

PRESS RELEASES

Statement on 1Malaysia Development Berhad (1MDB)

**Ref No : 04/16/11 28 Apr 2016 Embargo : For
immediate release**

**Following receipt of the consent of the Attorney
General today, Bank Negara Malaysia has
issued a letter of administrative compound to**

*** 1MDB for failure to fully comply with
directions issued under the Financial Services
Act 2013. This includes requirement for 1MDB
to repatriate monies remitted abroad following
the revocations of the three permissions granted
by Bank Negara Malaysia to 1MDB in 2009,
2010 and 2011. 1MDB has also failed to submit
evidence and documentation specified by the
Bank to justify its inability to fully comply with
the repatriation order. 1MDB has been given**

**until 30 May 2016 to pay the compound. The
payment of the compound marks the conclusion
of the investigation by Bank Negara Malaysia
on the contraventions to the rules and
regulations of the Central Bank.**

Bank Negara Malaysia

28 April 2016

EXHIBIT 5

1MDB: We have fully paid off Bank Negara fine

By NST ONLINE - May 25, 2016 @ 1:18pm

Source: <http://www.nst.com.my/news/2016/05/147711/1mdb-we-have-fully-paid-bank-negara-fine>

KUALA LUMPUR: 1Malaysia Development Berhad (1MDB) today announced that it has made full payment of a fine imposed on it by the central bank.

Bank Negara Malaysia (BNM) said last month that it had issued a letter of administrative compound to the fund for non-compliance with certain directions of BNM and the closure of investigations on 1MDB.

"1MDB confirms that it has today made payment, in full, of the compound, in compliance with the decision of BNM," the fund said in a statement.

FINANCIAL SERVICES ACT 2013

Offence Committed By Any Person Acting In Official Capacity

Section 249:

- (1) Where an offence is committed by a body corporate or unincorporated, a person –
- (a) who is a director, controller, officer or partner, or was purporting to act in any such capacity; or
 - (b) who is concerned in the management of its affairs, at the time of the commission of the offence is deemed to have committed that offence unless that person proves that the offence was committed without his consent or

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connivance and that he exercised such diligence to prevent the commission of the offence as he ought to have exercised, having regard to the nature of his function in that capacity and to the circumstances.

(2) An individual may be prosecuted for an offence under subsection (1) notwithstanding that the body corporate or unincorporated has not been convicted of the offence whether or not a prosecution has been initiated or a conviction has been obtained against the body corporate or unincorporate.

(3) Subsection (1) shall not affect the criminal liability of the body incorporate or unincorporated for the offence referred to in that subsection.

(4) The penalty of imprisonment for an offence applies to an individual convicted of an offence by virtue of subsection (1), notwithstanding that the imprisonment does not apply to the body corporate or unincorporated by virtue of section 247.

Offence By Employees Etc.

Section 250:

Where a person is liable under this Act to a penalty for Any act, omission, neglect or default, such person shall be liable to the same penalty for the act, omission, neglect or default of his employee, director, controller or agent if the act, omission, neglect or default was committed by –

- (a) His employee in the course of the employee's employment;
- (b) His director in carrying out the function of a director;
- (c) His controller in carrying out the function of a controller; or
- (d) His agent when acting on his behalf.

Power To Compound

Section 253:



(1) The Governor may, with the consent in writing of the Public Prosecutor, offer in writing to compound any offence punishable under this Act or any regulations made under this Act, by accepting from the person reasonably suspected of having committed the offence, such sum of money not exceeding the amount of the maximum fine to which that person would have been liable if he had been convicted of the offence within such time as may be specified in that offer.



(2) An offer under subsection (1) may be made at any time AFTER the offence has been committed, but before any prosecution for it has been instituted, and if the amount

specified in the offer is not paid within the time specified in the offer or within such extended period as the Governor may grant, prosecution for the offence may be instituted at any time after that against the person to whom the offer is made.

(3) Where an offence has been compounded under subsection (1), no prosecution shall be instituted in respect of the offence against the person to whom the offer to compound was made, and any document or thing seized in connection with the offence may be released by the Bank, subject to such terms and conditions as the Bank deems fit.

(4) All sums of money accepted under subsection (1) shall be paid into the Federal Consolidated Fund.