

Question about number of PKFZ suits leaves PKA top brass red-faced
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By Shannon Teoh

PORT KLANG, April 20 — The Port Klang Authority (PKA) chairman, general manager, chief executive officer and financial manager were unable to say today at a press conference how many suits it had filed in relation to the Port Klang Free Zone (PKFZ) scandal until their legal adviser stepped in 12 minutes later.

The regulatory body for Malaysia's largest port called the press conference this morning insisting it has not withdrawn any civil suit after it was accused, along with Transport Minister Datuk Seri Kong Cho Ha, of reversing previous efforts to recover losses in the project that has ballooned from RM1.1 billion to a possible RM12.5 billion.

Chairman Datuk Teh Kim Poh was rebuking former transport minister Datuk Seri Ong Tee Keat for saying that his successor Datuk Seri Kong Cho Ha "appears more keen on the bidding price of new car registration numbers than exorcising the spectre of PKFZ."

Port Klang Authority (PKA) general manager David Padman. — Picture by Jack Ooi
But when asked how many suits it had filed, Teh referred to his general manager David Padman, who also had no answer.

"It is already in the court, so let the court take its course. What I'm interested in, is to find ways and means how to pay. That is my job," Teh finally said.

But a reporter said to Teh "you are unable to tell us these things, it is a reflection of your incompetence."

After eight minutes, chief executive Chia Kon Leong finally said PKA had filed seven civil suits but despite referring to his laptop, was unable to outline the details of each case.

Four minutes later, general manager David Padman was also asked to explain why PKA had decided to drop its complaint to the Bar Council against Rashid Asari & Co in a conflict-of-interest case when preparing the sale and purchase agreements for the PKFZ project.

"No comments, I needed the board's guidance on that," he said.

"Where's Fazilah? Panggil dia cepat sikit la (Ask her to hurry up)," Teh then said to an officer.

Legal adviser Fazilah Surkisah Mohammad, a witness in the ongoing cheating trial against former transport minister Tun Dr Ling Liong Sik over the project, then arrived a minute later and said there were only four suits initiated by PKA.

"Civil case we have four," she said.

"Four or seven?" asked Teh, to which she replied again, "four."

Two suits were filed against turnkey developer Kuala Dimensi Sdn Bhd (KDSB) for RM1.6 billion in allegedly uncompleted works, another against former general manager Datin O. C. Phang for breach of fiduciary duties and architect Bernard Tan over all agreements made.

Datuk Lee Hwa Beng had filed the suits while he was PKA chief from March 2008 to March 2011.

Legal adviser Fazilah Surkisah Mohammad said there were only four suits initiated by PKA.
— Picture by Jack Ooi

The former Subang Jaya assemblyman for the MCA released his book, "PKFZ: A Nation's Trust Betrayed", on Tuesday and has said details revealed so far are "only the tip of the iceberg."

Teh was also asked why there is only one independent director on the PKA board when Ong, who was dropped from Cabinet after he was ousted as MCA president in March 2010, had recommended that at least three out of 10 board members should be independent.

"We have actually wanted to. There were some recommendations from people but unfortunately the person refused to accept the appointment. After they have turned down, we are still sourcing," the former Pandamaran assemblyman said.

But when pointed out that it has been over a year since the positions were vacated, he only replied that "it will be filled up as soon as we can."

The project, initially tagged at RM1.1 billion after it was mooted by then Transport Minister Dr Ling in 1997, more than quadrupled to RM4.6 billion by 2007.

A position review by top accounting firm PwC revealed in 2009 that the total cost including interest from debt repayments could reach RM12.5 billion.

Since December 2009, six individuals have been charged in court including ex-MCA president Dr Ling and his successor as transport minister, former MCA deputy chief Chan, who are both accused of lying to the Cabinet.

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