

Why stop MACC from getting RM2.6b bank statements, AG asked

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Attorney-general Mohamed Apandi Ali must explain why he didn't let the Malaysian Anti-Corruption Commission (MACC) get overseas bank statements relating to the RM2.6 billion donation received by Prime Minister Najib Abdul Razak.

MACC operations review panel member Lim Chee Wee said the graftbuster needed Apandi's consent on its request to get the documents under the mutual legal assistance (MLA) agreements.

"This will help dispel the speculations of a cover-up by the AG and that the alleged donation is allegedly Retirement Fund Inc (KWAP) money," Lim told Malaysiakini in an email today.

Apandi on Tuesday cleared Najib of any wrongdoing in the RM2.6 billion 'donation' and SRC International cases.

Because there was no criminal offence, Apandi said there was no need to make a request for MLA for the purpose of completing the investigation.

The attorney-general also ordered the MACC to stop its investigations.

However, Lim (photo) said the AG had no right to do this, and is legally obliged to consent to the MLA request.

"AG is wrong in law to order MACC to close its investigations. His power is that of prosecution.

"MACC is entitled to continue with its investigations into 1MDB and it is arguable that the AG is legally obliged to provide his assistance through MLA," he said.

AG can be challenged

Lim, who is a former Bar Council chairperson, also called on Apandi to explain why he had absolved Najib of any guilt.

For example, the MACC adviser said, Apandi should explain the flow chart he held up at Tuesday's press conference, and give details of the alleged donation which he claimed has been returned.

Lim also disputed claims that the AG's decision cannot be challenged.

"The AG's decision to prosecute or not to prosecute can be challenged by any taxpayer in

any courtroom, or questioned by anyone in any living room, meeting room, boardroom, or even coffee shop.

"The AG does not have absolute discretion in his prosecutorial powers. This is the legal position in Malaysia, Singapore and United Kingdom," the former Bar president said.

Lim also gave his assurance to Apandi that he would have the full support of the public if he upheld his oath of office.

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