

DALAM MAHKAMAH TINGGI MALAYA DI KUALA LUMPUR  
(BAHAGIAN DAGANG)

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MALAYA-DKUALA-LUMPUR  
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GUAMAN NO. WA-22NCC-300-07/ 2017

Antara

Suruhanjaya Sekuriti Malaysia

... Plaintiff

Dan

1. Yeow Kheng Chew  
(No. K/P: 520928-07-5157)
2. Paulene Chee Yuet Fang  
(No. K/P: 600724-10-6900)
3. Tan Yee Chee  
(No. K/P: 700321-01-5279)

... Defendan-Defendan

DI HADAPAN HAKIM

AZIZUL AZMI BIN ADNAN

PADA 15 OGOS 2017

DALAM KAMAR

PENGHAKIMAN PERSETUJUAN

ATAS TINDAKAN Plaintiff yang bernama di atas dan SETELAH MENDENGAR Koh San Tee, Peguamcara bagi pihak Plaintiff, Tan Hock Chuan (Vincent Quek dan Natalie Tan bersamanya), Peguamcara bagi pihak Defendan Pertama dan menyebut bagi pihak Peguamcara bagi pihak Defendan Kedua dan Guok Ngek Seong, Peguamcara bagi pihak Defendan Ketiga MAKA ADALAH DIHAKIMI SECARA PERSETUJUAN yang berikut:

- (a) Satu deklarası bahawa Defendan Pertama telah melanggar Seksyen 188(2)(a) Akta Pasaran Modal dan Perkhidmatan 2007 ("CMSA") berkenaan dengan pemerolehan saham-saham Kencana Petroleum Berhad ("saham-saham Kencana") melalui Akaun Perdagangan Asia Premium Corp, Akaun Perdagangan Angnew Resources Limited dan Akaun Perdagangan Defendan Kedua;
- (b) Satu deklarası bahawa Defendan Kedua telah melanggar Seksyen 188(2)(a) CMSA berkenaan dengan pemerolehan saham-saham Kencana melalui Akaun Perdagangan Defendan Kedua, Akaun Perdagangan Asia Premium Corp dan Akaun Perdagangan Angnew Resources Limited;
- (c) Satu deklarası bahawa Defendan Ketiga telah melanggar Seksyen 188(2)(b) CMSA berkenaan dengan pemerolehan saham-saham Kencana melalui Akaun Perdagangan Defendan Kedua;
- (d) Satu perintah bahawa Defendan Pertama dan Kedua masing-masing (*severally*) membayar kepada Plaintiff wang berjumlah RM2,326,980.00 yang merupakan amaun yang bersamaan dengan tiga (3) kali ganda amaun sebanyak RM775,660.00, yakni perbezaan di antara harga saham-saham Kencana yang telah diperolehi dengan harga saham-saham Kencana berkemungkinan boleh diperolehi pada masa pemerolehan, jika maklumat dalaman berkenaan Cadangan Penggabungan antara Kencana Petroleum Berhad dengan SapuraCrest Petroleum Berhad boleh didapati secara umum;
- (e) Satu perintah bahawa Defendan Ketiga membayar kepada Plaintiff wang berjumlah RM452,280.00 yang merupakan amaun yang bersamaan dengan tiga (3) kali ganda amaun sebanyak RM150,760.00, yakni perbezaan di antara harga saham-saham Kencana telah diperolehi dengan harga saham-saham Kencana berkemungkinan boleh diperolehi



pasa masa pemerolehan, jika maklumat dalaman berkenaan Cadangan Penggabungan antara Kencana Petroleum Berhad dengan SapuraCrest Petroleum Berhad boleh didapati secara umum;

- (f) Satu perintah untuk penalti sivil sebanyak RM1,000,000.00 terhadap kesemua Defendan masing-masing (*severally*) di bawah Seksyen 201(6) CMSA;
- (g) Satu perintah bahawa kesemua Defendan dihalang dari menjadi seorang pengarah di dalam mana-mana syarikat tersenarai awam untuk tempoh selama 10 tahun dari tarikh Perintah ini; dan
- (h) Satu perintah bahawa kesemua Defendan akan menahan diri dari penglibatan dalam pengurusan mana-mana syarikat tersenarai awam untuk tempoh 10 tahun dari tarikh Perintah ini.

Bertarikh pada 15 Ogos 2017.



MOHD AFIF BIN AHMAD ZAMANHURI  
Penolong Kanan Pendaftar  
..... Mahkamah Tinggi Malaya ..  
Kuala Lumpur  
Penolong Kanan Pendaftar  
Mahkamah Tinggi Malaya  
Kuala Lumpur

Penghakiman Persetujuan ini telah difailkan oleh Tetuan Benjamin Dawson, Peguamcara pihak Plaintif yang beralamat penyampaian di C-11-5, Blok C, Aras 11, Unit 5, Megan Avenue II, 12 Jalan Yap Kwan Seng, 50450 Kuala Lumpur.

Tel : 03 - 2710 1822

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Ruj Kami :112319/SC/BJD

TETUAN BENJAMIN DAWSON

TERJEMAHAN  

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TRANSLATION

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\*\*Note : Serial number will be used to verify the originality of this document via eFILING portal

**IN THE HIGH COURT OF MALAYA AT KUALA LUMPUR**  
**(COMMERCIAL DIVISION)**  
**SUIT NO.: WA-22NCC-300-07/ 2017**

Between

Securities Commission Malaysia

... Plaintiff

And

1. Yeow Kheng Chew  
(NRIC No.: 520928-07-5157)
2. Paulene Chee Yuet Fang  
(NRIC No.: 600724-10-6900)
3. Tan Yee Chee  
(NRIC No.: 700321-01-5279)

... Defendants

BEFORE THE HONOURABLE JUDGE

AZIZUL AZMI BIN ADNAN

THIS 15TH DAY OF AUGUST 2017

IN CHAMBERS

**CONSENT JUDGMENT**

UPON THE ACTION of the Plaintiff abovenamed and UPON HEARING Koh San Tee of Counsel for the Plaintiff, Tan Hock Chuan (Vincent Quek and Natalie Tan with him) of Counsel for the 1<sup>st</sup> Defendant and mentioning on behalf of the Counsel of the 2<sup>nd</sup> Defendant and Guok Ngek Seong of Counsel of the 3<sup>rd</sup> Defendant THIS COURT DOTH ORDER the following:

- (a) A declaration that the 1<sup>st</sup> Defendant has contravened Section 188(2)(a) of the Capital Markets and Services Act 2007 (“CMSA”) in respect of the



- acquisition of the shares in Kencana Petroleum Berhad (“Kencana shares”) through Asia Premium Corp’s Trading Account, Angnew Resources Limited’s Trading Account and the 2<sup>nd</sup> Defendant’s Trading Account;
- (b) A declaration that the 2<sup>nd</sup> Defendant has contravened Section 188(2)(a) of the CMSA in respect of the acquisition of the Kencana shares through the 2<sup>nd</sup> Defendant’s Trading Account, Asia Premium Corp’s Trading Account and Angnew Resources Limited’s Trading Account;
  - (c) A declaration that the 3<sup>rd</sup> Defendant has contravened Section 188(2)(a) of the CMSA in respect of the acquisition of the Kencana shares through the 2<sup>nd</sup> Defendant’s Trading Account;
  - (d) An order that the 1<sup>st</sup> and 2<sup>nd</sup> Defendants severally pay to the Plaintiff the sum of RM2,326,980.00 which is equivalent to three (3) times the amount of RM775,660.00 being the difference between the price at which the Kencana shares had been acquired and the price at which the Kencana shares would have been likely to have been acquired at the time of the acquisition, if the inside information relating to the Proposed Merger of Kencana Petroleum Berhad and SapuraCrest Petroleum Berhad had been generally available;
  - (e) An order that the 3<sup>rd</sup> Defendant pays to the Plaintiff the sum of RM452,280.00 which is equivalent to three (3) times the amount of RM150,760.00 being the difference between the price at which the Kencana shares had been acquired and the price at which the Kencana shares would have been likely to have been acquired at the time of the acquisition, if the inside information relating to the Proposed Merger of Kencana Petroleum Berhad and SapuraCrest Petroleum Berhad had been generally available;

- (f) An order for civil penalty of RM 1,000,000.00 against all the Defendants severally pursuant to Section 201(6) of the CMSA;
- (g) An order that all the Defendants be barred from being a director of any public listed company for a period of 10 years from the date of this Order; and
- (h) An order that all the Defendants will refrain from the involvement in the management of any public listed company for a period of 10 years from the date of this Order.

Dated this 15<sup>th</sup> day of August 2017.

.....  
Senior Assistant Registrar  
High Court of Malaya  
Kuala Lumpur

This Consent Judgment was filed by Messrs. Benjamin Dawson, Solicitors for the Plaintiff whose address of service is at C-11-5, Blok C, Aras 11, Unit 5, Megan Avenue II, 12 Jalan Yap Kwan Seng, 50450 Kuala Lumpur.

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Our Ref :112319/SC/BJD