

Liong Sik's push for PKFZ land buy 'suspicious', prosecution claims
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By Melissa Chi

KUALA LUMPUR, Dec 14 — Tun Dr Ling Liong Sik's eagerness in pushing for the purchase of land for the scandalised Port Klang Free Zone (PKFZ) arouses suspicions of collusion, prosecutors in the former minister's cheating trial said today.

But they also conceded that the urgency was not of itself illegal.

"It is not wrong but it is very suspicious," lead prosecutor Datuk Tun Abdul Majid Hamzah said while making his submissions to the trial today.

Majid noted that Dr Ling continued to encourage an outright purchase of the 1,000 acre land parcel instead of using the usual land acquisition method, despite being notified by the Valuation and Property Services Department's (JPPH) valuation of existing encumbrances.

"Based on these objective facts, the court can draw a reasonable inference that the accused from the very beginning clearly intended to help out KDSB by clearing the latter's debt and enriched it for reasons best known to him," he said.

He also pointed out that Dr Ling had issued a letter for the land purchase to proceed despite the Port Klang Authority (PKA) not being ready to pay at the time.

Dr Ling was charged in July last year with knowingly deceiving the Cabinet into approving land purchase for the Port Klang Free Zone (PKFZ), which resulted in wrongful losses for the government.

The former MCA president also faces two alternative charges of deceiving the Cabinet into believing that the purchase at RM25 psf and the 7.5 per cent interest rate were acknowledged and agreed to by JPPH despite knowing that there was no such agreement.

Majid said Dr Ling must have known that JPPH had valued the land at RM21psf because he chaired the Cabinet meeting on January 26, 2002, although no decision was made during the meeting.

He pointed out that Dr Ling had signed a note (P74) presented to the Cabinet on October 29, 2002, which said that JPPH had recommended and agreed that the land was RM25psf.

"The accused chose to agree with the contents of P74 despite knowing the same to be inaccurate and proceeded to brief the Cabinet inaccurately.

"He concealed the valuation by JPPH," Majid said.

The defence lawyer had argued yesterday that the note was prepared by Dr Ling's senior officials "without any input" from him, despite the fact he had signed the document.

Majid also pointed out that the Cabinet had initially decided to acquire the land but with Dr Ling's "persuasive" note, it decided to restore the decision made on October 2, 2002 to

purchase the land, on November 6, 2002.

"The most important point to note here is that the Cabinet approval was for RM1.088 billion only," he said.

Majid said he should have withdrawn the note, corrected it, before submitting it to the Cabinet.

"You don't mislead the Cabinet and tell them something and do something else behind their backs," he said.

He emphasised that PKA is under the purview of MOT and that as minister, it is his responsibility to protect the interests of PKA and the government.

He pointed out that during a meeting on April 21, 1999, PKA's representative had said that its financial position is not strong and suggested that the government purchase the land and lease it to PKA.

A memo was subsequently sent to Dr Ling to inform him that even with 50 per cent subsidy from the government, PKA's cash flow would still be in the red.

"The prosecution further submits that the government also suffers loss in terms of reputation.

"The government through the Cabinet was made to appear as a mere rubber stamp," he said.

Judge Datuk Ahmadi Asnawi has set January 27, 2012 for decision on whether Dr Ling will enter his defence.

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