

Oversight panel's advice on SRC, RM2.6 billion not to challenge A-G's authority, says MACC

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The Operations Review Panel's (ORP) recommendation to resubmit SRC International Sdn Bhd investigation papers and to collect evidence from overseas into the RM2.6 billion found in the prime minister's private accounts should not be construed as challenging the attorney-general's (A-G) authority, the Malaysian Anti-Corruption Commission (MACC) said.

"I would like to stress that the prosecutorial power rest with the A-G under Article 145(3) of the Federal Constitution," its MACC chief commissioner Tan Sri Abu Kassim Mohamed said in a statement this evening.

Yesterday, the eight-member OPR, which met for the last time, advised the anti-graft agency to resend the investigation papers on SRC International to A-G Tan Mohamed Apandi Ali, who was also the public prosecutor for this case.

The panel, which commended MACC for its professionalism, dedication and integrity, also suggested to investigators to seek the A-G's assistance to issue a mutual legal assistance to enable the agency to obtain evidence and documents from financial institutions abroad in their probe into the RM2.6 billion donation.

Apandi had on January 26 said there was insufficient evidence to charge Datuk Seri Najib Razak over SRC International, a Finance Ministry-owned firm.

The company was reportedly the firm from which part of the donation had originated before it flowed through other companies and ended up in Najib's personal bank accounts.

Apandi said there was no evidence that Najib, also the finance minister, abused his power in relation to a loan taken by SRC International from Retirement Fund Inc (KWAP).

He added that there was no need to proceed with a request for mutual legal assistance from overseas financial authorities and banks for MACC to complete its probe into the RM2.6 billion, since there was insufficient evidence.

MACC had recorded statements from more than 100 witnesses, including Najib, over the donation.

The agency opened investigations following reports in The Wall Street Journal (WSJ) and Sarawak Report in July last year, alleging that of the RM2.6 billion donation, RM42 million had originated from SRC International, a subsidiary of Najib's brainchild, 1Malaysia Development Berhad.

A larger tranche of US\$681 million (RM2.8 billion) was also transferred into Najib's accounts, originating from a British Virgin Islands company and going through the Falcon Private Bank in Singapore.

Apandi said US\$620 million was returned by Najib to the Saudi donor as it was not utilised.

In a related development, Abu Kassim said the OPR, and the Consultation and Corruption Prevention Committee would not be disbanded, contrary to media reports.

"The government is now in the process of making appointments to both panels for a new term."

Both committees are administratively appointed by the prime minister to assist MACC in carrying out its task since 2009.

Another three, Anti-Corruption Advisory Board, Special Committee on Corruption and the Complaints Committee, are legally constituted panels as required under the MACC Act 2009. – February 25, 2016.

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