

Najib broke anti-graft law by accepting 'donation', says Ambiga
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By Sheridan Mahavera

Prominent lawyer Datuk Ambiga Sreenevasan has added to the chorus of voices who are saying that Umno could have broken anti-graft laws when it called the RM2.6 billion in Prime Minister Datuk Seri Najib Razak's personal accounts a donation.

Ambiga, who is former chairman of the Bar Council, said that under the Malaysian Anti-Corruption Commission Act (MACC) 2009, the definition of gratification in Section 50 of the act included donations.

The section stated that any form of gratification was presumed to have been corruptly received, unless proven otherwise, she said.

This meant that the burden was on the receiver of the money to disprove any element of corruption.

"They have made it worse for themselves when they used the term donation. This is a real red flag," Ambiga told the audience at a forum titled "Malaysia: Where do we go from here?" in Kuala Lumpur last night.

The MACC has declared that RM2.6 billion which had been funnelled into Najib's accounts was a donation and not money from 1Malaysia Development Bhd (1MDB).

The agency also confirmed that the donor is from the Middle East but did not name the source. However, it last night said it would be asking Najib to provide an explanation on the donation.

Yesterday, PKR secretary-general Rafizi Ramli said Najib should be investigated by the MACC for receiving the donation.

Rafizi cited Section 3 of the MACC act which stated that a public officer was not allowed to receive gratification in any form.

The meaning of "gratification" under the act also includes "donation" and "gift".

This comes as Najib's supporters in Umno have said that the donation was justified on the grounds that the prime minister needed it to fund the ruling Barisan Nasional's 13th general election campaign in 2013.

Ambiga said if the funds were used for the polls, there may be grounds to take Barisan to court for using massive amounts of money to influence the election.

Another speaker at the forum, DAP publicity chief Tony Pua (pic, left), questioned whether Najib had sold out the country in exchange for the money.

“Why would a Middle Eastern donor give the Prime Minister RM2.6 billion for local elections? Was this money free? Najib won’t say.”

Pua also said there were double-standards in the notion of political parties receiving foreign donations. If it had been the DAP, he said the opposition party would be hounded and labelled as a traitor to the country.

“If we received even RM26,000 from Singapore we would be finished. We would be accused of being a foreign-funded traitor.” – August 6, 2015.

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