immigration Department as well as laptops and external drives belonging to the four company workers.

Meanwhile, the Immigration Department has initiated several measures to improve its computer systems, including improving the management of officers' computer identification following findings of the 2018 Auditor-General's report.

"We made improvements to the existing system while waiting for

the new system, the National Integrated Immigration System (NIIS) to take over.

Old servers, computers and mainframes of the system are in the process of being upgraded and this is a three-year project which is expected to be completed in 2023," Immigration director-general Datuk Khairul Dzaimie Daud told *The Star*.

Khairul Dzaimie said for security purposes, officers are required to shut down their desktops completely after work and permission from the IT division is required to work during weekends or after-working hours.

"We have also installed CCTV in our data centre room and enhanced security there," he said.

According to the 2018 Auditor-General's report which was released in July 2019, there were fraudulent approvals for foreign

workers under MyIMMs.

Investigations into findings of the report led authorities to a shocking discovery of a syndicate which had been hacking into the Immigration system to sell temporary employment visit passes (PLKS) to thousands of foreign workers, causing massive losses to the government.

On Monday, a joint operation between Immigration and the MACC codenamed Ops Hack crippled the syndicate that had been operating since 2017 where five suspects, including its mastermind and a former Immigration officer, were arrested.

A total of RM25.5mil worth of properties, luxury cars, watches and cash had been seized and 147 accounts belonging to 30 people and 11 companies totalling RM9.9mil frozen, pending ongoing investigations.

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Duo nabbed over RM2,700 bribe

KOTA KINABALU: Two employees at a state statutory body here have been detained by the Malaysian Anti-Corruption Commission (MACC) over suspicions they received a RM2,700 bribe.

The first suspect, who is in his 40s, was apprehended in Tuaran at 3.15pm on Wednesday.

This then led to the arrest of the second suspect, who is in his 30s, at around 8pm the same day in the Kota Kinabalu MACC office.

It is learnt that the money was asked from a worker who was carrying out agricultural work at the statutory body as a reward for getting the contract for the job.

The MACC also seized RM3,500 cash, which is believed to have also been obtained through corrupt practices.

Sabah MACC director S. Karunani-
thy confirmed the arrests yesterday.

He said they would be investigated under Section 17(a) of the MACC Act 2009 for receiving gratification.

"Both suspects are being held for 24 hours for further investigation, and will be released on MACC bail," he said.

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Nation

At least 3,000 companies are being investigated for allegedly rigging tenders worth RM5.8bil. >10

Over 3,000 firms under probe

MyCC investigating the rigging of tenders worth RM5.8bil

By WONG CHUN WAI
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KUALA LUMPUR: More than 3,000 companies are being investigated by the Malaysia Competition Commission (MyCC) for allegedly rigging tenders worth a total of about RM5.8bil.

The country's competition regulator is clamping down on the unlawful practice, focusing on around 400 companies in particular those that are involved in both public and private projects in many states.

"The companies are related to many types of products and services including agricultural, services,

construction, technology and infrastructure," said MyCC chief executive officer Iskandar Ismail.

He said the complainants consisted of government agencies, members of the public and anonymous parties.

"This is part of our ongoing fight against bid-rigging cartels and we are working closely with other agencies such as the Malaysia Anti-Corruption Commission (MACC), Finance Ministry, Internal Revenue Board, Domestic Trade and Consumer Affairs Ministry, and even commercial banks," he said in an interview.

On March 24, *The Star* reported

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EXCLUSIVE

that since 2014, MyCC has slapped various companies with over RM160mil in penalties, including against eight information technology companies allegedly involved in a tender exercise.

MyCC has the power to investigate and punish bid-rigging activities by cartels under Section 4 of the Competition Act 2010.

Earlier this month, the MACC announced that it had crippled a

"project cartel" believed to have monopolised a total of 354 tenders involving projects from several ministries and government agencies worth RM3.8bil since 2014.

Around 150 companies were used in rotation to win tenders or quotations issued by ministries and government agencies.

The graft-busting agency also arrested seven suspects, including a Datuk.

MACC said its investigations found that almost all the companies had used false academic qualifications, professional certificates and financial statements to convince tender boards of the compa-

nies' ability to implement the projects.

"MyCC decided to focus on public procurement from its establishment. Leakages are well known," said Iskandar.

"A lot of research shows that governments all over the world (including Malaysia) lose at least 25% of their money due to bid-rigging, and many projects are not completed or result in low-quality products or services.

"It (bid-rigging) even reduces the number of genuine bidders in the market as these players feel that the cartel has created barriers against them winning tenders."