

Asset Declaration In Malaysia

Shamshun Baharin bin Mohd Jamil

Deputy Chief Commissioner (Prevention)

Malaysian Anti-Corruption Commission (MACC)



Article 8: Codes of conduct for public officials

5. Each State Party shall endeavour, where appropriate and in accordance with the fundamental principles of its domestic law, to establish measures and systems requiring public officials to make declarations to appropriate authorities regarding, inter alia, their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials



WHY ASSET DECLARATION IS NECESSARY

- 1. To curb corruption and conflict of interest**
- 2. To detect abuse of public office**
- 3. To ensure integrity among public officials**
- 4. To detect illicit enrichment**



WHO NEEDS TO DECLARE

(i) Members of Administration

- Code of Ethics for Members of Administration 2009

(ii) Judges

- Code 9, Judges' Code of Ethics 2009

(iii) Members of Parliament

- Code of Ethics for Government Backbenchers 2004

(iv) Public Officers

- Regulation 10, Public Officers' Regulations (Conduct And Discipline) 1993
- Service Circular No. 3/2002 – Ownership and Declaration of Asset by Public Officer

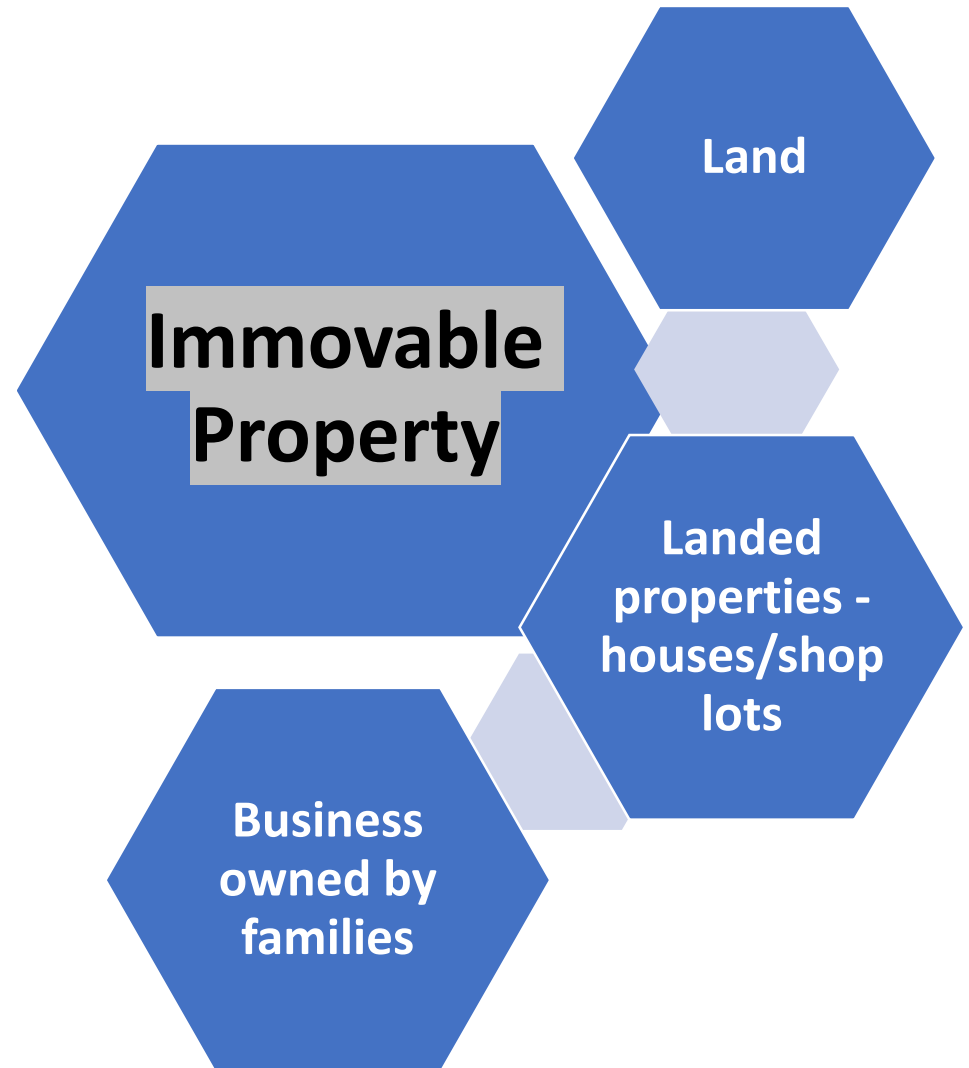
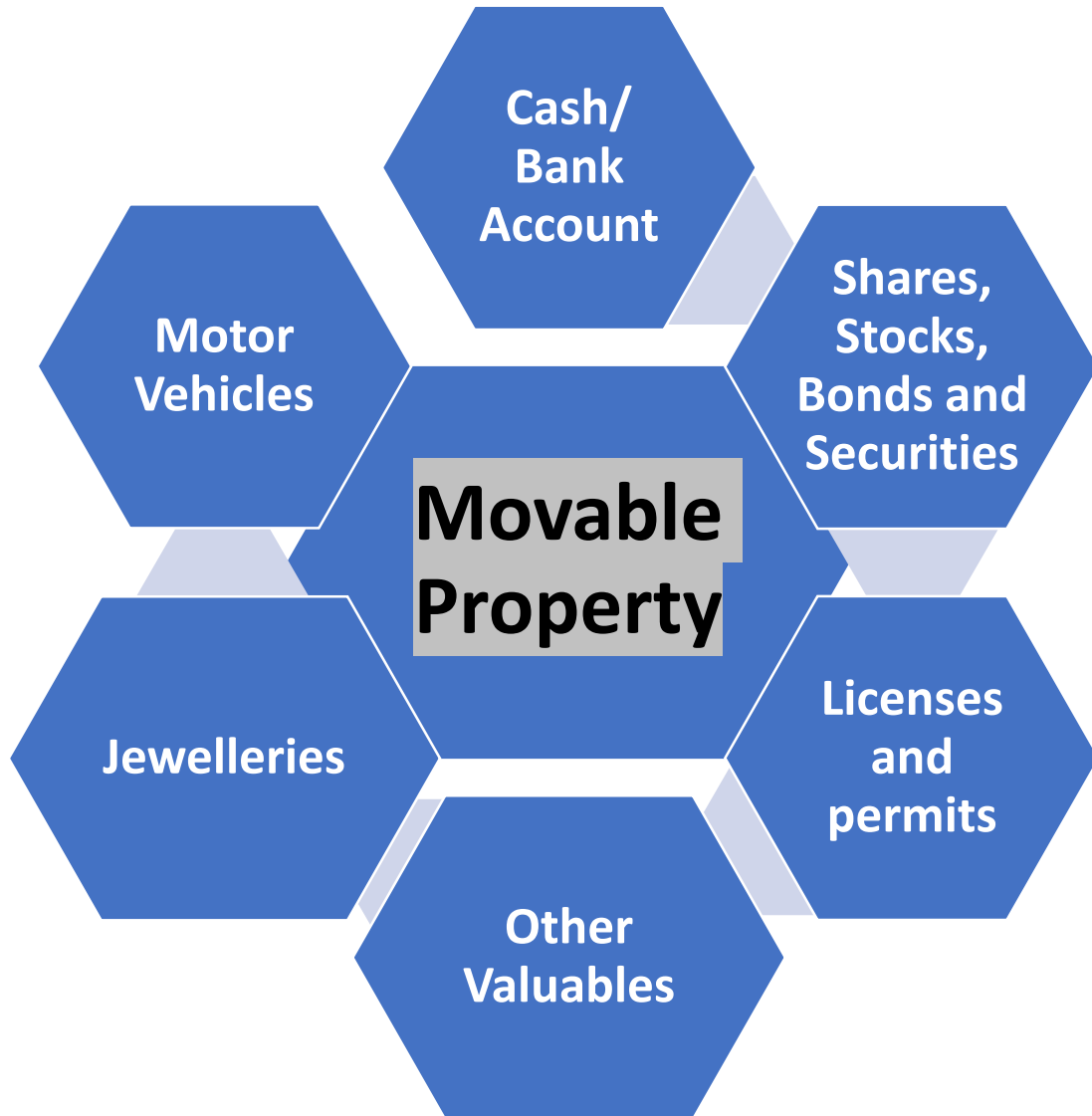


WHY NEED TO DECLARE

- **Asset declaration is a pre-condition for confirmation and promotion of all public officials under Chapter A (Appointment, Promotion and Termination of Service) of the General Order**
- **Officials who fail to declare their asset, shall be subjected to disciplinary action under the Public Officers Regulations (Conduct and Discipline) 1993**
- **Possible punishments among others are warning, demotion and dismissal**



WHAT TO DECLARE



WHEN TO DECLARE

- **All public officials are required to declare their asset when:-**
 - (a) at the time of his appointment;**
 - (b) when acquiring of new assets;**
 - (c) when disposing of any assets;**
 - (d) as and when required by the Government**
- **All public officials are required to make periodic declaration of asset within a specific time. In the event that the public officials do not acquire any additional asset or disposal, the official should declare as such**



HOW TO DECLARE

The asset declaration process for public officials has been automated via the Human Resource Management Information System (HRMIS)

The screenshot displays the HRMIS web application interface. On the left is a vertical navigation menu with icons and labels: 'FUNGSI', 'MODUL / SUBMODUL', 'HALAMAN UTAMA', 'PETI PESANAN', and 'LOG KELUAR'. The main content area features a header with a date and time: 'Tarikh: Rabu, 05/09/2018 Masa: 10:27:14 PM' and a breadcrumb trail '>>>> Perisytiharan Harta'. Below the header, the text 'Selamat Datang ke' is followed by the title 'PERISYTIHARAN HARTA' and the HRMIS logo, which consists of a stylized blue and red 'Z' shape above the letters 'HRMIS'. At the bottom of the main content area, it says 'Sesuai dilayari dengan 1024 X 768 piksel'.

<https://hrmis2.eghrmis.gov.my/HRMISNET/Common/Main/Login.aspx>



KUALA LUMPUR: The family of Datuk Seri Najib Tun Razak has started the legal process to reclaim their seized items from the police.

His family maintains the seizures are mostly of gifts from friends and foreign dignitaries, including royalty, for various occasions such as official visits and family events, birthdays, anniversaries, weddings and engagements, said the former prime minister.

“Some of the items seized belong to relatives and various third parties.

“We dispute the quantity and the valuation given in the press conference by the police since such valuation is subjective and is subject to when the gifts were given,” Najib said in a statement on Thursday (June 28).

As most of the items were gifts accumulated over decades, the family is not aware of how much was paid by those who had gifted these items, he added.



- 6 premises were raided
 - 5 full-load lorry of cash, handbags, watches, sunglasses, jewellery were seized
 - ❖ Cash in 26 currencies - RM116.7 mil (US\$28.11 mil)
 - ❖ 567 handbags
 - ❖ 423 watches
 - ❖ 234 sunglasses
 - ❖ 12,000+ jewellery in 25 bags
 - 2,800 pairs of earrings
 - 2,200 rings
 - 2,100 bangles
 - 1,600 broaches
 - 1,400 necklaces
 - 14 tiaras

Massive haul

Malaysian police yesterday said they had seized cash, jewellery, handbags and watches worth up to RM1.1 billion (S\$372 million) from six premises linked to former prime minister Najib Razak in raids carried out last month.



CASH

RM116.7m
in 26 currencies

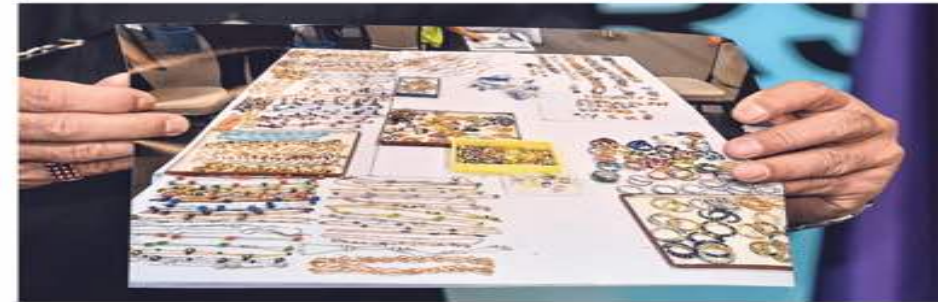
JEWELLERY

12,000

pieces of jewellery in 25 bags valued at

RM660m to RM880m

- The items included 1400 necklaces, 2,200 rings, 2,100 bangles, 2,800 pairs of earrings, 1,600 brooches and 14 tiaras
- The single most expensive item was a yellow-gold necklace with diamonds, valued at **RM6.4 million**, excluding workmanship



HANDBAGS

567

luxury handbags from 37 brands, including Hermes, Prada, Chanel, Judith Leiber, Kwanpen and Bjan



WATCHES

423

watches from 100 brands, including Rolex, Chopard and Richard Mille

- The watches have an estimated value of

RM78m

- The most expensive piece, a Paul Newman Rolex Daytona, was valued at **RM3.5 million**

SUNGLASSES

234

pairs of sunglasses valued at **RM374,000**, including Versace, Gucci, Cartier and Dior

The six premises that were raided



- Mr Najib's family bungalow in Jalan Duta, Kuala Lumpur



Former prime minister Najib Razak and his wife Rosmah Mansor.



- Three Pavilion Residences condominium units in Kuala Lumpur



- An empty bungalow in Putrajaya
- Seri Perdana, the prime minister's official residence in Putrajaya



ASSET DECLARATION IN MALAYSIA – CURRENT IMPROVEMENTS

- **Asset declarations by Members of Administration (Prime Minister, Deputy Prime Minister, Ministers, Deputy Ministers and Political Secretaries) and Members of Parliament are copied to the Malaysian Anti-Corruption Commission (MACC)**
- **All declarations shall be made under the Statutory Declaration Act, 1960**
- **Asset declarations by Members of Administration and Members of Parliament is made accessible to the public through an asset declaration portal managed by MACC**



ASSET DECLARATION IN MALAYSIA – WAY FORWARD

Study is underway to make it legally mandatory for Members of Administration, Members of Parliament and senior public officers including officers in Government Linked Companies, Government Owned Companies & Government Investment Companies to declare their asset to the MACC



THANK YOU

Shamshun Baharin bin Mohd Jamil
Deputy Chief Commissioner (Prevention)
Malaysian Anti-Corruption Commission (MACC)
20th Floor, Block C, MACC Headquarters,
No. 2, Lebuhr Wawasan, Precinct 7,
62250 Putrajaya, Malaysia
Email: tkpp@sprm.gov.my

