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## Court strikes out PM's summons seeking to declare RCI report null and void

*NSF - 18/12/2018 B-5*

**KUALA LUMPUR:** The High Court here yesterday struck out an originating summons filed by Prime Minister Tun Dr Mahathir Mohamad seeking for the court to declare null and void the Royal Commission of Inquiry (RCI) report into foreign exchange losses suffered by Bank Negara Malaysia in the 1990s.

Lawyer Mohamed Haniff Khatri Abdulla, representing Dr Mahathir, said the decision was

made by judge Datuk Azizah Nawawi in chambers after she granted the application by the Attorney-General's Chambers (A-GC) to strike out the suit.

Haniff said Azizah, in her decision, said the court had no jurisdiction to challenge the RCI report.

"So the application by the A-G was allowed with no cost," he said, adding that senior federal coun-

sel Mazlifah Ayob acted on behalf of the A-GC during the chamber proceedings.

Dr Mahathir filed the suit in December last year seeking to declare the report by RCI on Bank Negara Malaysia's forex trading losses as null and void as it excluded legal documents of witnesses and notes of proceeding

He named RCI chairman Tan Sri Mohd Sidek Hassan, its mem-

bers comprising Datuk Wira Kamaludin Md Said, Datuk Seri Tajuddin Atan, Tan Sri Saw Choo Boon, K. Pushpanathanan and Datuk Dr Yusof Ismail, as well as former prime minister Datuk Seri Najib Razak, cabinet members and the government — as defendants.

He was seeking to declare the RCI's report illegal, incomplete and defective as it lacked proceeding notes, and

written and oral submissions through transcription or video recording.

He wanted the court to declare that any report by a Royal Commission of Inquiry set up under the Commission of Enquiry Act 1950 would be legal only and if it had all the written statements by the witnesses who testified in the proceeding, the proceeding notes, the submissions and the findings. **Bernama**