

## **Axe AG over PKFZ foul-up, says DAP**

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Attorney-general Abdul Gani Patail should be sacked as he failed to secure convictions in the two Port Klang Free Zone (PKFZ) cases involving prominent MCA leaders, said DAP.

Commenting on the acquittal of former MCA deputy president Chan Kong Choy yesterday, DAP's Petaling Jaya Utara MP Tony Pua said Abdul Gani (right) is either incompetent or the charges were "intentionally framed to fail".

Pua, who is also a Public Accounts Committee (PAC) member, said that this is because the AG in his testimony in 2009 told the PAC that Chan could be charged with criminal breach of trust.

He said that this was based on the three letters of guarantee which Chan had signed on behalf of the government without approval from the Finance Ministry.

He said that auditors PriceWaterhouse Coopers (PwC) in their testimony also stated that these letters caused the government to pay the contractual amount to bondholders, despite services not fully rendered.

"(The) AG said that the three support letters issued by Chan were implicitly a form of guarantee from the government to ensure that there would be allocations for Port Klang Authority, to enable it to meet its obligations under the development agreement.

"As a result, Chan can be charged with criminal breach of trust under Section 409 of the Penal Code, read with Section 409B," he said.

The AG, Transport Ministry and PwC's testimonies to the PAC led to the committee to recommend in November 2009 that Chan be charged for criminal breach of trust.

"Unfortunately, despite the AG's testimony to the PAC, he has chosen not to charge Chan for criminal breach of trust. Chan was instead given a mind-boggling charge of having cheated the then-prime minister, Abdullah Ahmad Badawi," Pua said.

'Intentionally given flimsy charges?'

Pua, who is also Selangor DAP chief, argued that these charges were "ultimately proved impossible" following former MCA president Dr Ling Liong Sik's acquittal of misleading the prime minister in the PKFZ scandal.

"Were the former president and deputy president of MCA intentionally given flimsy charges so as to provide the Najib administration with the appearance of taking a strong stand against corruption before elections, knowing full well that these charges cannot stick?"

"(If) the prime minister is serious about punishing wrong-doers in his administration, Abdul Gani must be sacked and replaced with another who is not only competent but will act without fear or favour," he said.

Yesterday, Chan became the second politician to walk free in the lengthy PKFZ saga, after the charges against him were dropped.

Chan was charged in 2011 with cheating then PM Abdullah into approving Kuala Dimensi Sdn Bhd (KDSB) as the turnkey developer for the RM1.9 billion transport hub in Pulau Indah Free Zone and renovation works at the PKFZ.

Ling was acquitted by the Kuala Lumpur High Court last October of cheating the cabinet of RM750 million where the court found that the former MCA president could not be held responsible for preparing inaccurate cabinet papers.

Ling, who was transport minister for 17 years, was succeeded by Chan in 2003.

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