POLA 36 · JAKARTA 2026

TRANSNATIONAL BANKING CRIME

THE MALAYSIAN / SABAH PERSPECTIVE

36th POLA Conference · Session 3 · Jakarta · 8 September 2026

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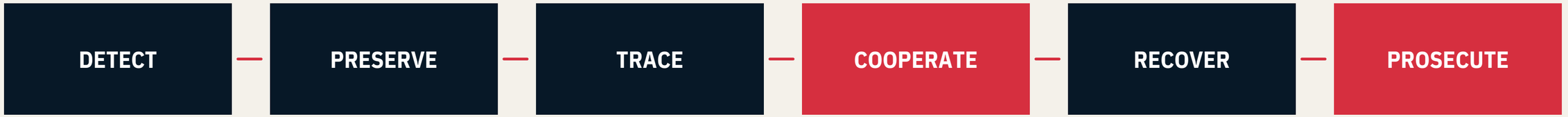
THE LAW MUST BE AS MOBILE AS THE MONEY



THE ARGUMENT

Money moves at digital speed.
Law often moves at institutional speed.

CAN WE



Bottleneck hypothesis · FATF / APG 2025

THE LANDSCAPE IN MALAYSIA

RM1.57b → RM2.97b

ONLINE SCAM LOSSES
2024 → 2025

RM830m

JAN–MAY 2026

66,204

CASES IN 2025 · +87%

90%

NOW ONLINE

RM1.46b

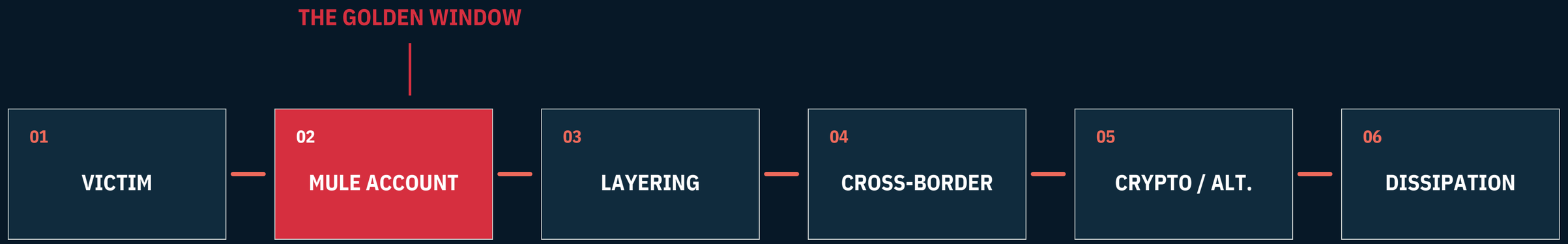
NON-EXISTENT INVESTMENTS

173,224

MULE ACCOUNTS IDENTIFIED

LEGAL TAGS s.137 FSA 2013 · AMLA s.4(1) · Cybercrimes Act 2026 · Penal Code ss.424A–424D

HOW THE MONEY MOVES



Early intervention at the mule account is the critical control point.

FOLLOW THE MONEY: ASSET TRACING

STEP	TOOL	TIME LIMIT	DECISION POINT
TRACE	NFP rapid trace	30 minutes	Frontline
PRESERVE	Freeze · s.44 AMLA	90 days	Executive / reviewable
SEIZE	Seizure · ss.45, 50–51	18 months	Judicial
FORFEIT	Civil forfeiture · s.56	No conviction	Civil standard

TIMING IS DECISIVE

NFP's 30-minute tracing is not administrative support — it is frontline enforcement.

THE LEGAL ARCHITECTURE — UPDATED

AMLA 2001	laundering · freeze · forfeiture
FSA 2013	banking secrecy / disclosure
PENAL CODE	ss.415/420 · ss.424A–424D
CPC (AMENDMENT) ACT 2024 - s.116D	seizure / prohibition of dealing in suspected criminal funds
CYBERCRIMES BILL 2026	passed both Houses · intended to repeal Computer Crimes Act 1997
MACMA 2002	mutual assistance
EXTRADITION ACT 1992	surrender and prosecution
COMPANIES ACT + 2025 REGS	beneficial ownership
CMSA + SC DIGITAL ASSET GUIDELINES	regulated conversion points

RECENT LAW / LIVE GAP

FREEZE — SEIZE — FORFEIT

01

FREEZE

90 DAYS

Executive · reviewable

02

SEIZE

18 MONTHS

Judicial supervision

03

FORFEIT

CIVIL STANDARD

No conviction required

Safeguards: judicial review · expiry and release · third-party rights · bank liability

THE SPEED PROBLEM: CROSS-BORDER MOVEMENT & MLA

MONEY — **MINUTES**

THE GOLDEN WINDOW CLOSES

MLA

Prescribed States → AG central authority → certified documents → proceedings

“Prosecution challenges persist.” — FATF / APG 2025

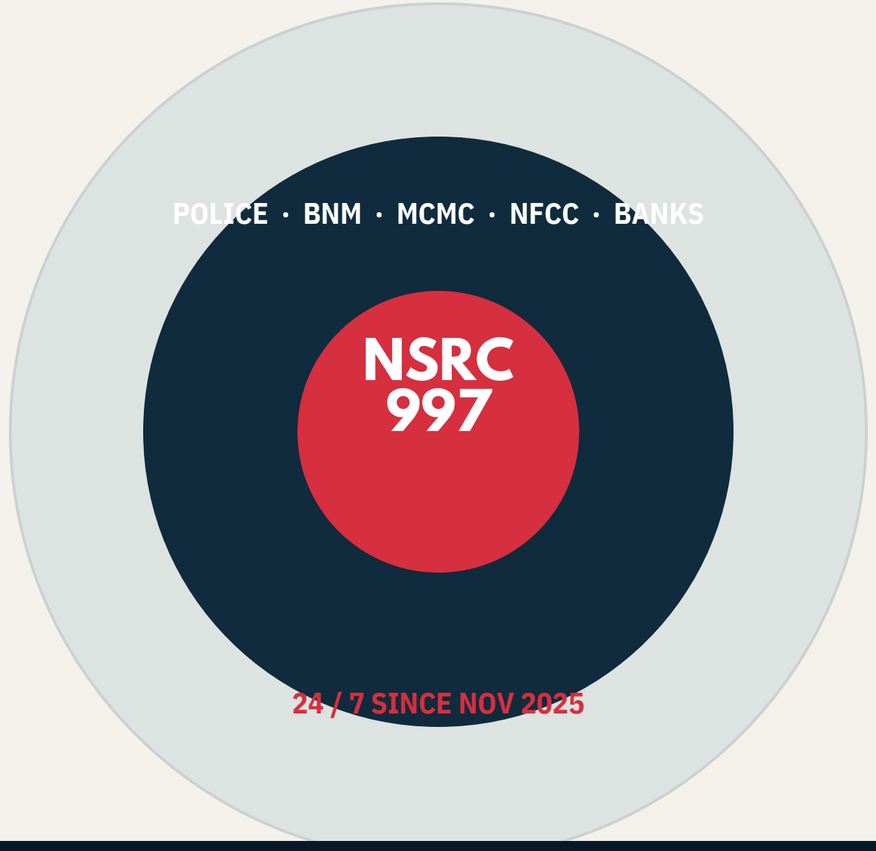
ALTERNATIVE VALUE SYSTEMS

MYTH	REALITY
Crypto is anonymous	**Attribution is the challenge**
Blockchain is criminal	**The ledger can be evidence**
Hawala is crime	**Opacity and misuse are the risks**

REGULATE THE CONVERSION POINTS — NOT THE TECHNOLOGY

SC DAX Guidelines · May 2026 | Digital assets as securities | BNM stablecoin sandbox

COORDINATED SCAM RESPONSE — UPDATED



146,167
calls

138,915
accounts frozen

RM34.05m
saved in 2025

NFP · 30-minute tracing · 53 participants · 145,011 incidents

SABAH: A BORDER-STATE VANTAGE POINT



“Borders matter to law; they matter less to digital money.”

> RM110m

Sabah & Sarawak scam losses · 2025

200

arrests in Sabah · Sept 2025

GEOGRAPHY CAN BE AN ENFORCEMENT ASSET — NOT A LIABILITY

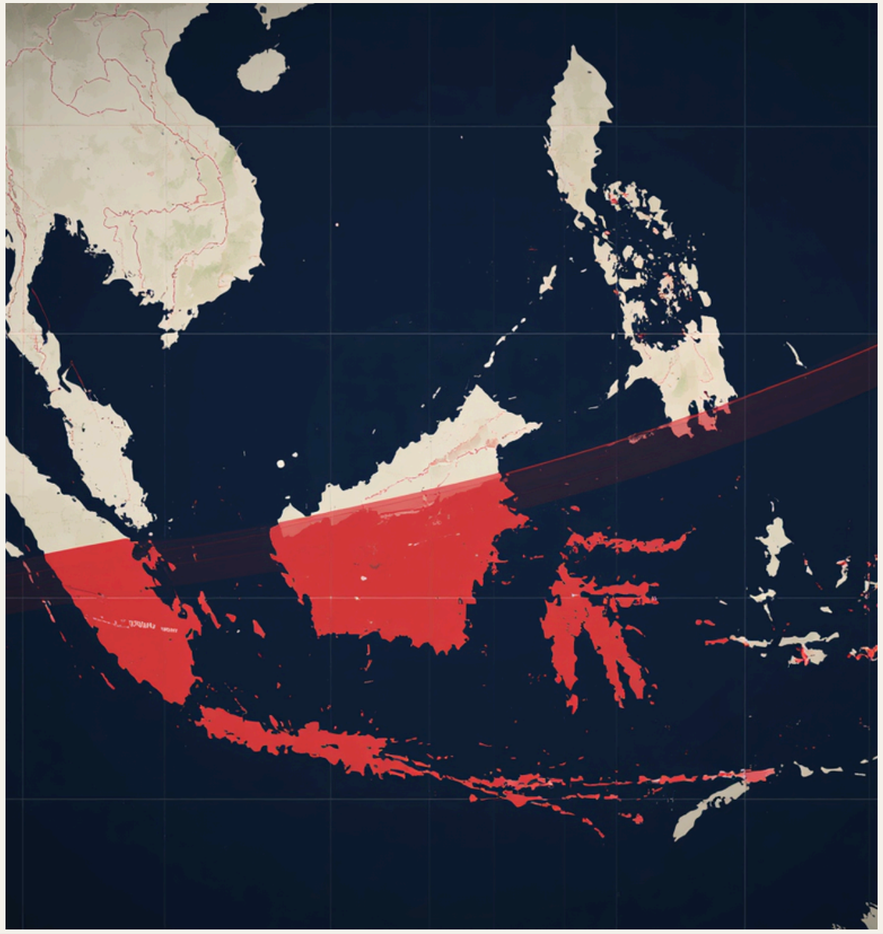
THE REGIONAL RESPONSE: ASEAN · APG · FATF

MALAYSIA

FATF member since 2016

MER 2025 roadmap

Prosecution challenges



INDONESIA

43.72m

reports · 2025

183,281 STRs

Gambling 47.5% · Fraud 18.7%

Freeze reports +484.8%

ASEAN MLA TREATY · ASEANAPOL · INTERPOL · FIU-TO-FIU COOPERATION

RULE OF LAW AND RIGHTS: THE BALANCE



90-day limit · judicial review · release on expiry · third-party protection (s.61) · privilege preserved

THE ROLE OF LAWYERS & BAR ASSOCIATIONS

01

EDUCATE

AML duties and financial crime

02

COMPARE

Resources and typology sharing

03

CONVENE

Regulators and law enforcement

04

UPHOLD

Ethics · client accounts · ss.424A–424D

“Bars do not investigate financial crime — but we shape the ecosystem in which it is prevented, detected and prosecuted.”

RECOMMENDATIONS & CLOSING

01 Fast, time-limited, court-supervised preservation — decoupled from confiscation

02 Tiered MLA: fast-track preservation; expand prescribed States

03 Stronger FIU + regulator cooperation; travel rule for digital assets

04 Connect national anti-scam centres regionally — NSRC ↔ regional

05 Regulate conversion points, not technology; transparency with data protection

RM2.97b LOST IN 2025 · ~1% INTERCEPTED

MAKE THE LAW AS MOBILE AS THE MONEY — AND AS PRINCIPLED AS THE PROFESSION.

THE GOLDEN WINDOW IS THE BATTLEGROUND.