

Guan Eng: Whistleblower protection law not helping fight against graft
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KUALA LUMPUR, March 6 — Malaysia is not making any headway in its ongoing battle against corruption even with the Whistleblower Protection Act (WPA) in place due to Putrajaya's lack of political willpower and commitment, DAP leader Lim Guan Eng told an Asian conference on corporate governance here today.

The opposition DAP secretary-general said the whistleblower protection law had been in place since 2010 but the country's ranking in global anti-graft watchdog Transparency International's Corruption Perception Index (CPI) continued to fall, from 56th place in 2010 to 60th last year.

"As long as there is no leadership by example and no moral outrage against those who refuse to comply with international norms of proper behaviour and trustworthy conduct of public assets, laws such as the WPA will only be an empty symbol of our fight against corruption," Lim (picture) told Asian World Summit leaders at the fourth annual corporate governance conference in the city.

He highlighted the lack of protective safeguards and proactive investigation in the WPA which, he said, made no difference for genuine whistleblowers.

He pointed out that under the law, an informer could be punished with a fine of up to RM50,000 or jailed up to 10 years if he discloses any information about the person accused of wrongdoing, or any other information, to a third party and not a person in authority.

"Under the WPA, a whistleblower is supposed to make a report to an enforcement agency such as the police... If the police decide that action should be taken, but the Attorney-General decides not to prosecute, that again is tough.

"All you have as a whistleblower is the right to be notified of the authorities' decision, and the right not to have any detrimental action taken against you," he said.

Lim, who is also Penang chief minister, said the test should always be whether there is real public loss of funds, and that the MACC and other similar positions of authority must be have the power to investigate and prosecute independently while being accountable only to Parliament.

"It is obvious to me, and I hope also to you, that the WPA will always be ineffective in fighting corruption and corporate wrongdoing involving the government as long as the Official Secrets Act is not abolished and the culture of secrecy in government is not replaced by a culture of transparency," he stressed.

He added: "I think we can all see that the WPA would have had absolutely no effect in the present cows and condos scandal, as it would not have protected any whistleblower who believed that the Malaysian public deserved to know about how a RM250 million soft loan given for the rearing of cattle was used to buy luxury condominiums in Bangsar and in

Singapore.”

The Bagan MP pointed to the ongoing controversy raging over the RM250 million National Feedlot Centre (NFC) and asked if the government will take action and prosecute the directors of the National Feedlot Corporation (NFCorp) as the police have recommended, or whether they will be “let off the hook”, just like Tan Sri Tajudin Ramli, the former chief executive and managing director of national carrier Malaysia Airlines (MAS), which recently posted a RM2.5 billion loss.

The NFCorp has been linked to minister Datuk Seri Shahrizat Abdul Jalil’s husband and three children who hold executive positions in the private firm supervising the NFC. They have denied any wrongdoing in using taxpayers’ money to buy luxury condominium units in Bangsar and Singapore and land in Putrajaya as well as to fund personal umrah trips.

Lim claimed that the federal government would not have taken any action and the allegations of wrongdoing in the NFC issue would simply have hushed up by the authorities if the case had not been played up by the media and opposition parties.

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