

'BERSATU LEGAL CHALLENGE LINKED TO MUHYIDDIN CASE'

Matter should be determined by a criminal court, argues senior federal counsel

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PARTI Pribumi Bersatu Malaysia's legal bid to challenge the freezing and seizure of its bank ac-

counts is linked to the criminal case faced by its president, Tan Sri Muhyiddin Yassin, the High Court heard.

Senior federal counsel Nurhafiza Azizan, representing the government and the Malaysian Anti-Corruption Commission (MACC), told the court that the matter should therefore be determined by a criminal court.

She said there was a direct connection between the charges against the former prime minister and the party, as he was being prosecuted in his capacity as Bersatu president.



Lawyers representing Parti Pribumi Bersatu Malaysia leaving the courtroom after proceedings at the Kuala Lumpur Courts Complex yesterday. NSTP PIC BY MOHAMAD SHAHRIL BADLI SAALI

"The charges are not against Bersatu itself, but against Muhyiddin personally. Therefore, this issue should be argued in a criminal court, not through these judicial review proceedings.

"The seizure order has not expired because the charges against

Muhyiddin take precedence over the seizure order, until and unless a final judgment is made in that case."

Earlier, lawyer Chetan Jethwani argued that the two Bersatu bank accounts remain inaccessible to the party, even though the MACC's

seizure notice issued on April 13, 2023 had long expired.

He said the 12-month investigation period under the anti-money laundering law had expired in January last year.

The AmBank and CIMB Islamic Bank accounts should have been returned to the party, he said.

"All the charges are against Tan Sri (Muhyiddin), not Bersatu, and cannot be against Bersatu.

"The attorney-general's consent to prosecute is against him."

He said MACC froze the two Bersatu accounts in January 2023, then seized them in April 2023, a month after Muhyiddin was charged.

He said Section 52A of the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 provides a time limit if the person against whom the order is made has not been charged under the act.

"Instead of returning the bank accounts to Bersatu, the MACC has continued to wrongfully deny the party access to its accounts."

On Oct 30, 2023, the court allowed Bersatu to begin judicial review proceedings to challenge the MACC's decision to freeze the two accounts.