

## ADDENDUM ORDER?

# Court to decide today on Najib's judicial review over house arrest

**KUALA LUMPUR:** Will the High Court agree to hear Datuk Seri Najib Razak's bid to determine the existence of an addendum order by the former king allowing him to serve the remainder of his jail sentence under house arrest?

This is the big question which will be answered today as High Court judge Datuk Amarjeet Singh is slated to deliver his verdict on the matter.

In judicial review applications, the court must first grant leave or permission before considering the merits of an application.

This step ensures the application is not frivolous, vexatious, or an abuse of the court process.

In April, the former prime minister filed a judicial review to establish the existence of the addendum order dated Jan 29, issued by the former Yang di-Pertuan Agong, which he claimed the government had not disclosed.

He named the home minister, Prisons Department commissioner general, attorney-general, Federal Territories Pardons Board, minister in the Prime Minister's Department (law and institutional Reform), Legal Affairs Division director-general and the government as respondents.

The former Umno president bolstered his application by filing two additional supporting affidavits, one of which was from party vice-president Datuk Seri Wan Rosdy Wan Ismail.

Another affidavit cited statements by Prime Minister Datuk Seri Anwar Ibrahim at the PKR 25th Anniversary Convention in Shah Alam last April.

Those affidavits followed the

one filed by Najib's successor, Datuk Seri Dr Ahmad Zahid Hamidi, supporting the former's claim on the existence of the addendum order.

The deputy prime minister claimed a photograph of the document was shown to him by former Selangor Umno treasurer Tengku Datuk Seri Zafrul Tengku Abdul Aziz at the former's house near Country Heights on Jan 30.

Zahid said the contents of the addendum order expressly specified that Najib should serve the reduced sentence under house arrest instead of in Kajang Prison.

Zahid's contention was supported by Wan Rosdy, when the Pahang menteri besar, in his supporting affidavit, said Tengku Zafrul had told him of the document's existence dated Jan 29.

However, on May 2, the court dismissed Tengku Zafrul's attempt to file an affidavit to rectify "factual errors" in Zahid's affidavit, citing that there was no provision in the law allowing him to do so at that stage.

Najib, in his latest affidavit, also claimed that the speech by Anwar at the PKR convention was the strongest evidence of the addendum order by the former king.

He included footage of Anwar's speech at the Ideal Convention Centre in Shah Alam on April 21, along with a transcript of the speech.

The former Pekan member of parliament claimed Anwar did not mention the main order in his speech, but subtly questioned the validity of the addendum order without explicitly naming it.

# NAJIB'S HOUSE ARREST ORDER

**Aug 23, 2022:** The Federal Court's five-member bench upholds Datuk Seri Najib Razak's conviction, 12-year jail sentence and a RM210 million fine for abuse of power and criminal breach of trust in the SRC International Sdn Bhd case.

**March 31, 2023:** The Federal Court dismisses Najib's application to review his conviction for misappropriating SRC International funds.

**Jan 29, 2024:** The Federal Territories Pardons Board, presided over by the then king, halves Najib's 12-year jail sentence and reduces his RM210 million fine to RM50 million.

**April 1, 2024:** Najib files a judicial review application claiming the existence of an addendum decree, purportedly ordered by the former Yang di-Pertuan Agong, for him to serve his remaining six-year imprisonment under house arrest.

**April 4, 2024:** Home Minister Datuk Seri Saifuddin Nasution Ismail says he has no knowledge of any addendum on Najib serving his remaining sentence under house arrest.

confirms the existence of an addendum order, a document he claimed to have been shown to him by former Selangor Umno treasurer Tengku Datuk Seri Zafrul Tengku Abdul Aziz at his house near Country Heights on Jan 30.

**June 5, 2024:** The High Court allows Najib to file two additional affidavits involving support affirmed by Wan Rosdy, as well as statements by Prime Minister Datuk Seri Anwar Ibrahim at the PKR 25th Anniversary Convention in Shah Alam in April.

**May 27, 2024:** Umno vice-president Datuk Seri Wan Rosdy Wan Ismail claims that he was told by Tengku Zafrul that the previous king had issued an addendum order allowing Najib to serve the remainder of his jail sentence under house arrest.

**May 5, 2024:** The High Court dismisses Tengku Zafrul's bid to file his own affidavit, citing that there is no provision in the law allowing him to file such an affidavit at this stage.

**April 22, 2024:** Tengku Zafrul writes to the High Court seeking permission to file an affidavit to correct "factual errors" in another affidavit, which claimed that the former Yang di-Pertuan Agong had, in an addendum order, granted house arrest to Najib.

**April 17, 2024:** Deputy Prime Minister Datuk Seri Dr Ahmad Zahid Hamidi

Anwar said any decision on the alleged addendum order must be made in a Pardons Board's meeting, adding that he would not interfere in the matter.

On Jan 29, the Federal Territories Pardons Board, which the

then king presided over, halved Najib's 12-year jail sentence for abuse of power and criminal breach of trust in the SRC International Sdn Bhd case and reduced his RM210 million fine to RM50 million.

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