

AG Clears PM Of Wrongdoing In Relation To SRC International, RM2.6-billion Fund Probes Bernama

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PUTRAJAYA, Jan 26 (Bernama) -- Attorney-General Tan Sri Mohamed Apandi Ali has cleared Datuk Seri Najib Tun Razak of any wrongdoing in relation to investigations into SRC International Sdn Bhd and the RM2.6 billion alleged to have been deposited into the Prime Minister's bank account.

He said the investigations revealed that the amount deposited was RM2.08 billion, and it was a personal donation from the Saudi royal family in 2013, of which RM2.03 billion was returned to the contributor the same year.

"There was no criminal wrongdoing," he told a news conference on the outcome of the investigations here today.

As such, he said, the three investigation papers would be returned to the Malaysian Anti-Corruption Commission today for closure of the matter.

Mohamed Apandi said he had studied in detail the testimony of the witnesses, documents and feedback in the investigation paper on the fund and two investigation papers on SRC International.

On the fund, he said he was satisfied that the money deposited into the Prime Minister's account was a personal donation to him from the Saudi Arabian royal family "without any expectation".

The testimony of witnesses and supporting documents furnished by MACC show that the fund deposited into the Prime Minister's account between March 23, 2013, and April 10, 2013, amounted to USD681 million (RM2.08 billion) and it was a personal donation from the Saudi royal family, he said.

Mohamed Apandi said the MACC itself, in its investigation, recorded the statements of the witnesses, including the donor of the money who confirmed that the fund was a personal donation to the Prime Minister.

"I am satisfied that there is no testimony which showed that the fund was a bribe. The testimony did not show that the fund had been given as an inducement or payment for doing or not doing anything in his capacity as the prime minister," he said.

Mohamed Apandi said the Prime Minister returned USD620 million (RM2.03 billion) of the donation to the Saudi Arabian royal family in August 2013 because it was not utilised.

"Based on the submitted testimony of witnesses and supporting documents, I am satisfied that no criminal offence was committed in relation to the RM2.08 billion donation," he said.

As such, Mohamed Apandi said, there was no need for Malaysia to make a request for mutual legal assistance in a criminal matter to any country to complete the investigation because no criminal offence was committed in relation to the RM2.08-billion donation.

In respect of the two investigation papers on the SRC International cases, Mohamed Apandi said it was found that no offences were committed under the MACC Act 2009 and the Penal Code.

Under the MACC Act, he said, there was no evidence that showed that the Prime Minister had abused his position during a meeting of the Cabinet that approved a guarantee for a RM4-billion loan by SRC International from the Retirement Fund (Incorporated) (KWAP).

He said there was evidence to show that the loan approval and loan guarantee approval processes of the KWAP Board were done in a proper manner.

"There was no evidence to show that the Prime Minister asked for or was promised any inducement from any quarters before, during or after the decision of the Cabinet," he said.

Mohamed Apandi said that evidence pertaining to decisions or actions did not portray any conflict of interest by the Prime Minister.

"The MACC itself acknowledged that based on its investigations, there was no testimony from witnesses to show that the Prime Minister engaged in any corrupt practice," he said.

As for the investigation under the Penal Code, Mohamed Apandi said there was no evidence to show that the Prime Minister knew and/or was informed that money from SRC accounts had been deposited into his accounts.

He also said that there was no evidence to show that the Prime Minister had given any approval for the transfer of funds from SRC accounts into any of his accounts.

"Evidence shows that at material times, the Prime Minister believed that all payments made by him utilised the donation from the Saudi Arabian royal family that had been transferred to his accounts," he said.

"Based on the facts and evidence, I, as the public prosecutor, am satisfied that YAB Prime Minister did not commit any criminal wrongdoing with regard to the three investigation papers," he said.

When asked whether he was happy with the investigation conducted by the MACC, Apandi said the agency had done a thorough investigation even though the volume of the file was "equivalent to my height".

We on our part - me and my team - have also done a through examination of the investigation papers. We have gone through a forensic analysis of the whole evidence, involving figures and names.

"We even took the trouble over the weeks to go through and draw money trail charts for us to fully understand what transpired in the whole episode. It is not an easy job to do this and it took my boys quite some time to analyse all these, he said, attracting photographers as he showed the money trail charts.

Mohamed Apandi denied that he did not seek any clarification with the MACC on the investigations.

We sent back the investigation papers for clarification and requested further clarification. This was in my minutes to them.

"On top of that, I would like to clarify that when I first received the investigation papers, I did communicate with MACC chief commissioner Tan Sri Abu Kassim Mohamed via phone calls and the modern way of Whatsapp.

"I also spoke to MACC investigations division director Datuk Azam Baki. To say that I did not communicate with them after receiving the papers is not correct, he said.

On a question on the purpose of the donation, Mohamed Apandi said it was a personal donation, between the Saudi Arabian royal family and the Prime Minister.

When asked whether it was for corporate social responsibility, he said: "No, because we recorded a statement from them."

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