

'Onus on PAC to release 1MDB audit findings for public interest'

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The onus is on the Public Accounts Committee (PAC) to disclose matters of public interest contained in the National Audit Department's audit report on 1MDB.

The department's deputy director Nor Salwani Muhammad said this is because the report is intended for the bipartisan parliamentary committee, according to orders by the cabinet.

"The report is for the PAC. The PAC should be the one responsible for disclosing it to the parliament or to the public," she told the Sessions Court in Kuala Lumpur today.

She said this under cross-examination by defence counsel Gobind Singh Deo, who asked her whether a state secret that is of public interest can be disclosed to the public, such as a bailout of a government-owned company.

Nor Salwani, 49, was testifying as the first prosecution witness in the trial against Pandan MP Rafizi Ramli, who is accused of two offences under the Official Secrets Act 1972 (OSA).

Rafizi is [facing charges](#) under Sections 8(1)(c)(iii) and 8(1)(c)(iv) of the act – one charge for the possession of page 98 of the 1MDB audit report without authorisation; and another charge for the [unauthorised disclosure](#) of the document.

He released the documents in a bid to [expose links](#) between Lembaga Tabung Angkatan Tentera (LTAT) and 1MDB. Malaysiakini is unable to report on its contents due to restrictions under the OSA.

On its part, the PAC had already released the [findings](#) of its own investigation on 1MDB in April, which is based in part on the findings of the audit report.

Stern warning

Earlier today during her examination-in-chief by deputy public prosecutor Shukor Abu Bakar, Nor Salwani said auditor-general Ambrin Buang had previously warned the PAC not to leak the audit report.

“If there are any leaks, the auditor-general will lodge a police report,” she said, among others, when told to read her police report against Rafizi.

Ambrin made the stern warning between March 4 and 7 while presenting his findings to the PAC, according to her police report.

Nor Salwani also testified that at the court presided by Sessions Judge Zulqarnain Hassan that the audit report was classified as ‘secret’ on Jan 22, 2016.

This was done by Ambrin in exercising his powers under Section 2B of the OSA, she said.

The Section 2B states that ministers, menteri besar, and chief ministers may appoint any public officer to classify any information as 'top secret', 'secret', 'confidential' or 'restricted'.

“(Once classified) the rules regarding the handling of secret documents must be followed by anyone who receives the document [...]

“A two-page note is inserted into the report spelling out the responsibilities of those handling the document and consequences for its (unauthorised) disclosure,” Nor Salwani said.

The document remains classified to this day, she added.

Asked by Gobind on how long the document would remain classified, Nor Salwani said she is unable to answer the question and it should be directed to Ambrin.

Nor Salwani testified in court that she was appointed by Ambrin as a member and coordinator for the National Audit Department’s auditing team for 1MDB on March 9 last year, following a cabinet directive to conduct the audit on March 4 of the same year.

Rafizi’s blog

There were 15 people in the group in total – Ambrin, a team leader, a financial adviser, and 12 team members.

The report was ultimately completed on March 4 this year, after delays were caused when documents that were requested by the department were not forthcoming.

Responding to questions on how she had learned of Rafizi's leak of the 1MDB audit report, Nor Salwani said she discovered this on March 28 this year.

It was another day at work, she said, after which she went home at 7pm and logged into the social media site Facebook.

It was then when she found Facebook postings that looked like a portion of the 1MDB audit report, which is linked to Rafizi's blog.

She said she alerted Ambrin of this and compared the document released by Rafizi against the copy held by the auditor-general.

It was found to be a match, she said, after which Ambrin told her to lodge a police report on behalf of the National Audit Department.

The report was lodged on April 5 at a police station in Precinct 7, Putrajaya, she said.

The hearing continues on June 17.