MACC should be given powers to prosecute, say PKR lawmakers
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BY MUZLIZA MUSTAFA

PKR wants the Malaysian Anti-Corruption Commission (MACC) to be given the power to prosecute as an independent body.

Its vice-president Nurul Izzah Anwar (pic) said this is because Malaysians have lost confidence in the Attorney-General (Tan Sri Abdul Gani Patail) as he also serves as adviser to the prime minister.

Currently, the power to prosecute is only with the A-G.

"We do not know how many suspects were charged with graft and, or, what the conviction rate is," she said, adding that if the power to prosecute is given to the MACC, then all these can be easily monitored.

Nurul was speaking to reporters after a closed-door meeting between PKR leaders and the MACC at its academy in Bukit Tunku today.

She said during the meeting, MACC also sought the support of PKR in amending Section 23 of the MACC Act to plug a loophole that allows government servants to award projects or tenders to family members, thereby ensuring that any such award is done through the proper public procurement process.

Nurul said that the party's lawmakers will only support the amendment if the MACC is given prosecutorial powers.

"These two must go in tandem," she said.

Under this section, relating to the offence of "using office or position for gratification", any officer of a public body who uses his office or position for any gratification, whether directly or indirectly for himself, his relative or associate, has committed an offence.

The definition of "relative" includes parents, children, siblings, spouse, in-laws and cousins.

The loophole is that the public officer could either leave a meeting, after declaring the conflict of interest, which will be noted in the meeting's minutes, or his name would not be in the meeting's minutes at all because he was not present when the decision was made.

Thus, the law can be easily beaten and circumvented leading to abuse of power. Most people are aware of this weakness in the law and that is how they avoid getting caught.

Therefore, something needs to be done to prevent people from making a mockery of it. - August 21, 2013.

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