

**No prosecution power for new anti-corruption body**  
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**Beh Lih Yi**

The government has no plans to give the soon-to-be established independent MCPX Malaysian Commission on Anti-Corruption (MCAC) any prosecution powers, the Dewan Rakyat was told today.

"The prosecution power is (the discretion) with the Attorney-General (Abdul Gani Patail)," Minister in the Prime Minister's Department Mohd Nazri Abdul Aziz told Teo Nie Ching (DAP-Serdang) during the 90-minute question session this morning.

nazri abdul aziz looking to the rightHe added that there was a clear separation of duties involving several government agencies when it came to probing and prosecuting offenders.

women leader forum scah 240408 teoh nian qinIn answering Teo's (right) original question earlier, Mohd Nazri reiterated that the government also has no intention to place the MCAC under the purview of the Parliament. Instead the body will report to a parliamentary committee.

The minister pointed out that under the proposed structure of the MCAC, it will be made up of an independent advisory board and a parliamentary committee on the prevention of corruption, to whom the MCAC will table its annual report.

"The independent advisory board and the parliamentary committee will ensure the transparency and efficiency of the MCAC in discharging its function, as well as its accountability in every action it takes," he said.

**PM 'abused his power'**

In another supplementary question, Lim Kit Siang (DAP-Ipoh Timor) questioned the impartiality of the MCAC as it will remain under the eyes of the Prime Minister's Department.

He cited a recent statement by Prime Minister Abdullah Ahmad Badawi to argue as to why the MCAC should be free from the control of the PM's Department.

"The PM has abused his power in asking the AG to expedite the (alleged 'treasonous') case against Karpal Singh (DAP-Bukit Gelugor)... how can we be assured that there will not be any interference if the MCAC is continued to be placed under the PM's Department?" asked Lim.

Rebutting, Mohd Nazri said the prime minister's statement could not be construed as an order.

"(Lim) has also asked the AG to investigate certain matters before, is that instruction?" asked the minister, adding that the AG has his discretion in initiating investigation and prosecution.

## **Replacing the old ACA**

The formation of the MCAC was announced by Abdullah last month to show his seriousness in fighting corruption. The new agency would replace the Anti-Corruption Agency.

The new agency is expected to take root later this year.

Abdullah had said that the MCAC would table its annual report to a parliamentary committee on the prevention of corruption which would have the power to seek clarification and explanation on the report.

An independent corruption prevention advisory board would also be established to advise the MCAC on administrative and operational matters and on cases of public interest.

"The board can enquire or recommend that certain measures be undertaken. More importantly, the board will act to assure the public that public interest cases are dealt with appropriately and adequately," he had said then.

However, Abdullah stressed then that the ultimate decision to prosecute would lie with the attorney-general although the board could ask him to take another look at cases he had decided not to pursue.

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