

**A STUDY ON THE EFFECTIVENESS OF THE MALAYSIAN ANTI-CORRUPTION COMMISSION 2009**

By

Muhammad Aizat Afifi Bin Zainuddin (2010746161)

Mohammed Azmi Bin Shahrudin (2010916653)

Mohd Syafiq Bin Bahtiar (2010393223)

Mohamad Helmi Bin Ibrahim (2010149659)

Submitted in Partial Fulfillment of the Requirements

for the Bachelor in Legal Studies (Hons)

**Universiti Teknologi MARA**

**Faculty of Law**

June 2013

The students/authors confirm that the work submitted is their own and that appropriate credit has been given where references have been made to the work of others.

## **ACKNOWLEDGMENT**

First of all, we would like to express our utmost gratitude to Allah S.W.T for His blessings in giving us strength to complete this research project.

We would like to take this opportunity to express our profound gratitude to our supervisor Ahmad Shukree Bin Mhd Salleh for his exemplary guidance and her encouragement and unending support throughout the course of this project paper. The continuous blessings, help and guidance given by her, shall carry us a long way in the journey of life on which we are about to embark.

We would also like to take this opportunity to express our gratitude to all the respondents of the interview sessions for their friendly support, valuable information and cooperation, which helped us in completing this project paper.

To our family and friends, we would like to give our biggest thank you for the undivided love and support which are exactly what we needed the most during the period of completing this research project.

Last but not least, thank you to the group members who have been working hard on completing this research project. This research project paper had been carried out by a team of four which consists of Muhammad Aizat Afifi Bin Zainuddin, Mohammed Azmi Bin Shahrudin, Mohd Syafiq Bin Bahtiar and Mohamad Helmi Bin Ibrahim.

## **ABSTRACT**

Despite fast changing ways of life, the crime namely 'corruption' has been hesitantly recognized either by the society or law in Malaysia. Most researchers and scholars believe that though the era has changes in their lives, in the case of corruption, most people still not aware of this sinful crime or just pretend do not know. However, it must be noted that the number of corruption level in Malaysia has been increasing over the years and it like the disease in our society. The lack in Malaysia anti corruption law, enforcement and political has caused the corruption problems to arose. As corruption happen among the society, it would be necessary for the government to look into this matter and assist them in any possible way especially in improving the law. Therefore, this research looks into the issue of the recent anti corruption law in Malaysia particularly the loopholes in it. This research also compares the situation in other countries such as Hong Kong, Singapore and United Kingdom in order to find the best anti corruption law to adapt in Malaysian anti corruption law and also to enhance the current law.

## **TABLE OF CONTENTS**

Acknowledgement	i
Abstract	ii
Table of Contents	iii
List of Cases	vi

### **CHAPTER ONE: INTRODUCTION**

1.0 Research Background	1
1.1 Research Question	3
1.2 Research Objectives	4
1.3 Literature Review	4
1.4 Research Methodology	10
1.5 Scope and Limitations	10
1.6 Research Contribution	12
1.7 Provisional Plan	13

### **CHAPTER TWO: INTRODUCTION TO MALAYSIAN ANTI-CORRUPTION LAW**

2.0 Introduction	14
2.1 Factors of Corruption	15
2.2 Impacts of Corruption	17
2.3 History of Malaysian Anti Corruption Commission	19
2.4 Overview of Malaysian Anti-Corruption Law	22
2.4.1 Investigation	23
2.4.2 Prosecution	23
2.4.3 Punishment	24
2.4.4 Issues Regarding MACC Act 2009	25
2.5 Conclusion	27

## **CHAPTER THREE: THE INTRODUCTION OF ANTI-CORRUPTION LAWS IN SINGAPORE, HONG KONG AND UNITED KINGDOM**

3.0 Singapore Anti-Corruption Law	28
3.0.1 Investigation	29
3.0.2 Prosecution	31
3.0.3 Punishment	33
3.1 Overview of Hong Kong Anti-Corruption Law	34
3.1.1 Investigation	35
3.1.2 Prosecution	37
3.1.3 Punishment	38
3.2 Overview of United Kingdom Anti-Corruption law	39
3.2.1 Investigation	40
3.2.2 Prosecution	41
3.2.3 Punishment	43
3.3 Conclusion	44

## **CHAPTER FOUR: FINDINGS AND RECOMMENDATIONS**

4.0 Interview	45
4.0.1 First Respondent	45
4.0.2 Second Respondent	47
4.1 Recommendations	49
4.1.1 Decision Making	49
4.1.2 Power to Obtain Information	50
4.1.3 Declaration of Assets	51