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Agreement had 'mistake'

'It involved typos and parcels of land in undersea document'

KUALA LUMPUR: There was a huge mistake in the contents of the preliminary agreement for the privatisation of the major roads and undersea tunnel project in Penang, the Sessions Court here heard.

Former state legal adviser Datuk Faiza Zulkifli said the mistake involved the parcels of land, which were the main items stated in the document.

"I can say that this was a huge mistake as there were also small mistakes in the form of typos and statements on the parcels of land," she said, referring to the preliminary agreement for the privatisation of the major roads and undersea tunnel project between the Penang government and Consortium Zenith Beijing Urban Construction Group Sdn Bhd dated Oct 29, 2013.

In reply to deputy public prosecutor Wan Shahrudin Wan Ladin, the witness said the huge mistake was when the agreement incorrectly identified the parcels of state government-owned land to be transferred to the developers.

The prosecution's 11th witness was testifying in former Penang chief minister Lim Guan Eng's corruption trial.

Lim is facing four charges relating to the undersea tunnel and major roads construction project in the state worth RM6.3bil.

"I'm very thorough in my work, and the Penang state government officers know it,

and I would have ensured that no such thing occurred so as to protect the state government's interests," she said.

However, Faiza said it was inappropriate for her to make comments on the contents of the agreement as she was not involved in checking and evaluating the document.

"There was no instruction from any quarters, be it from the former chief minister or the State Secretary's Office, for the document to be sent for review by the state legal adviser," she said.

Meanwhile, when reading her witness statement, Faiza said she did not check the draft of the agreement in question as the chief minister (Lim) had opted to appoint a private legal firm to evaluate the preliminary agreement.

"I accepted the chief minister's decision to appoint the private legal firm to evaluate the agreement, but the chief minister should have also entrusted the legal firm with the responsibility to protect the state government's interests.

"I only knew that the document was prepared by the legal firm Lee Hishamuddin Allen & Gledhill," she said.

In yesterday's proceedings, the prosecution also submitted the death certificate of Ewein Zenith Sdn Bhd managing director Datuk Ewe Swee Kheng who fell from a high-end condominium at Jalan Kelawai, Penang, on Oct 5.

The prosecution was supposed to call the 53-year-old developer as its 15th witness.

According to the first amended charge, Lim, 60, is charged with using his position as then Penang chief minister to obtain a bribe of RM3.3mil for helping a company owned by Datuk Zarul Ahmad Mohd Zulkifli to secure the construction project worth RM6,341,383,702.

The offence was allegedly committed between January 2011 and August 2017 at the Penang Chief Minister's Office.

On the second amended charge, Lim is accused of soliciting bribes amounting to 10% of the profits from Zarul Ahmad to be earned by the company as gratification for helping his company to secure the project.

The offence was allegedly committed near The Gardens Hotel, Lingkaran Syed Putra, Mid Valley City here, between 12.30am and 2am in March 2011.

Lim, who is also DAP secretary-general, also faces two charges of causing two plots of land, worth RM208.8mil, belonging to the Penang government to be disposed of to two companies, which are linked to the state's undersea tunnel project.

The offence was allegedly committed at the Penang Land and Mines Office, Komtar, on Feb 17, 2015, and March 22, 2017.

The trial before judge Azura Alwi continues on Nov 29. — Bernama



At the dewan rakyat

Reports by MARTIN CARVALHO and TARRENCE TAN

Wee: Govt has no plans to sell Subang airport

PUTRAJAYA has no plans to allow the sale or takeover of the Sultan Abdul Aziz Shah Airport (LTSAAS) by any private entities, says Transport Minister Datuk Seri Dr Wee Ka Siong.

He noted that LTSAAS' operating rights and rights under the Leased Agreement granted by Malaysia Airport Holdings Bhd (MAHB) to operate, manage and maintain

including to occupy, use and control remained valid until 2034 and 2067 respectively.

"The government has no plans to approve the takeover or sale of any parts of the LTSAAS to any private business entities," he said during his winding-up speech on Budget 2022 in Parliament yesterday.

"MAHB is responsible for developing LTSAAS into an international

aerospace hub as decided by the Cabinet on March 2, 2005."

Dr Wee was responding to Datuk Seri Anwar Ibrahim (PH-Port Dickson) and Syed Ibrahim Syed Noh (PH-Ledang), who asked whether LTSAAS was going to be sold to a private entity.

Previously, it was reported that Subang Skypark Sdn Bhd (SSSB) was planning to acquire Subang airport.

SSSB is a wholly-owned subsidiary of WCT Holdings Bhd, whose largest shareholder is Tan Sri Desmond Lim Siew Choon.

SSSB is proposing to enter a new concession to operate the entire area of Subang airport until 2092, developing it to be a city airport.

Meanwhile, Dr Wee said the Rural Air Services (RAS) operations in Sabah and Sarawak would

continue despite losses.

"It is the government's policy to continue the RAS operations for non-economic routes to improve accessibility of residents living in the interiors of Sabah and Sarawak."

"These services will be able to improve the living standards of the rural population in Sabah and Sarawak by increasing the mobility of economic resources," he said.

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MACC recovers RM20bil worth of assets related to 1MDB

PETALING JAYA: The Malaysian Anti-Corruption Commission (MACC) with the cooperation and assistance of international enforcement agencies has recovered more than RM20bil worth of assets related to 1Malaysia Development Bhd (1MDB).

The anti-graft body said the latest haul in its 1MDB asset recovery efforts was money totalling about RM3.6mil from Singapore.

"On Nov 12, the Singapore Commercial Affairs Department returned money belonging to former SRC International Sdn Bhd CEO Nik Faisal Ariff Kamil through the Assets Recovery Trust Account totalling US\$864,813.

"To date, MACC with the assistance of international enforcement agencies has managed to return RM20,530,433,626.97 to the Malaysian government," MACC said in a statement yesterday.

MACC said previously, the Singapore government had also helped in the return of US\$15.4mil in assets from Cutting Edge Industries Ltd's account, which belonged to Tawfiq Ayman and Samuel Goh.

The commission said it was currently actively pursuing the recovery of 1MDB assets locally and abroad.