

MACC defends its probe on PM's bank accounts

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The Malaysian Anti-Corruption Commission investigation into SRC International Sdn Bhd funds allegedly found in Prime Minister Najib Abdul Razak's personal bank accounts is based on the provisions of the law.

"There is no mala fide (bad intention) in our investigations," said a source close to the MACC investigations.

"Based on Section 72 of the Malaysian Anti-Corruption Commission Act, our officers are given immunity from any legal action when conducting an investigation into an offence under this Act if the investigation is done in good faith."

Section 72 of the MACC Act is a lengthy clause that states, among others, "no action suit, or prosecution or proceedings whatsoever shall lie or be brought before any authority on the government of Malaysia, MACC officers, any member of the MACC advisory board or special committee or any person acting on behalf of the commission provided that such acts are done in good faith."

This provision was believed to be used in defence of the MACC from legal action in the lawsuit filed by Teoh Beng Hock's family. Teoh, a former opposition political aide, was found dead in 2009 outside the MACC office after he was interrogated by MACC officers.

However, the civil case was settled amicably before it went to a full trial when the government agreed to pay RM660,000 in damages.

Seven MACC officers have so far been questioned by the police under Section 124B for activities "detrimental to parliamentary democracy".

The first to be picked up was a MACC deputy public prosecutor, Ahmad Shazalee Abdul Khairi, and this was followed with three senior officers - special operations division director Bahri Mohd Zin (photo), forensics director IG Chandran, and Bahri's number three man, Roslan Che Amat.

Confusion over arrests

Two investigating officers attached with the Special Operations division were also quizzed on Tuesday, and this was followed by the police interrogating Bahri's deputy director, Tan Kan Sai, who is the seventh person on the list.

There was uncertainty whether two of the MACC officers - Roslan and an investigating officer to the case - were arrested yesterday with the IGP Khalid Abu Bakar denying this while MACC deputy chief commissioner (prevention) Mustafar Ali was adamant about it.

Police also raided the MACC's special operations division office last Saturday and again last night. It is understood that police also went to search the houses of the officers questioned, including Bahri's.

This had prompted an irate Bahri telling Malaysiakini that he would “not rest until kingdom comes” to find those who ordered the police to harass the MACC and thus disrupting their investigations into Najib’s bank accounts.

It was reported that SRC transferred a total of RM42 million in three tranches into Najib's accounts late last year and early this year.

SRC International is owned by the Finance Ministry, which Najib heads.

This was in addition to the US\$681 million allegedly transferred into Najib's bank accounts in two tranches in March 2013 - two months before the general election.

Najib has claimed that he did not take any money for personal gain, while MACC said the money was a “donation”.

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