

MALAYSIA

Rosmah files application to have money laundering, tax evasion charges struck out



Datin Seri Rosmah Mansor arriving at the Kuala Lumpur High Court for her money laundering and Inland Revenue Board case, August 24, 2023. — Picture by Sayuti Zainudin

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By **Kenneth Tee**

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KUALA LUMPUR, Sept 7 — Weeks after the High Court ordered for her money laundering and tax evasion trial to commence, Datin Seri Rosmah Mansor has now filed an application to strike out all of the charges on which she is currently on trial.

In court documents sighted by *Malay Mail*, Rosmah said the 17 charges against her were baseless, defective and premature since she argued the criminal court was not a suitable forum to determine whether some RM7.1 million — the amount stipulated in her charges — she received were taxable under the Income Tax Act.

"If the criminal court proceeds with its findings, it will usurp the functions of the Special Commissioners of Income Tax (SCIT) which is an authorised body under a written law.

"Under any circumstances, I reserve the substantive right to refer the said chargeable amount to the SCIT which has been denied to me in these charges," she said in her affidavit ahead of a case management on the trial fixed for hearing at the High Court today.

Rosmah also said she possessed the substantive and constitutional right to be treated fairly, including substantive legal right under the Income Tax Act to present her appeal on any assessment sought by the Inland Revenue Board which she said claimed to have been denied in the present case.

The application was filed yesterday which her lawyer Geethan Ram Vincent had confirmed to Malay Mail.

Rosmah's bid to strike out her charges follows a pending decision over two representations she submitted to the Attorney General's Chambers in May and last month.

This is Rosmah's second corruption trial.

On September 1 last year, Court of Appeal judge Mohamed Zaini Mazlan — then a High Court judge — found Rosmah guilty of three corruption charges involving RM1.25 billion in connection with a hybrid solar project to provide electricity for 369 rural schools in Sarawak.

Rosmah, who is the wife of former prime minister Datuk Seri Najib Razak, was sentenced to 10 years in jail for each charge to be served concurrently which means she will only serve 10 years in jail.

She was also fined RM970 million, in default 30 years in jail but her sentence is on hold pending an appeal to the Court of Appeal.

In this trial, Rosmah is facing 12 money laundering charges involving RM7,097,750, and five counts of failure to declare her income to the Inland Revenue Board between December 4, 2013 to June 8, 2017.

Initially charged on October 4, 2018 at the Sessions Court, she has pleaded not guilty to all the charges.