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War hero charged over US\$400m Ponzi scam

DHAKA: Bangladesh's anti-graft agency has charged a former army chief and war hero with stealing US\$400 million (RM1.25 billion) from nearly two million investors through alleged Ponzi schemes, police said.

The agency accused retired Lieutenant General Harunur Rashid, the president of Destiny Group, and 21 other senior officials of the group of stealing the money from two projects set up by the direct-selling company between 2006 and April this year.

"In total, they embezzled 32.8 billion taka (US\$402 million)," police inspector Shariful Islam told AFP, quoting from the case records.

A Ponzi scheme is an illegal investment scheme that involves paying returns to investors out of money paid in

by later investors, rather than from revenues generated by any real business transactions.

The Destiny Group allegedly collected 23.35 billion taka (US\$286 million) for a tree harvesting project. The other project was a credit society in which the group collected deposits and said the money would be returned with a substantial rate of interest within a certain number of years.

Destiny Group, with nearly 1.7 million investors, had been suspected by authorities of running Ponzi schemes since it was set up in 2000.

General Rashid led Bangladesh's powerful military in the late 1990s. He is also one of the country's most decorated war heroes. - AFP

Justice *to cost* more

> Bar Council against increase as poor litigants will be affected

BY PAULINE WONG
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PETALING JAYA: Litigants will have to fork out as much as double in fees under the new Rules of Court 2012 when they file documents in the courts.

The fees will be raised by up to 100% in tandem with the increase of the jurisdiction of the sessions and magistrates courts when amendments to the Subordinate Court Act 1948 are enforced.

It is not known when the fees will be raised, but it is certain and only a matter of sooner or later.

Currently, court fees - which were last fixed in 1991 - range from RM2 to RM300 depending on the type of documents.

However, the move does not sit well with the legal fraternity and all the three Bars - the Bar Council, Advocates Association of Sarawak and Sabah Law Association - had voiced their concerns.

Bar Council president Lim Chee Wee yesterday told *theSun* when the judiciary first indicated its intention to raise the fees in 2010, the three Bars had urged that fees not be increased.

"There are many poor litigants and any increase in

filing fees will effectively deprive them of their right of access to justice," he said.

"Also, court fees should never be regarded as revenue for the government."

Lim said in Britain, poor litigants are exempted from paying court fees under a fee waiver system known as the remissions system.

"The court looks into the financial background of the litigant to decide whether a litigant is eligible for a remission of the court fee," he said.

"This is to ensure that everyone, including the poor, will have access to the courts for justice."

Lim suggested that as such, similar provision for exemption on filing fees should be introduced here to avoid depriving the poor of access to justice.

theSun learnt that the Rules of Court 2012 had come into effect on Wednesday, but the fee hike under Order 91 of the rules has not been implemented as yet.

"Order 91 will only come into operation on a date which is to be appointed by the Rules Committee and the Subordinate Court Rules Committee by notification in the Gazette," he said.

Lim explained that the increase in court fees will only come into force



AFPPIX

NAVY TO THE RESCUE ... An amphibious vehicle transports stranded residents along a flooded street in the town of Navotas in suburban Manila yesterday after heavy rains and strong winds were brought about by Typhoon Saola. Rescuers deployed rubber boats while doctors fanned across cramped evacuation centres in the Philippines as the death toll from five days of flooding reached 23, officials said.

simultaneously with the enforcement of amendments to the Subordinate Court Act 1948, which was passed by Parliament in 2010.

The amendments, among others, would increase the

jurisdiction of the magistrate courts to hear civil cases up to RM100,000 and the sessions court to hear cases up to RM1 million, compared to RM25,000 and RM250,000 previously.

The Rules of Court 2012, which combines the 1980 High Court Rules and the 1980 Subordinate Court Rules, is to facilitate and standardise civil case procedures in court.

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