



**'Corrupt civil servants
must be prosecuted'**

**Malaysiakini.com
October 25, 2010**

Any civil servant suspected of corruption should be charged in court because the law does not provide for mere disciplinary action by department heads.

In saying this, Kedah Gerakan Youth chief Tan Kheng Liang also pointed out that any alleged offender also has the right to be heard in a court of law.

"As such, a person should only be convicted for corruption by a court and the appropriate penalties should only be decided by the court and not by any government department head," he said.

Tan also said the Malaysian Anti-Corruption Commission (MACC) should not set a precedent by allowing department heads to decide the penalty for such offences or to take over the duties of the judiciary.

He called on the MACC to clarify its stand, following an announcement that the commission has completed its investigation into the 2008 auditor-general's report released last year.

The MACC said it had initiated more than 20 investigation papers and five inspection and consultation papers.

Three individuals have since been taken to court and four reports have been handed over to department heads with proposed disciplinary action against those involved. Five letters of advice have been sent to the relevant government departments.

The commission has also come up with five proposals to review systems and procedures, to reduce opportunities for corruption or fraud.

The penalty for offences involving corruption are prescribed in the Malaysian Anti-Corruption Commission Act 2009.

Section 24 states that any person who commits an offence is, on conviction, liable to:

- (a) a maximum jail term of 20 years; and
- (b) a fine of not less than five times the sum or value of the gratification involved in the offence or RM10,000, whichever is the higher.

The MACC does not have prosecutory powers, but must refer such matters to the Attorney-General's Chambers.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.
Source : <http://www.malaysiakini.com/news/146320>

