

**Puncak Niaga Holdings Berhad (416087-U)**  
**Unaudited First Quarterly Financial Statements Ended 31 March 2014**  
**Condensed Consolidated Statement of Profit or Loss**

	<b>Note</b>	<b>INDIVIDUAL QUARTER</b>		<b>CUMULATIVE QUARTER</b>	
		Current Year	Preceding Year	Current Year	Preceding Year
		Quarter	Corresponding	To date	Corresponding
		3 months ended	Quarter	3 months ended	Period
		31.3.2014	31.3.2013	31.3.2014	31.3.2013
		RM'000	RM'000	RM'000	RM'000
		Unaudited	Unaudited	Unaudited	Unaudited
Revenue	A15(a)	151,071	201,260	151,071	201,260
Other income		70,728	49,396	70,728	49,396
Operating costs		(98,909)	(113,415)	(98,909)	(113,415)
Construction contract expenses		(7,888)	(18,255)	(7,888)	(18,255)
Depreciation and amortisation expenses		(6,346)	(5,953)	(6,346)	(5,953)
Profit from operations		108,656	113,033	108,656	113,033
Finance costs		(41,372)	(30,922)	(41,372)	(30,922)
Share of results of joint venture		(3,362)	(3,283)	(3,362)	(3,283)
Profit before tax		63,922	78,828	63,922	78,828
Taxation:-					
- Income taxation		(352)	(796)	(352)	(796)
- Deferred taxation		(17,264)	(17,562)	(17,264)	(17,562)
	B5	(17,616)	(18,358)	(17,616)	(18,358)
<b>Profit net of tax</b>		<b>46,306</b>	<b>60,470</b>	<b>46,306</b>	<b>60,470</b>
Attributable to:					
Owners of the parent		46,494	60,656	46,494	60,656
Non-controlling interests		(188)	(186)	(188)	(186)
Profit net of tax		46,306	60,470	46,306	60,470
		sen	sen	sen	sen
<b>Earnings per share attributable to owners of the parent:</b>					
- basic	B11(a)	11.36	14.83	11.36	14.83
- diluted	B11(b)	9.55	14.83	9.55	14.83

**(The Condensed Consolidated Statement of Profit or Loss should be read in conjunction with the audited financial statements for the financial year ended 31 December 2013 and the accompanying explanatory notes attached to the interim financial statements.)**

**Puncak Niaga Holdings Berhad (416087-U)**  
**Unaudited First Quarterly Financial Statements Ended 31 March 2014**  
**Condensed Consolidated Statement of Comprehensive Income**

	<b>INDIVIDUAL QUARTER</b>		<b>CUMULATIVE QUARTER</b>	
	Current Year Quarter 3 months ended 31.3.2014 RM'000 Unaudited	Preceding Year Corresponding Quarter 31.3.2013 RM'000 Unaudited	Current Year To date 3 months ended 31.3.2014 RM'000 Unaudited	Preceding Year Corresponding Period 31.3.2013 RM'000 Unaudited
Profit net of tax	46,306	60,470	46,306	60,470
<b>Other Comprehensive Income:</b>				
<b>Items that may be subsequently reclassified to profit or loss</b>				
Foreign currency translation	(3,389)	663	(3,389)	663
Gain on short-term investment	368	362	368	362
<b>Total comprehensive income</b>	<b>43,285</b>	<b>61,495</b>	<b>43,285</b>	<b>61,495</b>
<b>Total comprehensive income attributable to:</b>				
Owners of the parent	43,768	61,653	43,768	61,653
Non-controlling interests	(483)	(158)	(483)	(158)
	<b>43,285</b>	<b>61,495</b>	<b>43,285</b>	<b>61,495</b>

**(The Condensed Consolidated Statement of Comprehensive Income should be read in conjunction with the audited financial statements for the financial year ended 31 December 2013 and the accompanying explanatory notes attached to the interim financial statements.)**

**Puncak Niaga Holdings Berhad (416087-U)**  
**Unaudited First Quarterly Financial Statements Ended 31 March 2014**  
**Condensed Consolidated Statement of Financial Position**

	Note	As at 31.3.2014 RM'000 Unaudited	As at 31.12.2013 RM'000 Audited
<b>ASSETS</b>			
<b>Non-current assets</b>			
Property, plant & equipment	A10 & A15 (d)	431,764	426,219
Operating financial assets		719,102	743,771
Service concession assets		83,147	84,562
Investment in associates		46	45
Investment in joint venture		843	858
Goodwill		24,393	26,254
Trade and other receivables	A11 & A15(b)	1,976,277	1,841,450
Deferred tax assets		20,711	14,966
		<hr/> 3,256,283	<hr/> 3,138,125
<b>Current assets</b>			
Inventories		6,248	5,318
Trade and other receivables	A15(b)	495,344	596,230
Operating financial assets		99,388	98,088
Short-term investments		50,397	50,029
Tax recoverable		86,666	86,659
Cash and bank balances		645,003	671,906
		<hr/> 1,383,046	<hr/> 1,508,230
<b>TOTAL ASSETS</b>		<hr/> <b>4,639,329</b>	<hr/> <b>4,646,355</b>
<b>Equity and liabilities</b>			
<b>Equity attributable to equity owners of the parent</b>			
Share capital		411,261	411,261
Reserves		1,415,204	1,371,436
Treasury shares		(5,941)	(5,941)
<b>Shareholders' equity</b>		<hr/> 1,820,524	<hr/> 1,776,756
<b>Non-controlling interest</b>		(2,690)	(2,207)
<b>Total equity</b>		<hr/> <b>1,817,834</b>	<hr/> <b>1,774,549</b>
<b>Non-current liabilities</b>			
Provision for retirement benefits		2,212	2,052
Loans and borrowings	B7	1,931,738	1,933,031
Trade and other payables		5,242	5,252
Deferred tax liabilities		498,240	475,236
		<hr/> 2,437,432	<hr/> 2,415,571
<b>Current liabilities</b>			
Loans and borrowings	B7	129,937	120,720
Trade and other payables		253,483	335,028
Tax payable		643	487
		<hr/> 384,063	<hr/> 456,235
<b>Total liabilities</b>		<hr/> <b>2,821,495</b>	<hr/> <b>2,871,806</b>
<b>TOTAL EQUITY AND LIABILITIES</b>		<hr/> <b>4,639,329</b>	<hr/> <b>4,646,355</b>
<b>Net assets per share attributable to owners of the parent (RM)</b>		<hr/> <b>4.45</b>	<hr/> <b>4.34</b>

(The Condensed Consolidated Statement of Financial Position should be read in conjunction with the audited financial statements for the financial year ended 31 December 2013 and the accompanying explanatory notes attached to the interim financial statements.)

Puncak Niaga Holdings Berhad (416087-U)  
 Unaudited First Quarterly Financial Statements Ended 31 March 2014  
 Condensed Consolidated Statement of Changes in Equity

Note	Attributable to Owners of the Parent										Non-controlling Interests RM'000	Total Equity RM'000
	Non-distributable							Distributable				
	Share Capital RM'000	Share Premium RM'000	Treasury Shares RM'000	Foreign Currency Exchange Reserves RM'000	Revaluation Reserves RM'000	Equity Component of RCSSI RM'000	Other Reserves RM'000	Available- for-sale Reserves RM'000	Retained Earnings RM'000	Total RM'000		
<b>3 months period ended 31 March 2014</b>												
Opening balance at 1 January 2014	411,261	102,879	(5,941)	5,387	69,088	6,770	(340,943)	29	1,528,226	1,776,756	(2,207)	1,774,549
Total comprehensive income/(loss)	-	-	-	(3,181)	-	-	87	368	46,494	43,768	(483)	43,285
<b>Closing balance at 31 March 2014</b>	<b>411,261</b>	<b>102,879</b>	<b>(5,941)</b>	<b>2,206</b>	<b>69,088</b>	<b>6,770</b>	<b>(340,856)</b>	<b>397</b>	<b>1,574,720</b>	<b>1,820,524</b>	<b>(2,690)</b>	<b>1,817,834</b>
<b>3 months period ended 31 March 2013</b>												
Opening balance at 1 January 2013	411,143	102,879	(5,941)	(570)	69,088	-	(340,943)	661	1,348,130	1,584,447	(1,569)	1,582,878
Total comprehensive income/(loss)	-	-	-	636	-	-	-	362	60,655	61,653	(158)	61,495
<b>Closing balance at 31 March 2013</b>	<b>411,143</b>	<b>102,879</b>	<b>(5,941)</b>	<b>66</b>	<b>69,088</b>	<b>-</b>	<b>(340,943)</b>	<b>1,023</b>	<b>1,408,785</b>	<b>1,646,100</b>	<b>(1,727)</b>	<b>1,644,373</b>

(The Condensed Consolidated Statements of Changes in Equity should be read in conjunction with the audited financial statements for the financial year ended 31 December 2013 and the accompanying explanatory notes attached to the interim financial statements.)

**Puncak Niaga Holdings Berhad (416087-U)**  
**Unaudited First Quarterly Financial Statements Ended 31 March 2014**  
**Condensed Consolidated Statement of Cash Flow**

	<b>3 months ended 31.3.2014</b>	<b>3 months ended 31.3.2013</b>
<b>Note</b>	RM'000 Unaudited	RM'000 Unaudited (Restated)
<b>Cash flow from operating activities</b>		
Receipts from customers	185,291	269,628
Other income	2,373	603
Payments for operating expenses	(133,089)	(74,294)
Payments to contractors	(79,866)	(203,330)
Net cash used in operations	<u>(25,291)</u>	<u>(7,393)</u>
Tax paid	(211)	(767)
Interest received	1,151	3,705
Net cash used in operating activities	<u>(24,354)</u>	<u>(4,455)</u>
<b>Cash flow from investing activities</b>		
Acquisition of subsidiaries	(82)	-
Additions of operating financial assets	-	(14,786)
Purchase of property, plant and equipment	(3,043)	(832)
Additions of service concession assets	(2,075)	14,786
Net advance to joint venture	(1)	(122)
Proceeds from disposal of property, plant and equipment	2	46
Net cash used in investing activities	<u>(5,199)</u>	<u>(908)</u>
<b>Cash flow from financing activities</b>		
Proceeds from loans and borrowings	26,162	99,665
Repayment of loans and borrowings	(21,776)	(107,766)
Repayment of obligation under finance leases	(1,050)	(1,646)
Increase in pledged deposits	(6,826)	(2)
Interest paid	(5,085)	(36,493)
Net cash used in financing activities	<u>(8,575)</u>	<u>(46,242)</u>
Net decrease in cash and cash equivalents	(38,128)	(51,605)
Effects of exchange rate on cash and cash equivalents	(101)	1,958
<b>Cash and cash equivalents at beginning of financial period</b>	538,912	449,107
Transfer from debt service reserve account	-	3,033
<b>Cash and cash equivalents at end of financial period</b>	<u><u>500,683</u></u>	<u><u>402,493</u></u>
<b>Cash and cash equivalents comprise:</b>		
Deposits with licensed banks	546,806	269,779
Cash and bank balances	98,197	132,848
Debt service reserve account	-	188,058
	<u>645,003</u>	<u>590,685</u>
Less : pledged deposits	(144,320)	(188,192)
	<u><u>500,683</u></u>	<u><u>402,493</u></u>

**(The Condensed Consolidated Statement of Cash Flow should be read in conjunction with the audited financial statements for the financial year ended 31 December 2013 and the accompanying explanatory notes attached to the interim financial statements.)**

**Puncak Niaga Holdings Berhad (416087-U)**  
**Unaudited First Quarterly Financial Statements Ended 31 March 2014**

**A. EXPLANATORY NOTES PURSUANT TO FRS 134**

**A1 Basis of preparation**

The condensed consolidated interim financial statements are unaudited and have been prepared in accordance with MFRS 134: Interim Financial Reporting in Malaysia, IAS 34 : Interim Financial Reporting and paragraph 9.22 of the Main Market Listing Requirements of Bursa Malaysia Securities Berhad ("Bursa Securities").

The condensed consolidated interim financial statements do not include all of the information required for full annual financial statements and should be read in conjunction with the audited financial statements for the financial year ended 31 December 2013. These explanatory notes attached to the interim financial statements provide an explanation of events and transactions that are significant to an understanding of the changes in the financial position and performance of the Group since the financial year ended 31 December 2013.

**A2. Significant Accounting Policies**

In the preparation of this interim financial statements, the accounting policies and the method of computation of the most recent annual financial statements were followed except as disclosed below:-

**(a) Adoption of Standards, Amendments and IC Interpretations**

The Group adopted the following Standards, Amendments and IC Interpretations:

Description		Effective for annual periods beginning on or after
Amendments to MFRS 10	Consolidated Financial Statements: Investment Entities	1 January 2014
Amendments to MFRS 12	Disclosure of Interests in Other Entities: Investment Entities issued by IASB in March 2004)	1 January 2014
Amendments to MFRS 127	Separate Financial Statements (2011): Investment Entities	1 January 2014
Amendments to MFRS 132	Financial Instruments: Presentation - Offsetting Financial Assets and Financial Liabilities	1 January 2014
Amendments to MFRS 136	Impairment of Assets - Recoverable Amount Disclosures for Non-Financial Assets	1 January 2014
Amendments to MFRS 139	Financial Instruments: Recognition and Measurement - Novation of Derivatives and Continuation of Hedge Accounting	1 January 2014
IC Interpretation 21	Levies	1 January 2014

The adoption of the above standards and interpretations have no material impact on the financial statements in the period of initial application.

**(b) Standards issued but not yet effective**

At the date of authorisation of these interim financial statements, the following MFRSs, Amendments to MFRSs and IC Interpretation were issued but are not yet effective and have not been applied by the Group:

Description	Effective for annual periods beginning on or after	
Amendments to MFRS 1	First-time Adoption of Malaysian Financial Reporting Standards – Annual Improvements 2009-2011 Cycle)	1 July 2014
Amendments to MFRS 2	Share-based Payment (Annual Improvements 2010-2012 Cycle)	1 July 2014
Amendments to MFRS 3	Business Combinations	1 July 2014
Amendments to MFRS 8	Operating Segments (Annual Improvements 2010-2012 Cycle)	1 July 2014
Amendments to MFRS 13	Fair Value Measurement (Annual Improvements 2010-2012 Cycle and 2011-2013 Cycle)	1 July 2014
Amendments to MFRS 116	Property, Plant and Equipment (Annual Improvements 2010-2012 Cycle)	1 July 2014
Amendments to MFRS 119	Employee Benefits – Defined Benefit Plans: Employee Contributions	1 July 2014
Amendments to MFRS 124	Related Party Disclosures (Annual Improvements 2010-2012 Cycle)	1 July 2014
Amendments to MFRS 138	Intangible Assets (Annual Improvements 2010-2012 Cycle)	1 July 2014
Amendments to MFRS 140	Investment Property (Annual Improvements 2011-2013 Cycle)	1 July 2014
MFRS 9	Financial Instruments (2009)	to be confirmed
MFRS 9	Financial Instruments (2010)	to be confirmed
MFRS 9	Financial Instruments – Hedge Accounting and Amendments to MFRS 9, MFRS 7 and MFRS 139	to be confirmed
Amendments to MFRS 7	Financial Instruments: Disclosures - Mandatory Effective Date of MFRS 9 and Transition Disclosures	to be confirmed

**A3 Auditors' report on preceding annual financial statements**

The auditors' report on the financial statements for the financial year ended 31 December 2013 was not qualified.

**A4 Seasonal or cyclical factors**

The business of the Group is not subject to seasonal or cyclical fluctuation.

**A5 Unusual items due to their nature, size or incidence**

There was no item affecting the assets, liabilities, equity, net income or cash flows of the Group that is unusual because of their nature, size or incidence during the current financial quarter and financial year-to-date.

**A6 Changes in estimates**

There were no significant changes in the estimates of the amount reported in the interim periods of the prior financial years that have a material effect in the current financial quarter and financial year-to-date results.

**A7 Debt and equity securities**

Other than as disclosed below, there were no issuances, cancellations, repurchases, resales and repayments of debt and equity securities during the current financial quarter and financial year-to-date.

**(a) Share Capital**

During the period ended 31 March 2014, the issued and paid-up share capital of the Company increased from 411,260,838 ordinary shares of RM1.00 each to 411,261,328 ordinary shares of RM1.00 each by the issuance of 490 new ordinary shares of RM1.00 each pursuant to the conversion of warrants.

**A8 Dividend paid**

There was no dividend paid during the current financial quarter and financial year-to-date. (1.1.2013 to 31.3.2013 : Nil)

**A9 Segment revenue and results**

The segmental analysis for the Group for the current financial quarter and financial year-to-date are as follows:

a)	Water RM'000	Oil and Gas RM'000	Construction RM'000	Others RM'000	Elimination RM'000	Group Total RM'000
<b>Results for 3 months ended 31 March 2014</b>						
<b>Operating Revenue</b>						
Sales to external customers	136,911	5,936	8,167	57	-	151,071
Interest income	53,198	120	-	5,535	-	58,853
Other income	10,258	1,189	-	657	(229)	11,875
	200,367	7,245	8,167	6,249	(229)	221,799
Operating expenses	(69,653)	(23,215)	(7,888)	(6,274)	233	(106,797)
Share of results of associates	-	-	-	-	-	-
Share of results of joint venture	-	-	-	(3,362)	-	(3,362)
Amortisation and depreciation	(4,003)	(2,136)	-	(207)	-	(6,346)
<b>Segment results</b>	126,711	(18,106)	279	(3,594)	4	105,294
Finance costs						(41,372)
<b>Profit before tax</b>						<b>63,922</b>
<b>Results for 3 months ended 31 March 2013</b>						
<b>Operating Revenue</b>						
Sales to external customers	141,997	46,765	12,438	60	-	201,260
Interest income	39,082	-	-	4,417	-	43,499
Other income	3,208	1,304	-	1,605	(220)	5,897
	184,287	48,069	12,438	6,082	(220)	250,656
Operating expenses	(54,289)	(54,547)	(18,255)	(4,805)	226	(131,670)
Share of results of associates	-	-	-	-	-	-
Share of results of joint venture	-	-	-	(3,283)	-	(3,283)
Amortisation and depreciation	(3,845)	(1,958)	-	(150)	-	(5,953)
<b>Segment results</b>	126,153	(8,436)	(5,817)	(2,156)	6	109,750
Finance costs						(30,922)
<b>Profit before tax</b>						<b>78,828</b>



b)	Water RM'000	Oil and Gas RM'000	Construction RM'000	Others RM'000	Elimination RM'000	Group Total RM'000
<b>Assets and Liabilities</b>						
<b>As at 31 March 2014</b>						
Segment assets	3,927,102	431,323	-	1,544,685	(1,371,158)	4,531,952
Unallocated assets						107,377
<b>Total assets</b>						<b>4,639,329</b>
Segment liabilities	1,833,812	395,413	-	640,123	(546,736)	2,322,612
Unallocated liabilities						498,883
<b>Total liabilities</b>						<b>2,821,495</b>
<b>Assets and Liabilities</b>						
<b>As at 31 March 2013</b>						
Segment assets	3,727,576	443,245	-	1,226,581	(1,218,593)	4,178,809
Unallocated assets						87
<b>Total assets</b>						<b>4,178,896</b>
Segment liabilities	1,897,621	407,692	-	310,387	(418,307)	2,197,393
Unallocated liabilities						361,032
<b>Total liabilities</b>						<b>2,558,425</b>

#### **A10 Valuation of property, plant and equipment**

The valuations of certain property, plant and equipment have been brought forward without amendment from the latest audited annual financial statements.

#### **A11 Impairment and remeasurement of financial instruments**

The amount of long term receivables are expected to be receivable after more than one year. The long term receivables are impaired and interest income is accreted as required by MFRS 139.

#### **A12 Subsequent events**

Subsequent to the current financial quarter:-

- (1) The 98.65% owned subsidiary in Singapore, Sino Water Pte Ltd had invested an additional USD200,000 in Xinnuo Water (Binzhou) Co. Ltd. ("Xinnuo"), a wholly owned subsidiary incorporated in Yangxin County, Shandong Province in the People's Republic of China.

As at 17 April 2014, the paid up registered capital of Xinnuo stood at USD4,900,000.

- (2) On 29 April 2014, the Company had signed a contract with the Government of Malaysia for the Company's appointment as the Contractor for the project known as "Projek Menaiktaraf Loji Rawatan Air Sarikei, Sarawak" ("Contract") with a total contract sum of RM97.0 million for a period of 24 months.

The scope of work of the Contract includes construction, completion, testing and commissioning of 30 Million Litres per day (MLD) Water Treatment Plant at Bayong, including all ancillary buildings; construction and completion of all external work including drainage, yard piping, manholes and sump pits, chemical ducts, etc and other works as stipulated in the Contract.

- (3) On 30 April 2014, the Company was notified that the Registrar of Companies, Brunei Darussalam had issued a Certificate of Registration of Company Incorporated Outside Brunei Darussalam dated 28 April 2014 for the Company's establishment of a branch office in Brunei Darussalam.

The Company's Branch Office was established to facilitate business development efforts for Puncak Niaga Holdings Berhad Group in Brunei Darussalam.

- (4) On 15 May 2014, PNSB had signed the contract agreement in relation to the Project, Package D44 – Construction of Sewer Pipe Networks At Bunus, Kuala Lumpur (Design And Build) ("Project") with Jabatan Perkhidmatan Pembetulan, Kementerian Tenaga, Teknologi Hijau dan Air with a total contract sum of RM394.0 million for a period of 48 months.

The works of the project entail new sewer pipe networks and pumping station and rationalization of existing sewerage infrastructure in Bunus, Kuala Lumpur.

Save as disclosed above, there were no other material events subsequent to the end of the current financial quarter that have not been reflected in the financial statements of the Group for the current financial quarter. However, there are material litigations as disclosed in Note B9 below.

#### **A13 Changes in the composition of the Group**

- a) On 14 March 2014, the Company had acquired a shelf company, namely Magnum Nature Sdn Bhd ("Magnum Nature"), comprising two (2) ordinary shares of RM1.00 each, representing 100% of the total issued and paid up share capital of Magnum Nature at a total cash consideration of Ringgit Malaysia Two (RM2.00) only (the "Acquisition").

The Acquisition is to facilitate the Group's business expansion plans. Magnum Nature will remain dormant for the time being.

- b) On 18 March 2014, SINO had invested an additional amount of USD350,000 in LUWEI, a 91.94% owned limited liability subsidiary incorporated in Lushan County, Henan Province, in the People's Republic of China under the China Company Law.

SINO was notified on 18 March 2014 by Luwei (Pingdingshan) Water Co. Ltd. ("LUWEI") that the regulatory authorities of the People's Republic of China had issued the "Business Licence" dated 17 March 2014 approving the increase of the registered capital limit of LUWEI from USD5,800,000 to USD7,550,000 and the lodgement of increase in the paid up registered capital of LUWEI from USD5,800,000 to USD6,150,000.

Accordingly, LUWEI is now a 92.40% owned subsidiary of SINO with a total investment of USD5,682,500.

- c) On 21 February 2014, the Company was notified by Luancheng Dayu Water Supply Co Ltd ("Luancheng Co Ltd") that the regulatory authority in the People's Republic of China had on 20 February 2014 issued the Enterprise Legal Representative Business License approving the transfer of the Company's subsidiary, Sino Water Pte Ltd's 83.99% equity interest in Luancheng Co Ltd to Luancheng County Water Supply Station.

As such, effective 20 February 2014, Luancheng Co Ltd has ceased to be a subsidiary of Sino Water Pte Ltd.

Save as disclosed above, there were no other changes in the composition of the Group during the current financial quarter and financial year-to-date.

#### **A14 Contingent liabilities and contingent assets**

There is no contingent liability as at 31 March 2014 except for the following:

##### Tax penalty - PNSB

PNSB recognised all the invoices issued to SYABAS in its income statement for the supply of treated water as revenue.

PNSB had appealed to the Inland Revenue Board of Malaysia ("IRB") to revise the tax computations for YA2009 to YA2011 to take into account the following tax adjustments:

- i. To claim a deduction under Section 34(2) of the Income Tax Act 1967 ("the Act") in respect of the amount owing from SYABAS for treated water supplied which was not collectible as at end of the basis period for YA2009 to YA2011 respectively; and
- ii. To include as gross income and subject to tax on the bad and doubtful debts claimed as tax deduction under item (i) above which was recovered from SYABAS in the subsequent years of assessment pursuant to Section 30(1) of the Act, i.e. when the payment is received from SYABAS, it will become taxable.

PNSB had fully paid all the tax installments for YA2009, YA2010 and YA2011 and is appealing for tax refund from IRB.

IRB had replied to PNSB's petition of appeal on 5 August 2013 wherein IRB had requested PNSB to prove that the amount owing by SYABAS is bad debts pursuant to Section 34 (2) of the Act. PNSB's tax solicitors had replied to IRB and the matter is now awaiting for a case management date.

PNSB had submitted a RM Nil tax payable for YA2012 and estimated the tax payable for YA2013 based on the same approach as the tax appeal above. Nevertheless, deferred tax liabilities have been provided accordingly.

In the event that IRB does not grant approval to PNSB to claim a deduction under Section 34(2) of the Act in respect of amount owing from SYABAS for treated water supplied, PNSB will be exposed to a potential tax penalty under Section 107C(10) of the Act for YA2012 in respect of late payment of tax. PNSB had expressed its awareness on the matter and the final outcome will be based on IRB's decision on the matter.

As at the reporting date, there is a potential tax penalty, pending the outcome of PNSB's appeal to IRB.

No contingent assets had arisen since 31 December 2013.

**A15 Other material disclosures**

**a) Revenue**

	INDIVIDUAL QUARTER		CUMULATIVE QUARTER	
	Current Year	Preceding Year	Current Year	Preceding Year
	Quarter	Corresponding	To date	Corresponding
	3 months ended	Quarter	3 months ended	Period
	31.3.2014	31.3.2013	31.3.2014	31.3.2013
	RM'000	RM'000	RM'000	RM'000
Service concession revenue	136,911	141,998	136,911	141,998
Oil and gas construction revenue	5,936	46,765	5,936	46,765
Other construction revenue	8,167	12,438	8,167	12,438
Others	57	59	57	59
	<b>151,071</b>	<b>201,260</b>	<b>151,071</b>	<b>201,260</b>

**b) Trade receivables**

Included in trade receivables is an amount of RM2,127.8 million (31.12.2013 : RM1,995.2 million) owing by SYABAS for the supply of bulk quantity of treated water supplied. SYABAS had commenced legal proceedings against the Selangor State Government for the payment of the tariff compensation amounting to RM471.6 million for the period from 1 January 2009 to 31 December 2009 and RM1,054.2 million being compensation from 1 January 2009 to 31 March 2011 as disclosed in Note B9 (c) and (d). Total water tariff compensation claims submitted to the Selangor State Government up to the period ended 31 March 2014 is RM3,783.5 million. As the legal proceedings between SYABAS and the Selangor State Government is still ongoing, SYABAS is only paying proportionately to all the water treatment operators, including PNSB for the outstanding amount.

**c) Commitments**

	<b>As at 31.3.2014 RM'000</b>
Capital expenditures:	
Contracts approved and contracted for	<u>30,962</u>

**d) Acquisition and disposal of property, plant and equipment**

	3 months ended 31.3.2014		
	At cost	Accumulated	Net Book
	RM'000	Depreciation	Value
	RM'000	RM'000	RM'000
Acquisition at cost	10,686	327	10,359
Disposal at cost	(74)	(24)	(50)

**A16 Investment in joint venture**

The summarised financial information of SYABAS and PUAS are set out below. The summarised information represents the amounts in the MFRS financial statements of the joint venture and not the Group's share of those amounts.

<b>(i) Summarised statements of financial position</b>	<b>As at 31.3.2014 RM'000</b>	<b>Restated As at 31.3.2013 RM'000</b>
Service concession assets	7,736,532	7,706,578
Trade and other receivables (Note ii)	3,372,617	2,423,804
Other non-current assets	758,435	769,927
<b>Total non-current assets</b>	<b>11,867,584</b>	<b>10,900,309</b>
Cash and cash equivalents	1,043,019	1,038,451
Other current assets	273,690	265,397
<b>Total current assets</b>	<b>1,316,709</b>	<b>1,303,848</b>
<b>Total assets</b>	<b>13,184,293</b>	<b>12,204,157</b>
<b>Current liabilities</b>		
Trade and other payables and provisions	1,915,981	1,791,278
Loans and borrowings	512,693	309,484
Other current liabilities	515,458	493,907
<b>Total current liabilities</b>	<b>2,944,132</b>	<b>2,594,669</b>
<b>Non-current liabilities</b>		
Trade and other payables and provisions	4,320,595	7,482,605
Loans and borrowings	3,584,574	3,680,510
Other non-current liabilities	4,413,755	322,643
<b>Total non-current liabilities</b>	<b>12,318,924</b>	<b>11,485,758</b>
<b>Total liabilities</b>	<b>15,263,056</b>	<b>14,080,427</b>
<b>Net liabilities</b>	<b>(2,078,763)</b>	<b>(1,876,270)</b>

**(ii) Summarised statements of profit or loss and comprehensive income**

	<b>3 months ended</b>	
	<b>31.3.2014</b>	<b>31.3.2013</b>
	<b>RM'000</b>	<b>RM'000</b>
Revenue (Note i)	725,172	697,178
Depreciation and amortisation expenses	(62,893)	(55,676)
Interest income	8,624	8,210
Finance costs	(202,134)	(178,209)
Loss before tax	(48,544)	17,784
Taxation	11,650	(4,447)
Loss net of tax	(36,894)	13,337
Other comprehensive expense	-	(2,448)
Total comprehensive income	(36,894)	10,889

**Notes**

- (i) Included in SYABAS revenue is an amount of RM272.9 million being water tariff compensation for the current financial year-to-date (2013 : RM257.3 million) arising from the delay in water tariff revision which should have taken effect on 1 January 2009 and 1 January 2012. The amount is based on SYABAS Management's best estimate of the water tariff compensation as provided under the terms of the Concession Agreement dated 15 December 2004 ("Concession Agreement") signed between SYABAS, the Federal Government and the Selangor State Government.
- (ii) The claim for water tariff compensation had been included as amount owing by the Selangor State Government under SYABAS long-term trade receivables as at 31 March 2014.

**B. EXPLANATORY NOTES PURSUANT TO APPENDIX 9B OF THE MAIN MARKET LISTING REQUIREMENTS OF BURSA SECURITIES****B1 Review of performance**

For the current financial quarter and financial year-to-date, the Group registered lower revenue of RM151.1 million compared to RM201.3 million reported in the preceding year's corresponding financial quarter and financial year-to-date, representing a decrease of RM50.2 million or 24.9%.

The decrease in revenue in the current financial quarter and financial year-to-date is mainly due to lower revenue contribution from water segment, oil and gas segment and construction segment.

The Group reported a lower profit before tax ("PBT") of RM63.9 million for the current financial quarter and financial year-to-date compared to RM78.8 million recorded in the preceding year's corresponding quarter and financial year-to-date, representing a decrease of RM14.9 million or 18.9%. The lower PBT reported in the current financial quarter and financial year-to-date was mainly due to lower revenue contribution from oil and gas segment and construction segment and higher operating cost.

The review of the Group's performance by each segment is as follows:

**(a) Water :**

The Water segment reported a marginal higher PBIT of RM126.7 million in the current financial quarter and financial year-to-date compared to RM126.2 million in the preceding year's corresponding financial quarter and financial year-to-date representing an increase of RM0.5 million or 0.4%. The higher PBIT in the current financial quarter and financial year-to-date was mainly due to higher late payment interest charged to SYABAS, offset by lower revenue and higher operating expenses.

(b) Oil and gas :

For the current financial quarter and financial year-to-date, the oil and gas segment reported a higher LBIT of RM18.1 million compared to RM8.4 million reported in the preceding year's corresponding financial quarter and financial year-to-date, representing a decrease of RM9.7 million or 115.5%. LBIT reported for the current financial quarter and financial year-to-date was mainly due to lower profit contribution from GOM Resources as a result of Petronas deferring several works to mid April 2014 and higher operating cost.

(c) Construction :

The Construction segment reported a PBIT of RM0.3 million in the current financial quarter and financial year-to-date as compared to a LBIT of RM5.8 million in the preceding year's corresponding financial quarter and financial year-to-date, representing an increase of RM6.1 million or 105.2%. The segment LBIT reported in the preceding year's corresponding financial quarter and financial year-to-date was mainly due to additional construction cost incurred to remedy the works of non-performing sub-contractor. There are new construction projects secured in year 2014 with the contract sum of RM544.3 million and to be completed over 2 to 4 years. As at the current financial quarter and financial year-to-date, the new construction projects are still at the initial stage and have yet to generate revenue to the Group.

**B2 Comparison of profit before taxation with the immediate preceding financial quarter**

The Group reported a PBT of RM63.9 million for the current financial quarter compared to a LBT of RM4.9 million registered in the immediate preceding financial quarter, representing an increase of RM68.8 million. The LBT reported in the immediate preceding financial quarter was mainly due to higher operating cost and impairment loss on long term receivables.

**B3 Prospects**

On the water sector, the Group is hopeful and remains committed to supporting an imminent resolution to the restructuring of the water services sector in Selangor, Federal Territories of Kuala Lumpur and Putrajaya by the Government as this matter has been long outstanding since 2008. The Group is actively looking into proposals to provide solutions to the Federal Government, to improve the existing water infrastructure and to increase the supply of treated water in the rural areas throughout the country. On the environmental sector, the Group is actively looking into the sewerage and solid waste sectors.

The Group will continuously pursue opportunities in the oil and gas sector in accordance with its vision to become a significant player in the sector. Looking ahead, the Group is optimistic in its quest to achieve sustainable long-term growth.

**B4 Variances from profit forecast and profit guarantee**

The disclosure requirements for explanatory notes for variances from profit forecast or profit guarantee are not applicable.

**B5 Income tax expenses**

	INDIVIDUAL QUARTER		CUMULATIVE QUARTER	
	Current Year Quarter	Preceding Year Corresponding Quarter	Current Year To date	Preceding Year Corresponding Period
	3 months ended 31.3.2014	3 months ended 31.3.2013	3 months ended 31.3.2014	3 months ended 31.3.2013
	RM'000	RM'000	RM'000	RM'000
In respect of current year:-				
- income tax	(347)	(693)	(347)	(693)
- foreign income tax	(26)	(103)	(26)	(103)
- deferred tax	(17,265)	(17,562)	(17,265)	(17,562)
	(17,638)	(18,358)	(17,638)	(18,358)
In respect of prior year:-				
- over provision of income tax	21	-	21	-
- under provision of deferred tax	1	-	1	-
	(17,616)	(18,358)	(17,616)	(18,358)

The effective tax rate of the Group (excluding the result of associates and joint venture which were equity accounted net of tax) for the current financial quarter and financial year-to-date was higher than the Malaysian statutory tax rate mainly due to the certain expenses which were not deductible for tax purposes.

**B6 Status of corporate proposals announced but not completed**

There are no corporate proposals which were announced but not completed prior to the issuance of this interim financial statements.

**B7 Loans and borrowings**

Details of the Group's borrowings and debt securities as at 31 March 2014 are as follows:-

	<b>Current RM'000</b>	<b>Non-current RM'000</b>
<b>Secured</b>		
Bai' Bithaman Ajil Bonds	-	1,016,746
Government Support Loan	7,667	24,410
Term loans	-	1,924
USD36 million term loan	26,124	52,248
Redeemable Convertible Secured Sukuk Ijarah	-	139,803
Obligation Under Finance Leases	4,838	6,523
Revolving Credit Facility	90,226	-
	128,855	1,241,654
<b>Unsecured</b>		
Redeemable Unsecured Bonds	-	460,627
Redeemable Unconvertible Junior Notes	-	217,177
Lushan MOF Novated World Bank Loan	1,083	12,280
	129,938	1,931,738

All loans and borrowings are denominated in Ringgit Malaysia except for Lushan MOF Novated World Bank Loan and KGL's term loan which are denominated in United States Dollar ("USD") totalling USD3.5 million and USD24.0 million respectively.

**B8 Off balance sheet financial instruments**

As at the latest practicable date prior to the issuance of this interim financial statements, the Group has not entered into any financial instruments with off balance sheet risk.

**B9 Material litigation****a) Kris Heavy Engineering & Construction Sdn Bhd ("KHEC")****1) The First Arbitration Proceedings**

KHEC, a sub-contractor for the Chennai Water Supply Augmentation Project 1 - Package III ("Chennai Project"), has initially referred certain disputed claims totalling Rs8,44,26,981 (equivalent to approximately RM6.75 million) against PNHB-LANCO-KHEC JV ("the Consortium"), a jointly controlled entity in India of the Company.

Arising from the arbitration proceedings initiated by KHEC, both KHEC and the Consortium have each appointed a qualified civil engineer as their arbitrator respectively, and both arbitrators have selected a retired Judge of the High Court in Chennai, India as the third arbitrator who will also act as the presiding arbitrator of the arbitral tribunal. The arbitral tribunal was officially constituted on 24 September 2005. On 28 September 2005, the Company was informed that the arbitral tribunal has fixed the following dates for the filing of the arbitration cause papers as part of the preliminary procedural formalities:-

- i) claim by the claimant, KHEC to be filed before 4 October 2005;
- ii) rejoinder by the respondent, the Consortium to be filed before 18 November 2005; and
- iii) reply rejoinder by the claimant, KHEC to be filed before 5 December 2005.

The Consortium had on 2 January 2006, filed its counter-claim amounting to Rs13,61,61,931 (equivalent to approximately RM10.89 million) against KHEC's claim of Rs8,44,26,981 (equivalent to approximately RM6.75 million) to the arbitral tribunal in India.



The Statement of Claim lodged by KHEC had subsequently been revised from Rs8,44,26,981 (equivalent to approximately RM6.75 million) to Rs9,84,58,245 (equivalent to approximately RM7.88 million) whilst the counter-claim submitted by the Consortium, had also been revised as per the rejoinder, from Rs13,61,61,931 (equivalent to approximately RM10.89 million) to Rs13,63,39,505 (equivalent to approximately RM10.91 million).

The Company was notified on 4 March 2009 by solicitors acting on behalf of Consortium that the Arbitration Panel had at its meeting held on 26 February 2009 accepted the letter of withdrawal from the Arbitration Panel dated 18 February 2009 from the arbitrator nominated by KHEC. As such, the date for further meeting of the Arbitration Panel was to be communicated after the appointment of the substitute arbitrator to be nominated by KHEC under Section 15(2) of the Arbitration and Conciliation Act, 1996 of India.

The Company was notified on 25 June 2009 that the first sitting of the newly formed Arbitration Panel for the First Arbitration Proceedings comprising the Presiding Arbitrator, the arbitrator nominated by the Consortium and the substitute arbitrator nominated by KHEC was held on 20 June 2009.

The continued hearing date for the First Arbitration Proceedings were fixed on 31 August 2013, 28 September 2013 and 29 September 2013, 9 November 2013 and 10 November 2013.

At the hearing held on 10 November 2013, the Arbitration Panel has tentatively fixed the continued hearing of the First Arbitration Proceedings on 4 January 2014 and 5 January 2014.

The continued hearing tentatively scheduled on 4 January 2014 and 5 January 2014 did not proceed as scheduled.

On 29 January 2014, the Arbitration Panel had fixed the continued hearing of the First Arbitration Proceedings on 8 February 2014 and 9 February 2014, respectively.

The continued hearing proceeded on 8 February 2014 but the hearing date of 9 February 2014 was vacated due to non-availability of the Chief Arbitrator. The Arbitration Panel has fixed the continued hearing dates for the First Arbitration Proceedings on 29 May 2014 and 30 May 2014.

## 2) **The Second Arbitration Proceedings**

KHEC had commenced a second arbitration proceedings against the PNHB-Lanco members of the Consortium ("the Second Arbitration") on the basis of the terms of the Joint Venture Agreement dated 13 February 2003 and the Supplemental Agreement to the Joint Venture Agreement dated 26 March 2003 respectively, entered into between the Company, Lanco Infratech Limited and KHEC whereby KHEC is claiming for loss of profit (inclusive of interest and other cost) amounting to Rs5,44,32,916 (equivalent to approximately RM4.35 million) as they allege that they, despite being a 10% shareowner, received only 4.31% out of the total value of the contract works of the Chennai Project. Subsequently, KHEC had filed in an amended claim for damages and lost of profit from Rs5,44,32,916 to Rs55,44,32,916 (equivalent to approximately RM44.3 million). PNHB-Lanco's counsel had filed an interim application to dismiss the claim of Rs50,00,00,000 (equivalent to approximately RM39.9 million) for compensation for loss of opportunity on the basis that it is frivolous and unreasonable.

The Second Arbitration proceedings which were heard by a single arbitrator have been completed wherein the parties have submitted their respective written submissions. This matter is now pending award by the Arbitrator.

On 1 April 2013, PNHB-Lanco members of the Consortium received the Arbitrator's Final Award dated 29 March 2013 wherein the PNHB-Lanco members of the Consortium are to pay interest for the delayed payment of enabling cost of Rs.58 Lakhs amounting to Rs14,62,503 (approximately RM83,627.38) only to the claimant, KHEC Heavy Engineering and Construction Sdn Bhd on or before 30 April 2013 and all other claims by the claimant were rejected.

PNHB-Lanco member of consortium had on 27 April 2013 complied with the Final Award of the Arbitration dated 29 March 2013 by paying the interest for the delayed payment of enabling cost of Rs.58 Lakhs amounting to Rs.14,62,503 to KHEC.

KHEC had informed the Company of its intention to challenge the Final Award of the Arbitrator dated 29 March 2013. However, as of to-date, no documents have been served by KHEC on the PNHB-LANCO members of the Consortium.

The claimant, KHEC Heavy Engineering & Construction Sdn Bhd had on 4 November 2013 served the PNHB-LANCO members of the Consortium with a copy of the Petition filed at the Madras High Court to appeal against the decision of the Arbitrator dated 29 March 2013. The Madras High Court had fixed the Petition for hearing on 2 December 2013.

On 2 December 2013, the Madras High Court had postponed the hearing of the Petition filed by KHEC to 3 December 2013.

On 3 December 2013, the Madras High Court has fixed the continued hearing of the Petition filed by KHEC on 10 December 2013.

On 10 December 2013, the Madras High Court had postponed the hearing of the Petition filed by KHEC, wherein the new hearing date had yet to be fixed by the Madras High Court.

**b) JAKS-KDEB Consortium Sdn Bhd**

**Kuala Lumpur High Court Suit No. D4-22-1452-2006**

Both PUAS and SYABAS had been served with:-

- i) A Writ of Summons and Statement of Claim dated 6 October 2006;
- ii) Ex-Parte Summons-in-Chambers dated 6 October 2006 ("Ex-Parte SIC") and its supporting Affidavit affirmed on 6 October 2006;
- iii) Amended Statement of Claim filed on 18 October 2006; and
- iv) An Ex-Parte Injunction Order dated 18 October 2006 ("Ex-Parte Order");

(hereinafter referred to as "the Suit") in respect of the Suit, by the solicitors of JAKS-KDEB Consortium Sdn Bhd (the "Plaintiff" or "JAKS-KDEB") on 19 October 2006.

JAKS-KDEB had commenced legal action against PUAS and SYABAS in respect of an agreement dated 25 October 2001 entered into between JAKS-KDEB and the State Government of Selangor ("State Government") pertaining to the supply of pipes and fittings in the State of Selangor Darul Ehsan and the Federal Territories of Kuala Lumpur and Putrajaya.

Vide the Ex-Parte SIC, the Plaintiff prayed for the following:

- i) An order to immediately restrain PUAS and/or SYABAS whether by themselves, their agents, servants, directors, contractors, nominees and/or all related parties to PUAS and/or SYABAS and/or assignees and/or successors-in-title or otherwise howsoever by injunction, be restrained from purchasing and/or obtaining and/or being given and/or dealing with and/or receiving all its requirements for the pipes (which includes straight pipes whether whole or in cut lengths of any material including but not limited to mild steel pipes) and fittings (which includes tees, bends, tapes, tapers, collars, flange adaptors, blank flanges, mechanical joints and similar accessories) in respect of all water projects being carried out or to be carried out in the State of Selangor including the Federal Territories of Kuala Lumpur and Putrajaya from any other entities except from the Plaintiff until the disposal of the Plaintiff's inter-parte application for an injunction;
- ii) An order to immediately restrain PUAS and/or SYABAS whether by themselves, their agents, servants, directors, contractors, nominees and/or all related parties to PUAS and/or SYABAS and/or assignees and/or successors-in-title or otherwise howsoever by injunction, be restrained from taking any further steps in supplying and/or dealing with all of the above pipes and fittings and/or including negotiations and/or award of contracts with any other entities arising out of and in connection with the purchasing and/or obtaining and/or being given and/or receiving all of its requirements for pipes and fittings in respect of all water projects being carried out or to be carried out in the State of Selangor including the Federal Territories of Kuala Lumpur and Putrajaya until the disposal of the Plaintiff's inter-parte application for an injunction;
- iii) Costs to be costs in the cause;
- iv) That a date be fixed for the inter-partes hearing of the Plaintiff's application therein within 21 days from the date of the Ex-Parte Order; and
- v) Such further and other relief as the High Court deems fit.

The above prayers were allowed by the High Court on the application of the Plaintiff's Ex-Parte SIC in the absence of PUAS and SYABAS or their Solicitors being present in High Court on 18 October 2006. The Plaintiff's Ex-Parte Order was effective for a period of twenty-one (21) days from 18 October 2006 until the date of the inter-partes hearing which had been fixed on 7 November 2006.

PUAS and SYABAS deny and refute all allegations raised by the Plaintiff in the Suit and have instructed their Solicitors to file an application vide Summons in Chambers dated 1 November 2006 to set aside the Ex-Parte Order and to vigorously defend themselves against the Plaintiff's claim on the day of the inter-partes hearing fixed on 7 November 2006.

At the hearing on 7 November 2006 (the "Hearing"), the High Court on the application of the Plaintiff's Solicitors, allowed an adjournment of the Hearing to 17 November 2006 to enable the Plaintiff to prepare a reply affidavit to the affidavit filed by the State Government, the 3rd Defendant to the Suit. Subsequently, the Hearing was adjourned to 20 November 2006.

At the hearing on 20 November 2006, the High Court fixed 22 November 2006 as the date to give its decision on the Inter-Partes application for injunction. The High Court also ordered that no ad-interim order extending the Ex-Parte injunction would be granted for the period from 20 November until 22 November 2006. This means that for this period, SYABAS was free to obtain its pipe supply from any source.

At the hearing on 22 November 2006, the High Court did not grant the injunction order applied for by JAKS-KDEB and instead proceeded to fix a date for the Case Management on 15 January 2007. However, the High Court had postponed the Case Management to 13 February 2007 and subsequently to 22 March 2007.

On 22 March 2007, the High Court fixed the Case Management for mention on 4 April 2007. The application by JAKS-KDEB for Discovery against PUAS and SYABAS and Inspection of SYABAS Concession Agreement was also heard on 22 March 2007 and a decision was fixed for hearing on 4 April 2007. At the hearing on 4 April 2007, the High Court allowed the application for Discovery by JAKS-KDEB against PUAS Berhad and SYABAS and accordingly, ordered the discovery and inspection of SYABAS Concession Agreement.

Upon consultation with its solicitors on the prospect of filing an appeal, SYABAS had instructed its solicitors to proceed to file an appeal with the Court of Appeal. The appeal was subsequently filed in the Court of Appeal on 3 May 2007. At the hearing on 15 July 2008 at the Court of Appeal, the Court of Appeal had dismissed SYABAS' appeal against the Order for Discovery by the High Court dated 4 April 2007 ordering disclosure of the Concession Agreement with costs. SYABAS had instructed its solicitors not to proceed with further appeal to the Federal Court. The decision was based primarily on the fact that the Federal Government and State Government did not object to the disclosure of the Concession Agreement at the High Court.

At the hearing on 3 October 2007, the High Court had allowed the application to amend the Statement of Defence, with costs and ancillary costs to be borne by PUAS and SYABAS.

In view of the dissolution of Jabatan Kawalselia Air Selangor ("JKAS") previously being the recipient of the written notification and written report as stated in High Court Order dated 22 November 2006, SYABAS had instructed its solicitors to file an application in the High Court to amend the said Order by replacing JKAS as the recipient with Suruhanjaya Perkhidmatan Air Negara ("SPAN") and the said application which was fixed for Hearing on 20 April 2009 was subsequently postponed to 19 May 2009 and 25 June 2009.

The High Court had on 6 July 2009 fixed the Hearing of the First and Second Defendants' application to amend the High Court Order dated 22 November 2006 to 22 July 2009. The High Court had directed the Plaintiff to file a further Affidavit to state that the Plaintiff intends to add the Selangor State Government in the Order in view that the application is only in respect of amending the entity to SPAN.

On 22 July 2009, the High Court had at the Hearing of the First and Second Defendants' application to amend the High Court Order dated 22 November 2006 allowed the addition of the words "dan/atau Kerajaan Negeri Selangor" to be added in the Order together with the word "SPAN". The addition was requested by the Plaintiff and consented by the Selangor State Legal Advisor, representing the 3rd Defendant.

The High Court had subsequently adjourned the matter for Hearing on 30 October 2009 as the 3rd Defendant intends to oppose the Plaintiff's application to amend the Statement of Claim. The Hearing was adjourned to 12 November 2009 to enable the 3rd Defendant to file its Affidavit in Reply to the Plaintiff's Affidavit in Reply. At the Hearing held on 12 November 2009 for the Plaintiff's application to amend the Statement of Claim, the High Court had fixed the matter for decision on 18 November 2009. At the Case Management held on 18 November 2009, the High Court had allowed the Plaintiff's application to amend the Statement of Claim and fixed the matter for further Case Management on 12 January 2010. In response, SYABAS had then filed the Amended Statement of Defence on 22 January 2010 and the matter was fixed for further Case Management on 25 March 2010.

At the Case Management held on 25 March 2010, the High Court adjourned the matter to 5 April 2010 for mention to ascertain whether the matter can proceed by the way of mediation. On 5 April 2010, the High Court had adjourned the matter to 10 May 2010 for Case Management to enable the parties to comply with the High Court's directions and to fix the matter for trial since the parties were not agreeable to mediate. Further Case Management was held on 4 June 2010 and 4 August 2010 and the next Case Management is fixed on 29 September 2010. The High Court had subsequently adjourned the matter for Hearing on 12 October 2010. At the Case Management held on 12 October 2010, the High Court had fixed the trial dates on 16 December 2010, 17 December 2010, 20 January 2011 and 21 January 2011. The oral submissions will be heard on 24 January 2011 and 25 January 2011.

At the hearing on 17 December 2010, the High Court had vacated the trial date on 20 January 2011 and fixed new trial dates on 28 March 2011 to 31 March 2011. The trial date fixed on 21 January 2011 and the oral submissions dates fixed on 24 January 2011 and 25 January 2011 remain unchanged.

At the trial held on 21 January 2011, the High Court had vacated the dates previously fixed for the oral submissions on 24 January 2011 and 25 January 2011 and fixed additional dates for continued trials on 24 January 2011, 25 January 2011 and 26 January 2011. The trial dates previously fixed on 28 March 2011 to 31 March 2011 remain unchanged. At the trial held on 28 March 2011, the High Court vacated the dates on 30 March 2011 and 31 March 2011. The trial dates on 28 March 2011 and 29 March 2011 remain unchanged. The matter was fixed for further full trial on 5 May 2011, 6 May 2011, 20 May 2011, 8 June 2011, 9 June 2011 and 10 June 2011. Since the trial concluded on 9 June 2011, the trial fixed for 10 June 2011 was vacated and the matter was fixed for decision on 12 September 2011.

The High Court had on 12 September 2011 postponed the decision date for the matter to 5 October 2011 as post-trial submissions only closed on 9 September 2011. On 5 October 2011, the High Court had dismissed the plaintiff's claim against the Defendants which include PUAS and SYABAS. On 3 November 2011, JAKS-KDEB had filed a Notice of Appeal to the Court of Appeal against the decision by the High Court on 5 October 2011.

SYABAS had been informed by its solicitors on 3 December 2012 that the Court of Appeal had fixed the matter for case management on 10 January 2013.

At the case management held on 10 January 2013, the Court of Appeal had fixed the matter for further case management on 26 February 2013 to fix the hearing date on the Appeal filed by JAKS-KDEB Consortium Sdn Bhd.

At the case management held on 26 February 2013, the Court Of Appeal fixed the matter for hearing on 22 May 2013 on the Appeal filed by JAKS-KDEB Consortium Sdn Bhd.

The Court of Appeal had on 22 May 2013 adjourned the hearing on the Appeal filed by JAKS-KDEB Consortium Sdn Bhd against the decision of the Kuala Lumpur High Court dated 5 October 2011 which had dismissed JAKS-KDEB's claim against SYABAS and the other two Defendants, to a date which will be fixed later by the Court of Appeal.

The Court of Appeal had fixed the hearing on the Appeal filed by JAKS-KDEB Consortium Sdn Bhd against the decision of the Kuala Lumpur High Court dated 5 October 2011 (which had dismissed JAKS-KDEB's claim against SYABAS and the other two Defendants) on 28 August 2013.

At the hearing held on 28 August 2013, the Court of Appeal had fixed the matter for case management on 5 September 2013 to allow the court to fix another hearing date.

At the case management held on 5 September 2013, the Court of Appeal had fixed the hearing on the Appeal filed by JAKS-KDEB Consortium Sdn Bhd against the decision of the Kuala Lumpur High Court dated 5 October 2011 (which had dismissed JAKS-KDEB's claim against SYABAS and the other two Defendants) on 14 November 2013.

At the hearing held on 14 November 2013 on the Appeal filed by JAKS-KDEB Consortium Sdn Bhd against the decision of the Kuala Lumpur High Court dated 5 October 2011 (which had dismissed JAKS-KDEB's claim against SYABAS and the other two Defendants), the Court of Appeal had unanimously dismissed JAKS-KDEB Consortium Sdn Bhd's appeal with costs of RM40,000 awarded to SYABAS and PUAS and RM15,000 awarded to Kerajaan Negeri Selangor.

JAKS-KDEB Consortium Sdn Bhd had filed its Notice of Motion for leave to appeal to the Federal Court against the decision of the Court of Appeal on 14 November 2013 which had dismissed JAKS-KDEB's claim against SYABAS and the other two Defendants.

On 4 February 2014, the Federal Court had fixed JAKS-KDEB Consortium Sdn Bhd's Notice of Motion for leave to appeal to the Federal Court against the decision of the Court of Appeal dated 14 November 2013 for case management on 10 February 2014.

On 10 February 2014, the Federal Court had fixed JAKS-KDEB Consortium Sdn Bhd's Notice Of Motion for leave to appeal to the Federal Court against the decision of the Court of Appeal dated 14 November 2013 for case management on 19 February 2014.

On 19 February 2014, the Federal Court had fixed JAKS-KDEB Consortium Sdn Bhd's Notice of Motion for leave to appeal to the Federal Court against the decision of the Court of Appeal dated 14 November 2013 for hearing on 6 May 2014.

JAKS-KDEB Consortium Sdn Bhd's counsel had via their letter dated 29 April 2014 applied to the Federal Court for a postponement of the Hearing fixed on 6 May 2014 on JAKS-KDEB Consortium Sdn Bhd's Notice of Motion for leave to appeal to the Federal Court against the decision of the Court of Appeal dated 14 November 2013. The Federal Court had via a letter dated 2 May 2014 allowed for the Hearing of the Motion for Leave to Appeal to be postponed and has fixed the Motion for case management on 6 May 2014.

At the case management held on 6 May 2014, the Federal Court fixed JAKS-KDEB Consortium Sdn Bhd's Notice of Motion for leave to appeal to the Federal Court against the decision of the Court of Appeal dated 14 November 2013 for hearing on 5 August 2014.

**c) Kerajaan Negeri Selangor (" State Government")**

**Kuala Lumpur High Court Originating Summons No D-24NCC-388-2010 - SYABAS vs Kerajaan Negeri Selangor**

On 10 November 2010, SYABAS instituted legal proceedings against Kerajaan Negeri Selangor ("State Government") at the High Court in Kuala Lumpur vide Originating Summons No: D-24NCC-388-2010 which was supported by an affidavit in support dated 9 November 2010. In the said Originating Summons, SYABAS is seeking the following relief:-

- i) A declaration that upon a true construction of the Concession Agreement dated 15 December 2004, there is a sum of RM471,642,916.00 due and owing from the State Government to SYABAS for the period from 1 January 2009 to 31 December 2009;
- ii) That the State Government do pay the said sum of RM471,642,916.00 to SYABAS forthwith upon making of this Order;
- iii) Costs of the action to be paid by the State Government to SYABAS in any event; and
- iv) Such further or other relief or remedy as the Court shall deem just.

On 18 November 2010, the Originating Summons and the affidavit in support were served on the State Government. On 25 November 2010, the State Government's solicitors entered appearance on behalf of the State Government. The matter came up for case management on 2 December 2010 where the High Court allowed the State Government's solicitors' request for a 2 week extension of time to file the State Government's affidavit in reply and thereafter adjourned the matter for further case management on 16 December 2010. On the case management date 16 December 2010, the State Government's affidavit in reply dated 15 December 2010 was served on SYABAS' solicitors. The High Court then directed SYABAS to file its affidavit in reply by 31 December 2010 and further fixed the matter for Hearing on 11 February 2011. The High Court also directed parties to file their respective submissions by 8 February 2011. The High Court also informed that parties may agree between themselves any extension of time for filing of affidavits provided that the hearing date is not affected. In this regard, the State Government's solicitors agreed to SYABAS filing the affidavit in reply by 10 January 2011.

On 10 January 2011, SYABAS' solicitors filed SYABAS' affidavit in reply dated 10 January 2011 in the High Court and served a copy of the same on the State Government's solicitors. On 24 January 2011, the State Government's affidavit in reply dated 24 January 2011 was served on SYABAS' solicitors. On 2 February 2011, SYABAS' solicitors filed SYABAS' affidavit (3) dated 28 January 2011 in the High Court and served a copy of the same on the State Government's solicitors. On 7 February 2011, the State Government's solicitors served on SYABAS' solicitors a summons in chambers dated 7 February 2011 ("State Government's application") for inter alia, an Order to convert the Originating Summons into a writ action or alternatively that the State Government be given leave to cross-examine the deponent of SYABAS' affidavits, which was fixed for hearing on 11 February 2011. On 8 February 2011, SYABAS' solicitors filed the written submission for the Originating Summons. On 10 February 2011, SYABAS' solicitors filed SYABAS' affidavit dated 10 February 2011 in Court and served a copy of the same on the State Government's solicitors to oppose the State Government's application. On 23 February 2011, the State Government filed their Affidavit in Reply dated 23 February 2011 and served a copy of the same on SYABAS' solicitors, in reply to SYABAS' Affidavit dated 10 February 2011 in relation to the State Government's application.

On 11 February 2011, the High Court decided to hear the State Government's application first and fixed it for clarification/decision on 28 February 2011. As for the Originating Summons, the High Court fixed the matter for case management on 28 February 2011 immediately after the clarification and/or decision in respect of the State Government's application.

On 28 February 2011, the High Court allowed the State Government's application to convert the Originating Summons into a writ action. The matter was fixed for case management on 16 March 2011. The matter was fixed for further Case Management on 30 March 2011 pending the State Government's official response on its stand in respect of SYABAS' claim for compensation and tariff adjustment. The current judge for the case had recused himself from hearing the case any further. The matter was fixed for case management before a new judge on 11 April 2011 which subsequently upon written request by SYABAS's solicitors, was rescheduled to 12 April 2011.

The matter came up for Case Management for the first time before NCCI High Court Judge on 12 April 2011. The parties informed the learned Judge that they are working out the mechanics of the proposed hearing. The learned Judge then fixed a further case management date on 6 May 2011.

The Court had fixed the matter for further case management on 10 May 2011 to enable the defendant's leading counsel to attend the same. The Court had further fixed the case management on 27 May 2011 pending the defendant's filing of an application to join the Federal Government as a party to the proceedings. As the defendant had decided not to bring in the Federal Government as a party to the proceedings, the case management on 27 May 2011 was fixed for further case management on 28 June 2011 for SYABAS to take instruction on the mode of action and pleadings.

At the case management held on 28 June 2011, the High Court allowed SYABAS' application to withdraw with liberty to file afresh by way of a writ of summons with no order as to costs. The withdrawal of the suit by SYABAS with liberty to file afresh with no order as to costs are for the following reasons:-

- i) It was the defendant's application to convert the originating summons to a writ;
- ii) It will be more appropriate in the circumstances to have proper pleadings rather than the present affidavit form; and
- iii) The plaintiff still intend to proceed with the claim by way of a fresh writ action.

Pursuant to the withdrawal of the Originating Summons, SYABAS went to file a Writ and Statement of Claim at the Kuala Lumpur High Court.

**d) Kerajaan Negeri Selangor (" State Government")**

**Kuala Lumpur High Court Suit No: 22NCC-1478-09/2011 - SYABAS vs State Government**

On 8 September 2011, SYABAS had instituted legal proceedings against the State Government via the filing of a Writ and Statement of Claim at the High Court for a sum of RM1,054,208,382 being compensation from 1 January 2009 to 31 March 2011 from the State Government under the term of the Concession Agreement dated 15 December 2004 between SYABAS, the Federal Government and the State Government.

In the Statement of Claim, SYABAS is praying for the following Orders:-

- i) A declaration that upon a true construction of the Concession Agreement dated 15 December 2004, there is a sum of RM1,054,208,382.00 due and owing from the State Government to SYABAS for the period from 1 January 2009 to 31 March 2011;
- ii) That the State Government do pay the said sum of RM1,054,208,382.00 to SYABAS forthwith upon making of the Order;
- iii) Costs of the action be paid by the State Government to SYABAS in any event; and
- iv) Such further or other relief or remedy as the Court shall deem just.

At the case management held on 10 October 2011, the State Government's solicitors informed the High Court that the Memorandum of Appearance was filed on 30 September 2011 and an application for leave to file Defence was filed in the Kuala Lumpur High Court on 10 October 2011. The Court then fixed a further case management on 4 November 2011 for further directions. On 14 October 2011, the Court allowed the defendant to file the Defence latest by 4 November 2011 and the plaintiff to file the Reply latest by 18 November 2011. The Court maintained the case management scheduled on 4 November 2011 to monitor the progress of the suit. On 4 November 2011, the State Government's solicitors informed the Court that the Defence was filed on 4 November 2011. The Court directed SYABAS to file the notice to attend pre-trial case management after filing the Reply by 18 November 2011. The Court fixed the next case management on 29 November 2011.

On 21 November 2011, SYABAS' Reply had been filed in the High Court and served on the defendant's solicitors on 18 November 2011.

At the case management held on 29 November 2011, the High Court had fixed a further case management on 14 December 2011 for SYABAS to file the notice to attend pre-trial case management upon the close of pleadings and for the State Government to apply for leave to issue a third party notice against the Federal Government.

The matter which came up for case management on 14 December 2011 was fixed for mention on 23 December 2011 in order to fix a hearing date for the defendant's application for leave to issue a Third Party Notice against the Federal Government, which was filed in Court on 14 December 2011.

At the mention held on 23 December 2011, the Federal Government had objected to the defendant's application for leave to issue a Third Party Notice against the Federal Government. The High Court had fixed the matter for another case management on 26 January 2012 and hearing on 16 February 2012.

At the case management held on 26 January 2012 for the defendant's application to issue a third party notice (in Enclosure 13), the High Court had fixed 8 February 2012 for the plaintiff to file in an affidavit in reply to the defendant's affidavit dated 25 January 2012 and further fixed 13 February 2012 for parties to file their respective submissions simultaneously. The hearing date previously fixed on 16 February 2012 was maintained.

At the hearing held on 16 February 2012, the Defendant's application for leave to issue a Third Party Notice against the Federal Government ("Application"), the High Court had allowed the Defendant's Application with no order as to cost and had further fixed the matter for case management for Third Party Direction on 5 March 2012, and Trial of the main Suit on 29 May 2012 and 30 May 2012, respectively.

On 5 March 2012, the Kuala Lumpur High Court had fixed the matter for case management on 28 March 2012 to allow the State Government and the Federal Government to file and serve their respective pleadings in the third party proceedings.

On 28 March 2012, the Kuala Lumpur High Court had fixed the matter for further case management on 17 April 2012 to allow the parties to finalise the issues to be tried, bundle of documents and list of witnesses. The High Court had also fixed two (2) further trial dates for the matter on 14 and 15 June 2012 in addition to the 29 and 30 May 2012 which had been fixed earlier. The High Court had rescheduled the case management for application of the Defendant to 27 April 2012 which was subsequently adjourned to 30 April 2012.

The Kuala Lumpur High Court had fixed the matter for case management on 8 May 2012 and thereafter further case management on 15 May 2012.

At the case management held on 15 May 2012 which was heard together with the hearing fixed for the application to amend the Statement of Claim filed by SYABAS on 14 May 2012, the Kuala Lumpur High Court had fixed a further hearing date on 22 May 2012 to allow the parties to file and serve their respective affidavits. The case management is also fixed on the same date.

At the case management held on 22 May 2012 evening on the application to amend the Statement of Claim filed by SYABAS, the High Court had adjourned the matter to 25 May 2012 for decision.

On 25 May 2012, the High Court had adjourned the decision on the application to amend the Statement of Claim filed by SYABAS to 29 May 2012 to allow the parties to further deliberate and submit on the matter. The trial dates fixed on 29 May 2012 and 30 May 2012 as announced earlier are now vacated for the aforementioned purpose. The trial dates fixed on 14 June 2012 and 15 June 2012 remain unchanged.

On 29 May 2012, the High Court had allowed the application to amend the Statement of Claim filed by SYABAS and further fixed the matter for case management on 14 June 2012. The trial dates of 14 June 2012 and 15 June 2012 as announced previously have been vacated.

The High Court had further fixed 4 September 2012, 6 September 2012 and 7 September 2012 as the new trial dates.

At the case management held on 14 June 2012, in addition to the existing trial dates fixed on 4 September 2012, 6 September 2012 and 7 September 2012, the High Court had fixed three (3) additional trial dates on 30 October 2012, 31 October 2012 and 1 November 2012 respectively. The High Court had further directed the parties to file additional bundle of documents (if any) and the issues to be tried on or before 31 July 2012, and their respective witness statements one (1) week before the trial.

On 22 June 2012, the Defendant had filed an appeal to the Court of Appeal against the Order dated 29 May 2012 of the High Court allowing the Plaintiff's application to amend the Statement of Claim.

On 28 June 2012, the Court of Appeal had fixed the Defendant's appeal against the Order dated 29 May 2012 of the High Court allowing SYABAS' application to amend the Statement of Claim, for Case Management on 12 July 2012.

At the case management held on 12 July 2012 for the Defendant's appeal against the Order dated 29 May 2012 of the High Court allowing SYABAS' application to amend the Statement of Claim, the Court of Appeal had fixed the matter for further case management on 14 August 2012 for further direction.

The Court of Appeal had also directed the Defendant to file in the Record of Appeal by 9 August 2012.

On 14 August 2012, the Court of Appeal had fixed the hearing for the Defendant's appeal against the Order dated 29 May 2012 of the Kuala Lumpur High Court allowing SYABAS' application to amend the Statement of Claim on 8 October 2012. The Court of Appeal also directed the parties to file their respective written submission on or before 24 September 2012.

The Kuala Lumpur High Court had via letter dated 13 August 2012 fixed the matter for case management on 16 August 2012.

At the case management held on 16 August 2012, the solicitors for the Defendant had requested for the trial dates on 4 September 2012, 6 September 2012 and 7 September 2012 to be vacated pending disposal of the Defendant's appeal against the Order dated 29 May 2012 of the Kuala Lumpur High Court allowing SYABAS' application to amend the Statement of Claim ("Appeal"). The Appeal is fixed for hearing at the Court of Appeal on 8 October 2012, as previously announced by the Company on 14 August 2012.

The High Court agreed to vacate the trial dates on 4 September 2012 and 7 September 2012. The witness for SYABAS will give evidence in chief on 6 September 2012. The trial will continue on 30 October 2012, 31 October 2012, and 1 November 2012 respectively. The parties are to file their respective witness statements one (1) week before the commencement of the trial.

The trial held on 6 September 2012 had been adjourned to 30 October 2012, 31 October 2012 and 1 November 2012, the trial dates previously fixed and announced on 17 August 2012, pending the Plaintiff and the Third Party to file in their respective supplementary/fresh witness statements.

In view of the fact that the Federal Court had on 23 October 2012 granted leave to SYABAS to appeal to the Federal Court against the decision dated 8 October 2012 of the Court of Appeal (which allowed the defendant's appeal against the decision of the High Court on 29 May 2012 granting leave to SYABAS to amend its claim), the High Court had on 30 October 2012 adjourned the trial fixed for 30 October 2012, 31 October 2012 and 1 November 2012 pending the outcome of SYABAS' appeal to the Federal Court. The High Court had fixed new trial dates on 11 January 2013, 13 February 2013, 14 February 2013 and 15 February 2013 and also fixed case management on 17 December 2012 for the parties to inform the Kuala Lumpur High Court on the outcome of SYABAS' appeal to the Federal Court.

At the hearing held on 8 October 2012 for the State Government's appeal against the Order dated 29 May 2012 of the High Court allowing SYABAS' application to amend the Statement of Claim ("Appeal"), the Court of Appeal had allowed the Appeal with costs.

On 15 October 2012, SYABAS' solicitors had filed a motion for leave at the Federal Court to appeal against the decision made by the Court of Appeal dated 8 October 2012. The Federal Court had also fixed the motion for hearing on 23 October 2012.

At the hearing held on 23 October 2012, the Federal Court had granted leave to SYABAS to appeal to the Federal Court against the decision made by the Court of Appeal dated 8 October 2012 ("Appeal"). The Federal Court had also directed for an early date to be fixed for the hearing of the Appeal. Pursuant to the leave granted by the Federal Court, SYABAS will instruct its solicitors to proceed with the filing of the relevant notice of appeal and appeal record.

In view of the fact that the Federal Court had on 23 October 2012 granted leave to SYABAS to appeal to the Federal Court against the decision dated 8 October 2012 of the Court of Appeal (which allowed the defendant's appeal against the decision of the High Court on 29 May 2012 granting leave to SYABAS to amend its claim), the High Court had on 30 October 2012 adjourned the trial fixed for 30 October 2012, 31 October 2012 and 1 November 2012 pending the outcome of SYABAS' appeal to the Federal Court. The High Court had fixed new trial dates on 11 January 2013, 13 February 2013, 14 February 2013 and 15 February 2013 and also fixed case management on 17 December 2012 for the parties to inform the Kuala Lumpur High Court on the outcome of SYABAS' appeal to the Federal Court.

On 20 November 2012, the Federal Court had fixed SYABAS' appeal to the Federal Court against the decision made by the Court of Appeal dated 8 October 2012, for case management on 22 November 2012.

At the case management held on 22 November 2012, the Federal Court had fixed 10 December 2012 for further case management pending the extraction of the notes of evidence and the grounds of judgment delivered by the Court of Appeal on 8 October 2012.

At the case management held on 10 December 2012, the Federal Court had fixed 31 January 2013 for hearing of the appeal against the decision delivered by the Court of Appeal on 8 October 2012.

At the case management held on 17 December 2012, the High Court had vacated the trial date fixed on 11 January 2013 and maintained the trial dates on 13 February 2013, 14 February 2013 and 15 February 2013.

The High Court had also fixed the case management on 4 February 2013 for the parties to inform KLHC on the outcome of SYABAS' appeal to the Federal Court which had been fixed for hearing on 31 January 2013.

On 4 February 2013, the Federal Court had fixed 6 February 2013 as the hearing date for the appeal against the decision delivered by the Court of Appeal on 8 October 2012.



At the case management held on 4 February 2013, the High Court ("KLHC") had vacated the Trial dates fixed on 13 February 2013, 14 February 2013 and 15 February 2013, as announced previously, on the request made by the Defendant's Solicitors. KLHC had fixed the new Trial dates on 1 July 2013, 2 July 2013, 3 July 2013, 4 July 2013, 8 July 2013, 9 July 2013 and 10 July 2013.

KLHC had also fixed the case management on 15 February 2013 for the parties to inform KLHC on the outcome of SYABAS' appeal to the Federal Court which had been fixed for hearing on 6 February 2013.

The High Court postponed the case management fixed on 15 February 2013 to 28 February 2013.

At the case management held on 28 February 2013, the Kuala Lumpur High Court had maintained the Trial dates on 1 July 2013, 2 July 2013, 3 July 2013, 4 July 2013, 8 July 2013, 9 July 2013 and 10 July 2013, as previously announced.

The High Court had via a letter dated 8 April 2013 vacated the Trial dates on 1 July 2013, 2 July 2013, 3 July 2013, 4 July 2013, 8 July 2013, 9 July 2013 and 10 July 2013, as announced previously and had now rescheduled the Trial to 2 September 2013, 3 September 2013, 4 September 2013, 5 September 2013, 9 September 2013, 10 September 2013 and 11 September 2013 accordingly.

On 20 August 2013, the Defendant had filed an application to amend the Statement of Defence at the Kuala Lumpur High Court. The application had been fixed for Hearing on 23 August 2013.

At the Hearing held on 23 August 2013, the Kuala Lumpur High Court had allowed the Defendant's application to amend the Statement of Defence. The Kuala Lumpur High Court further directed the Defendant to file the Amended Statement of Defence by 26 August 2013 and the Plaintiff to file the Amended Reply by 29 August 2013.

The Kuala Lumpur High Court had maintained the Trial dates on 2 September 2013, 3 September 2013, 4 September 2013, 5 September 2013, 9 September 2013, 10 September 2013 and 11 September 2013, as previously announced.

The Trial for the above matter proceeded on 2 September 2013, 3 September 2013 and 4 September 2013. On 2 September 2013, the Selangor State Government's solicitors had served a subpoena on SYABAS' Chief Executive Officer. On 4 September 2013, the Plaintiff filed an application to set aside the subpoena. Further, the Defendant also filed an application to re-amend its Statement of Defence. The Kuala Lumpur High Court had fixed both applications ("Applications") for Hearing on 11 September 2013.

The Kuala Lumpur High Court had vacated the Trial dates on 5 September 2013, 9 September 2013, 10 September 2013 and 11 September 2013, as previously announced, pending the disposal of the Applications.

On 11 September 2013, the Hearing of the Selangor State of Government's application to re-amend their Statement of Defence and SYABAS' application to set aside the subpoena served on SYABAS' Chief Executive Officer had been adjourned to 19 September 2013 to enable the parties to file the necessary Affidavits.

The matter on the Selangor State Government's application to re-amend their Statement of Defence came up for Hearing on 19 September 2013. Upon submissions from both Counsels, the Kuala Lumpur High Court had reserved the matter for decision and once the date for the decision is fixed, the Kuala Lumpur High Court will also hear SYABAS' application to set aside the subpoena served on SYABAS' Chief Executive Officer on 2 September 2013. The Kuala Lumpur High Court further fixed 6 November 2013, 7 November 2013 and 8 November 2013 for continued Trial.

On 1 October 2013, the Kuala Lumpur High Court had fixed the Selangor State Government's application to re-amend its Statement of Defence for decision on 3 October 2013. As announced previously, the Kuala Lumpur High Court will also hear SYABAS' application to set aside the subpoena served on SYABAS' Chief Executive Officer on 2 September 2013 once the date for decision is fixed.

The dates fixed by the Kuala Lumpur High Court for continued Trial on 6 November 2013, 7 November 2013 and 8 November 2013 as previously announced remain unchanged.

The Kuala Lumpur High Court had on 3 October 2013 allowed the Selangor State Government's application to re-amend the Statement of Defence with costs to SYABAS. The Kuala Lumpur High Court had directed the Selangor State Government to deliver the re-amended Statement of Defence on or before 8 October 2013, and SYABAS thereafter to deliver its re-amended reply on or before 11 October 2013, with the reservation to SYABAS to apply to amend the writ and re-amend its statement of claim.

The hearing on the Plaintiff's application to amend the Writ of Summons and re-amend the Statement of Claim to add CIMB Investment Bank Berhad as Co-Plaintiff on 6 November 2013 had been adjourned to 10 December 2013 pending filing of the necessary Affidavits by the Parties. The Plaintiff's application to set aside the subpoena served on the Chief Executive Officer of the Plaintiff as well as the hearing of the Defendant's application for the Plaintiff to produce documents are also fixed on the same date. The trial dates of 6, 7 and 8 November 2013 had been vacated by the Court pending the disposal of the above applications.

On 10 December 2013, the Kuala Lumpur High Court had adjourned the hearing of SYABAS' application to amend the Writ of Summons and re-amend the Statement of Claim to add CIMB Investment Bank Berhad as Co-Plaintiff to 20 January 2014. The Kuala Lumpur High Court also fixed the Selangor State Government's application to strike out SYABAS' Writ of Summons and amended Statement of Claim for mention on 20 January 2014. The Selangor State Government's solicitors further withdrew their subpoena served on SYABAS' Chief Executive Officer with no order as to costs. SYABAS' solicitors subsequently withdrew their application to set aside the subpoena.

At the hearing held on 20 January 2014, the Kuala Lumpur High Court adjourned its decision to a date to be fixed by the Kuala Lumpur High Court after submissions by both parties on SYABAS' application to amend the Writ of Summons and re-amend the Statement of Claim to add CIMB Investment Bank Berhad as Co-Plaintiff. The Kuala Lumpur High Court also fixed the Selangor State Government's application to strike out SYABAS' Writ of Summons and amended Statement of Claim for Mention on the same decision date.

SYABAS was informed by its solicitors that the Kuala Lumpur High Court had fixed SYABAS' application to amend the Writ of Summons and re-amend the Statement of Claim to add CIMB Investment Bank Berhad as Co-Plaintiff for decision on 13 February 2014 to which SYABAS' application was dismissed with costs. SYABAS' solicitors orally applied for a stay of proceedings pending appeal which was also dismissed by the learned judge.

The Kuala Lumpur High Court fixed the Selangor State Government's application to strike out SYABAS' Writ of Summons and amended Statement of Claim for hearing on 7 March 2014.

SYABAS had filed its Notice of Appeal at the Court of Appeal on 14 February 2014 appealing against the decision of the Kuala Lumpur High Court dated 13 February 2014 which had dismissed SYABAS' application to amend the Writ of Summons and re-amend the Statement of Claim to add CIMB Investment Bank Berhad as Co-Plaintiff.

The Court of Appeal had fixed SYABAS' Notice of Appeal against the decision of the Kuala Lumpur High Court dated 13 February 2014 which had dismissed SYABAS' application to amend the Writ of Summons and re-amend the Statement of Claim to add CIMB Investment Bank Berhad as Co-Plaintiff for case management on 1 April 2014.

SYABAS' had on 19 February 2014 filed its Notice of Motion at the Court of Appeal to stay the High Court proceedings pending the appeal and the Notice of Motion is fixed for hearing on 4 March 2014.

By consent of both parties, the Court of Appeal had on 4 March 2014 allowed for an interim stay of the Kuala Lumpur High Court proceedings. SYABAS' Notice of Motion to stay the High Court proceedings pending appeal and SYABAS' Notice of Appeal against the decision of the Kuala Lumpur High Court dated 13 February 2014 (which had dismissed SYABAS' application to amend the Writ of Summons and re-amend the Statement of Claim to add CIMB Investment Bank Berhad as Co-Plaintiff) are now fixed for hearing on 2 April 2014.

On 7 March 2014, the Kuala Lumpur High Court upon being informed on the interim stay of the Kuala Lumpur High Court proceedings granted by the Court of Appeal on 4 March 2014, had vacated the hearing fixed on 7 March 2014 to hear the Selangor State Government's application to strike out SYABAS' Writ of Summons and amended Statement of Claim and further fixed the matter for case management on 4 April 2014.

SYABAS' Notice of Appeal against the decision of the Kuala Lumpur High Court dated 13 February 2014 (which had dismissed SYABAS' application to amend the Writ of Summons and re-amend the Statement of Claim to add CIMB Investment Bank Berhad as Co-Plaintiff) fixed for case management on 1 April 2014 has been vacated in view of the appeal being fixed for hearing on 2 April 2014.

At the hearing held on 2 April 2014, the Court of Appeal allowed SYABAS' appeal against the decision of the Kuala Lumpur High Court dated 13 February 2014 (which had dismissed SYABAS' application to amend the Writ of Summons and re-amend the Statement of Claim to add CIMB Investment Bank Berhad as Co-Plaintiff) with costs of RM10,000. Further, on the application by SYABAS' lead counsel, the Court of Appeal also ordered the trial to be heard de novo before another judge at court NCC5 of the Kuala Lumpur High Court. The Court of Appeal also allowed the Selangor State Government's application to stay the Kuala Lumpur High Court proceedings pending the disposal of its proposed application for leave to appeal to the Federal Court against the decision of the Court of Appeal. The Court of Appeal made no order on SYABAS' Notice of Motion to stay the Kuala Lumpur High Court proceedings pending appeal.

On 4 April 2014, the Kuala Lumpur High Court upon being informed of the Court of Appeal's decision dated 2 April 2014 had fixed the matter for further case management on 8 April 2014.

At the case management held on 8 April 2014, the Kuala Lumpur High Court had fixed the Selangor State Government's application to strike out SYABAS' Writ of Summons and Amended Statement of Claim for Mention on 5 May 2014.

At the Mention held on 5 May 2014, the Selangor State Government's counsel informed the Kuala Lumpur High Court that the Selangor State Government had on 30 April 2014 filed its Notice of Motion for Leave to Appeal to the Federal Court against the decision of the Court of Appeal dated 2 April 2014 which had allowed SYABAS' appeal against the decision of the Kuala Lumpur High Court dated 13 February 2014 (which had dismissed SYABAS' application to amend the Writ of Summons and re-amend the Statement of Claim to add CIMB Investment Bank Berhad as Co-Plaintiff). The Kuala Lumpur High Court accordingly fixed the matter for Mention on 5 August 2014.

**e) Konsortium ABASS Sdn Bhd ("Konsortium ABASS")**

**Kuala Lumpur High Court Writ Summons No: 22NCC-543-2011**

SYABAS had been served with a Writ and Statement of Claim ("Statement of Claim") dated 28 March 2011 from the solicitors acting for Abass on 30 March 2011.

In the Statement of Claim, ABASS is claiming against SYABAS for, inter alia, the following:-

- i) A declaration that SYABAS is liable to make full payment on all invoices issued by ABASS pursuant to the Privatization Cum Concession Agreement dated 9 December 2000, the Supplemental Agreements dated 10 February 2001, 28 August 2001 and 15 February 2005 and the Novation Agreement dated 15 February 2005 particularly in accordance to Section 4.04 (c) of the Novation Agreement and that SYABAS's liability to make payment in full is not in any way diminished or mitigated by reason of its right to make proportionate payment to the water concessionaires;
- ii) Judgment for the sum of RM149,478,553.02;
- iii) An account of all payments due to ABASS in respect of invoices issued after the date of the Writ herein be taken by the Honourable Court and an order that SYABAS do pay ABASS all such sums found to be due on the taking of such account;
- iv) Interest on the outstanding amount of the invoices for the months from January 2010 to October 2010 at the rate of 1 % per annum plus the base lending rate of Malayan Banking Berhad calculated on daily basis until the date of full payment by SYABAS;
- v) Interest on the outstanding amount of the previous outstanding invoices for the months from June 2006 to December 2009 in the sum of RM6,218,522.57;
- vi) Alternative to prayers (3) and (4) above, interest at the rate of 8 % per annum on the outstanding amount of each of the outstanding invoices to be calculated from the respective due date until the date of full payment by SYABAS;
- vi) Damages for breach of contract; and
- vii) Costs

SYABAS was required to enter appearance within 8 days from 30 March 2011 and the Court fixed the matter for Case Management on 12 April 2011.

SYABAS' solicitors filed the Memorandum of Appearance in relation to the Suit on 4 April 2011 and the same had been served on the Plaintiff's solicitors on 5 April 2011.

The High Court fixed the matter for Case Management on 12 April 2011. At the Case Management on 12 April 2011, the High Court fixed a further Case Management on 30 May 2011 in order for SYABAS to file its Defence latest by 6 May 2011 and for ABASS to file its reply (if any).

SYABAS' Defence and Counterclaim had been filed in Court and a copy thereof served on the solicitors of Konsortium Abass respectively, on 6 May 2011.

The matter came up for Case Management on 30 May 2011 and the Court had fixed 7 July 2011 for Mention pending SYABAS' reply to the Plaintiff's Reply & Defence to counterclaim.

At the Case Management held on 7 July 2011, the Court fixed the next Case Management on 29 July 2011 for the defendant to file a reply affidavit to the plaintiff's application pursuant to Order 33 Rule 2 Rules of the High Court 1980 for certain preliminary issues to be heard before the trial of other questions or issues in the action, and also for the defendant to serve the application for leave to issue a third party notice on the relevant parties.

At the Case Management on 29 July 2011 the High Court fixed a further Case Management date on 26 August 2011 to fix a hearing date for the plaintiff's application pursuant to Order 33 Rule 2 Rules of the High Court 1980 for certain preliminary issues to be heard before the trial of other questions or issues in the action, and also for the defendant's application for leave to issue a third party notice on the relevant parties.

On 29 July 2011, SYABAS had filed a reply affidavit to the plaintiff's application pursuant to Order 33 Rule 2 Rules of the High Court 1980 for certain preliminary issues to be heard before the trial of other questions or issues in the action, and had served the application for leave to issue a Third Party Notice on the relevant parties.

The High Court had further fixed 19 August 2011 for the plaintiff to file a reply affidavit and for SYABAS to reply, if any, on 26 August 2011. The High Court had also fixed a further Case Management date on 26 August 2011 for the High Court to fix a hearing date and on 11 August 2011, the High Court also fixed 26 August 2011 for the plaintiff to file its reply affidavit in respect of the plaintiff's application pursuant to Order 33 Rule 2 and also the defendant's application for leave to issue a third party notice. On the same case management date, the defendant is to inform the High Court whether it wishes to file any further affidavits in respect of the three applications.

At the case management held on 26 August 2011, the High Court had fixed the next case management on 26 September 2011 for the defendant to file its reply affidavits and for the parties to exhaust all their affidavits in respect of the plaintiff's application pursuant to Order 33 Rule 2, the defendant's application for leave to issue a third party notice and also the defendant's application to amend the Defence and Counterclaim.

At the case management held on 26 September 2011, the High Court had fixed the next case management on 5 October 2011 to fix a hearing date in respect of the plaintiff's application pursuant to Order 33 Rule 2, the defendant's application for leave to issue a third party notice and also the defendant's application to amend the Defence and Counterclaim.

At the case management held on 5 October 2011, the High Court had fixed the hearing on 21 October 2011 in respect of the defendant's application for leave to issue a third party notice and also the defendant's application to amend the Defence and Counterclaim and further fixed the hearing on 21 November 2011 in respect of the plaintiff's application pursuant to Order 33 Rule 2.

On 21 October 2011, the High Court had fixed 31 October 2011 for Decision in respect of the defendant's application for leave to issue a third party notice and the defendant's application to amend the Defence and Counterclaim. On 31 October 2011, the Court was postponed the Decision in respect of the defendant's applications for leave to issue a third party notice and the application to amend the Defence and Counterclaim to 3 November 2011. The High Court had on 3 November 2011 allowed both the defendant's application for leave to issue a third party notice and the application to amend the Defence and counterclaim. The High Court fixed a further case management date on 17 November 2011 to enable the defendant to serve the third party notice on the State Government of Selangor and to deliver the Amended Defence and Counterclaim. The plaintiff had appealed to the Judge in chambers against the decisions of the High Court to allow SYABAS' application for leave to issue a third party notice and application to amend the Defence and counterclaim. The Court had fixed both appeals for hearing on 23 November 2011.

Pursuant to the Third Party (Selangor State Government) filing the memorandum of appearance on 17 November 2011, the matter is now fixed for further case management on 23 November 2011 for SYABAS to file the Summons for Third Party Directions. On 21 November 2011, the High Court had adjourned the hearing for the Plaintiff's application pursuant to Order 33 Rule 2 to 13 January 2012.

At the hearing held on 13 January 2012, pursuant to the Plaintiff's application for trial of the preliminary issues pursuant to Order 33 Rule 2, the High Court had adjourned the matter pending the disposal of the hearing of the motion for clarification by SPLASH at the Court of Appeal and the leave to appeal at the Federal Court. The case was fixed for mention on 13 February 2012.

The plaintiff's Notices of Appeal to the Judge in chambers against the decisions of the High Court on 3 November 2011 came up for hearing on 23 November 2011. After hearing submission from the counsel, the High Court adjourned the matter for decision on 8 December 2011. At the case management held on 23 November 2011, the High Court was informed that the Summons for Third Party Directions was filed on 23 November 2011 and the matter was fixed for hearing on 30 November 2011.

At the hearing held on 30 November 2011, for the Summons for Third Party Directions, the Kuala Lumpur High Court ordered that:-

- i) The defendant serve its Statement of Claim on the Third Party within fourteen (14) days from 30 November 2011, who shall plead thereto within fourteen (14) days;
- ii) The Third Party be at liberty to appear at the trial of this action and take such part as the Judge shall direct, and be bound by the result of the trial;
- iii) The question of liability of the Third Party to indemnify the defendant be tried at the trial of this action, but subsequent thereto; and
- iv) The costs of this application be costs in the cause and in the Third Party proceedings.

The High Court had fixed a further case management on 5 January 2012.

On 8 December 2011, the High Court had dismissed the plaintiff's Notices of Appeal against the decisions dated 3 November 2011 in allowing the defendant's application to issue a third party notice and to amend the Defence and counterclaim, with costs awarded to the defendant.

SYABAS' Statement of Claim on the Third Party was filed in Court and served on the plaintiff's and Third Party's solicitors on 14 December 2011.

At the case management held on 5 January 2012, the Court had fixed the next case management on 20 January 2012 for the defendant to file a reply to the Third Party's defence.

At the case management held on 20 January 2012, the High Court had fixed the trial dates tentatively on 19 March 2012 to 21 March 2012. The High Court also fixed the case management for the matter on 13 February 2012, 5 March 2012 and 12 March 2012, pending the outcome of the Plaintiff's application for trial of preliminary issues pursuant to Order 33 Rule 2 which was fixed for mention on 13 February 2012.

The Defendant had been served with a sealed copy of the State Government's application to set aside the Third Party notice and statement of claim by the Defendant on 2 February 2012. The application was fixed for case management on 13 February 2012.

At the case management held on 13 February 2012 in relation to the State Government's application to set aside the Third Party notice and Statement of Claim by the Defendant, the High Court had fixed the matter for further case management on 5 March 2012.

At the case management held on 13 February 2012 in relation to the State Government of Selangor's application to set aside the Third Party notice and Statement of Claim by the Defendant, the High Court had fixed the matter for further case management on 5 March 2012. At the case management held on 5 March 2012, as the Judge had recused himself, the High Court would transfer the matter to another court and inform the Parties once new dates are fixed for the said matter. The Company's solicitors had on 15 March 2012 informed that the High Court had by way of letter dated 14 March 2012 informed the Parties that the case would be heard by a new Judge and the matter was fixed for case management on 16 March 2012. At the case management held on 16 March 2012, the High Court had fixed the matter for further case management on 20 April 2012.

In the Company's earlier separate announcements on the SPLASH case (KL High Court Civil Suit No. D-22NCC-398-2009), the Court of Appeal had fixed 20 February 2012 for clarification of its decision dated 30 June 2011 and that the application for leave by SPLASH to appeal to the Federal Court arising from the decision of the Court of Appeal dated 30 June 2011 had been fixed for case management on 23 February 2012 at the Federal Court.

At the mention held on 13 February 2012, the High Court had adjourned the matter in relation to the Plaintiff's application for trial of preliminary issues pursuant to Order 33 Rule 2 to 5 March 2012, pending the clarification at the Court of Appeal and the case management at the Federal Court in the SPLASH case. On 5 March 2012, the learned Judge recused himself from hearing the matter in relation to the Plaintiff's application for trial of preliminary issues pursuant to Order 33 Rule 2. Accordingly, the case will be referred for transfer to another court and a new date to be advised by the High court Registry in due course. The trial dates tentatively fixed from 19 to 21 March 2012 had been vacated.

The High Court had by way of a letter dated 14 March 2012 informed the Parties that the case would be heard by a new Judge and the matter is fixed for Case Management on 16 March 2012 which was subsequently further fixed to 20 April 2012.

On 20 April 2012, the parties informed the Court that they have no objection that the learned Judge is hearing the matter. The Court directed as follows:

- a) The application by the Third Party Notice and the Statement of Claim against the Third Party is fixed for Hearing on 28 June 2012 with submissions in reply (if any) to be filed on or before 15 June 2012; and
- b) The Plaintiff's application for Trial of Preliminary Issues pursuant to Order 33 Rule 2 is fixed for Hearing on 10 August 2012.

The Plaintiff's application for Interim Payment is fixed for Mention on 10 August 2012.

On 28 June 2012, the High Court had fixed the application by the Third Party to set aside the Third Party Notice and the Statement of Claim against the Third Party for further hearing on 3 July 2012.

At the hearing held on 3 July 2012 in relation to the application by the Third Party to set aside the Third Party Notice and the Statement of Claim against the Third Party, the High Court had adjourned the matter to 31 July 2012 for decision.

On 31 July 2012, the High Court had allowed the Third Party's application to set aside the Third Party Notice and the Statement of Claim issued against the Third Party by the Defendant with costs of RM10,000.00 and SYABAS is currently taking legal advice on whether to appeal the decision to the Court of Appeal.

SYABAS' solicitors had on 2 August 2012 filed the Notice of Appeal at the Court of Appeal against the decision by the High Court on 31 July 2012 to allow the Third Party's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the Third Party.

At the hearing held on 10 August 2012 on the plaintiff's application for Trial of Preliminary Issues pursuant to Order 33 Rule 2 ("Application"), the High Court had adjourned the Application for continued hearing on 23 August 2012 and had also fixed the Application for decision on 3 September 2012.

The High Court had also at the mention held on 10 August 2012 on the plaintiff's application for Interim Payment, fixed the next mention on 3 September 2012.

On 3 September 2012, the High Court had allowed the plaintiff's application for Trial of Preliminary Issues pursuant to Order 33 Rule 2 ("Application") with costs in the cause with directions. The Kuala Lumpur High Court had further fixed the matter for case management on 5 September 2012 to fix trial dates.

The High Court had at the mention held on 3 September 2012 on the plaintiff's application for Interim Payment, fixed the matter for case management on 5 September 2012.

At the case management held on 5 September 2012 on the plaintiff's application for Trial of Preliminary Issues pursuant to Order 33 Rule 2, SYABAS' solicitors informed the Kuala Lumpur High Court that by a Notice of Assignment dated 15 August 2012, SYABAS was informed by the plaintiff that by a Deed of Assignment dated 10 August 2012, the plaintiff had assigned to Maybank Investment Bank Berhad its rights title and interest under the Novation Agreement dated 15 February 2005 and in view of this latest development, SYABAS will be making an application to re-amend its defence and counterclaim.

The High Court had adjourned the case management of the action and the plaintiff's application for Interim Payment to 2 October 2012, pending filing of SYABAS' application to re-amend its defence and counterclaim.

At the case management held on 13 September 2012, the Court of Appeal had fixed the matter in relation to the appeal made by SYABAS against the decision by the Kuala Lumpur High Court on 31 July 2012 allowing the Third Party's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the Third Party, for hearing on 27 November 2012. The Court of Appeal also directed that the appeal record be filed on or before 27 September 2012.

On 2 October 2012, the High Court had fixed 8 November 2012 for hearing of SYABAS' application to re-amend its defence and counterclaim to enable parties to exhaust the filing of affidavits and fixed the next case management of the action and the plaintiff's application for Interim Payment on 8 November 2012.

On 8 November 2012, the High Court had allowed SYABAS' application to re-amend its defence and counterclaim with costs in the cause. The High Court had directed SYABAS to re-amend its defence and counterclaim within seven (7) days from today. The High Court had given the plaintiff the liberty to make consequential amendments to its amended reply to defence and defence to counterclaim within fourteen (14) days from the date of service of SYABAS' re-amended defence and counterclaim.

The High Court also fixed the trial dates on 22 April 2013, 23 April 2013 and 24 April 2013 and case management of the action and the plaintiff's application for Interim Payment on 30 November 2012.

On 26 November 2012, following the application made by the counsel of Selangor State Government to the Court of Appeal on 20 November 2012, SYABAS' solicitors were informed by the counsel of Selangor State Government vide a letter dated 23 November 2012 that the Court of Appeal had granted adjournment and vacated the hearing fixed on 27 November 2012 in relation to the appeal made by SYABAS against the decision by the High Court on 31 July 2012 allowing the Third Party's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the Third Party, to a date to be fixed by the Court of Appeal in due course.

At the case management held on 30 November 2012, the High Court had fixed further case management on 4 January 2013 for the Plaintiff's application for Interim Payment and the Plaintiff to file the Re-amended Reply and Defence to counter claim.

On 7 December 2012, SYABAS had been informed by its solicitors on even date that the Court of Appeal had fixed the hearing for the appeal made by SYABAS against the decision by the High Court on 31 July 2012 allowing the Third Party's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the Third Party on 7 January 2013.

At the case management held on 4 January 2013, the High Court had fixed 12 March 2013 for the following:-

- i) Case management for the Plaintiff's application for Interim Payment;
- ii) Hearing for SYABAS' application to strike out the Plaintiff's claim; and
- iii) Case management of the main action.

The Court of Appeal had adjourned the hearing fixed on 7 January 2013 for the appeal made by SYABAS against the decision by the High Court on 31 July 2012 allowing the Third Party's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the Third Party to 21 January 2013.

At the hearing held on 21 January 2013, the Court of Appeal had dismissed the appeal made by SYABAS against the decision by the High Court on 31 July 2012 allowing the Third Party's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the Third Party with cost. SYABAS is currently seeking advice from its solicitors on the next course of action arising from the said decision.

On 20 February 2013, SYABAS filed the notice of motion for leave to appeal against the decision made by the Court of Appeal on 21 January 2013 to the Federal Court.

The High Court had on 12 March 2013 adjourned the hearing for SYABAS' application to strike out the Plaintiff's claim to 20 March 2013 to enable the parties to prepare their submissions in reply and had also fixed 20 March 2013 for the following:-

- i) case management for the Plaintiff's application for Interim Payment; and
- ii) case management of the main action.

In relation to SYABAS' application for leave to appeal to the Federal Court against the decision made by the Court of Appeal dated 21 January 2013 whereby, the Court of Appeal had dismissed SYABAS' appeal against the decision of the Kuala Lumpur High Court on 31 July 2012 in allowing the Third Party's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the Third Party, the Federal Court had via a letter dated 14 March 2013 fixed the matter for case management on 27 March 2013.

The matters at the High Court on 20 March 2013 was fixed for the following:-

- i) hearing of SYABAS' application to strike out the Plaintiff's claim;
- ii) the Plaintiff's application to stay proceedings and to strike out SYABAS' application to strike out the Plaintiff's claim and SYABAS Defence and counterclaim;
- iii) case management of the main action; and
- iv) case management on the Plaintiff's application for Interim Payment.

The High Court had adjourned the proceedings to 29 March 2013 for case management to enable the parties to exhaust their affidavits and to revert to the High Court if the parties are proceeding with the applications. This is pursuant to the Plaintiff serving their application to stay proceedings and to strike out SYABAS' application to strike out the Plaintiff's claim and SYABAS Defence and counterclaim on 19 March 2013 following which SYABAS had on 20 March 2013 filed their affidavit in reply.

At the case management held on 27 March 2013, the Federal Court had fixed 28 August 2013 for hearing of SYABAS' motion for leave to appeal against the decision of the Court of Appeal dated 21 January 2013.

At the case management held on 29 March 2013, the parties informed the High Court that they are proceeding with SYABAS' application to strike out the Plaintiff's claim and the Plaintiff's application to stay proceedings and to strike out SYABAS' application to strike out the Plaintiff's claim and SYABAS' Defence and Counterclaim.

The High Court had now fixed the case management for both the applications on 17 April 2013. As the Trial had been fixed on 22 April 2013, 23 April 2013 and 24 April 2013, the High Court fixed case management for the Trial on 8 April 2013 and 17 April 2013.

At the case management held on 8 April 2013, the High Court had fixed SYABAS' application to strike out the Plaintiff's claim and the Plaintiff's application to stay proceedings and to strike out SYABAS' application to strike out the Plaintiff's claim and SYABAS' Defence and Counterclaim for hearing on 24 April 2013. The High Court maintained the case management for both the applications on 17 April 2013, as previously announced.

The High Court vacated the case management for Trial on 17 April 2013 and the Trial dates fixed on 22 April 2013, 23 April 2013 and 24 April 2013 pending the disposal of SYABAS' application for leave to appeal at the Federal Court which had been fixed for hearing on 28 August 2013 and further fixed the case management for Trial on 4 September 2013.

At the case management held on 17 April 2013, the High Court had vacated the hearing fixed on 24 April 2013 in respect of the following:

- i) SYABAS' application to strike out the Plaintiff's Writ of Summons & Statement of Claim dated 28 March 2011 filed based on the assignment given by the Plaintiff to the Security Agent vide Deed of Assignment dated 23 August 2012 whereby the Plaintiff had absolutely and irrevocably assigned its right to receive payments from the Defendant to the Security Agent; and
- ii) the Plaintiff's application to stay proceedings and to strike out SYABAS' application to strike out Plaintiff's claim and SYABAS' Defence and Counterclaim pursuant to the Plaintiff's contention that SYABAS had similarly executed an assignment of its legal rights, title, benefits and interest of its assigned properties to SYABAS' Security Agent.

The High Court had further fixed the case management on the abovementioned applications on 4 September 2013 pending the disposal of SYABAS' application for leave to appeal at the Federal Court against the decision made by the Court of Appeal dated 21 January 2013, whereby the Court of Appeal had dismissed SYABAS' appeal against the decision of the High Court on 31 July 2012 in allowing the Third Party's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the Third Party.

At the hearing held on 28 August 2013, the Federal Court had allowed SYABAS' motion for leave to appeal against the decision of the Court of Appeal dated 21 January 2013 with costs to follow the event of the appeal.

The Court of Appeal had previously dismissed SYABAS' appeal against the decision of the Kuala Lumpur High Court on 31 July 2012 in allowing the State Government of Selangor's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the State Government of Selangor.

At the case management held on 4 September 2013, the Kuala Lumpur High Court had fixed the matter for further case management on 28 November 2013.

The Federal Court vide a letter dated 25 October 2013 had fixed 14 November 2013 for Case Management of the appeal filed by SYABAS against the decision of the Court of Appeal dated 21 January 2013.

At the case management held on 14 November 2013, the Federal Court had fixed 13 January 2014 as the next case management date for the Appeal filed by SYABAS against the decision of the Court of Appeal dated 21 January 2013.

At the case management held on 28 November 2013, the Kuala Lumpur High Court had fixed the matter for further case management on 27 January 2014, pending the disposal of the Appeal filed by SYABAS against the decision of the Court of Appeal dated 21 January 2013.

The Court of Appeal had previously dismissed SYABAS' appeal against the decision of the Kuala Lumpur High Court on 31 July 2012 in allowing the State Government of Selangor's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the State Government of Selangor. However, during the Hearing held on 28 August 2013, the Federal Court granted leave to SYABAS to appeal against the said decision of the Court of Appeal.

The Federal Court had brought forward the case management on the Appeal filed by SYABAS against the decision of the Court of Appeal dated 21 January 2013 from 13 January 2014 to 31 December 2013.

At the case management held on 31 December 2013, the Federal Court had fixed the Appeal filed by SYABAS against the decision of the Court of Appeal dated 21 January 2013 for Hearing on 7 April 2014.

At the case management held on 27 January 2014, the Kuala Lumpur High Court had fixed the matter for further case management on 9 April 2014 to update the Kuala Lumpur High Court on the status of the Federal Court Appeal and the present suit.

On 7 April 2014, the Federal Court had adjourned the hearing of State Government of Selangor's motion to strike out SYABAS' appeal (which was filed on 3 April 2014 together with the affidavit in support affirmed by the Selangor State Government's Chief Minister, Tan Sri Dato' Seri Abd Khalid Bin Ibrahim and was fixed for Hearing today) and Hearing of the appeal filed by SYABAS against the decision of the Court of Appeal dated 21 January 2013 (which had dismissed SYABAS' appeal against the decision of the Kuala Lumpur High Court on 31 July 2012 in allowing the State Government of Selangor's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the State Government of Selangor) to 9 April 2014 to enable the State Government of Selangor to file its affidavit in reply to SYABAS' affidavit affirmed by SYABAS' Chief Executive Officer, Dato' Ruslan Hassan, on 4 April 2014 in relation to the motion to strike out SYABAS' appeal.



On 9 April 2014, SYABAS' counsel informed the Kuala Lumpur High Court that the Hearing of the Appeal filed by SYABAS against the decision of the Court of Appeal dated 21 January 2013 and the Hearing of the motion filed by the Selangor State of Government to strike off SYABAS' appeal had been rescheduled to 9 April 2014. The Kuala Lumpur High Court went on to fix the matter for further case management on 18 April 2014 pending disposal of SYABAS' appeal and motion to strike out SYABAS' appeal filed by the Selangor State Government at the Federal Court.

The Federal Court had on 9 April 2014 adjourned the Hearing of State Government of Selangor's motion to strike out SYABAS' appeal and the appeal filed by SYABAS against the decision of the Court of Appeal dated 21 January 2013 (which had dismissed SYABAS' appeal against the decision of the Kuala Lumpur High Court on 31 July 2012 in allowing the State Government of Selangor's application to set aside the Third Party Notice and Statement of Claim filed by SYABAS against the State Government of Selangor) to 7 July 2014 to enable SYABAS to file its affidavit in reply to the affidavit affirmed by Selangor State Government's Chief Minister, Tan Sri Dato' Seri Abd Khalid Bin Ibrahim which was served on SYABAS on 9 April 2014 in relation to the Selangor State Government's motion to strike out SYABAS' appeal.

At the case management held on 18 April 2014, SYABAS' counsel informed the Kuala Lumpur High Court that the Hearing of the Appeal filed by SYABAS against the decision of the Court of Appeal dated 21 January 2013 and the Hearing of the motion filed by the Selangor State Government to strike off SYABAS' appeal had been adjourned by the Federal Court to 7 July 2014.

The Kuala Lumpur High Court went on to fix the matter for further case management on 9 July 2014 pending disposal of SYABAS' appeal and motion to strike out SYABAS' appeal filed by Selangor State Government at the Federal Court.

**f) Kuala Lumpur High Court Originating Summons No. 24NCVC-369-02/2013 (PNSB vs State Government)**

Puncak Niaga (M) Sdn Bhd ("PNSB") had on 18 February 2013 instituted legal proceedings against the Selangor State Government via the filing of the relevant cause papers all dated 18 February 2013 at the High Court in relation to the Operation and Maintenance Agreement dated 7 March 2008 in respect of the Sungai Sireh Water Treatment Plant between Puncak Niaga (M) Sdn Bhd and the Selangor State Government and the Novation Agreement dated 7 March 2008 in respect of the Sungai Sireh Water Treatment Plant between PNSB, Syarikat Bekalan Air Selangor Sdn Bhd ("SYABAS") and the Selangor State Government ("the Agreements").

In the Originating Summons and the Notice of Application dated 18 February 2013, PNSB is seeking for the following:-

- i) A declaration that the Agreements between PNSB and the Selangor State Government dated 7 March 2008 in respect of the Sungai Sireh Water Treatment Plant between PNSB, SYABAS and the Selangor State Government are valid and enforceable pursuant to the Water Services Industry Act 2006;
- ii) An order against the Selangor State Government for specific performance of the Agreements;
- iii) that the Selangor State Government whether by its servants, agents or howsoever be restrained from terminating the Operation and Maintenance Agreement dated 7 March 2008 in respect of the Sungai Sireh Water Treatment Plant between PNSB and the Selangor State Government and the Novation Agreement dated 7 March 2008 in respect of the Sungai Sireh Water Treatment Plant between PNSB, SYABAS and the Selangor State Government;
- iv) that the Selangor State Government whether by its servants, agents or howsoever be restrained from handing over howsoever the operations and managements of the Sungai Sireh Water Treatment Plant as defined in the Agreements to Konsortium Air Selangor Bhd or whomsoever;
- v) Costs; and
- vi) Such further or other relief as the Honourable Court deems just and fit.

The solicitors of PNSB had on 20 February 2013 served the Sealed Copy of Originating Summons, Sealed Copy of Notice of Application and a copy of the Plaintiff's Affidavit in respect of the Suit on the Selangor State Government.

The High Court had fixed the matter for hearing on 11 March 2013.

At the hearing held on 11 March 2013, the High Court had directed as follows:-

- i) That Parties are to exhaust the exchange of affidavits by 4 June 2013; and
- ii) The Originating Summons had been fixed for hearing on 4 June 2013.

The hearing date scheduled on 4 June 2013 was rescheduled to a case management by the Kuala Lumpur High Court as the Selangor State Government had filed an application to strike out the Suit by PNSB.

At the said case management, the Kuala Lumpur High Court directed the parties to file their respective Written Submissions and Submissions In Reply in respect of the Selangor State Government's said application and scheduled the matter for decision on 10 July 2013.

The Kuala Lumpur High Court had on 9 July 2013 deferred the decision on the Selangor State Government's application to strike out the Suit from 10 July 2013 to 17 July 2013.

On 17 July 2013, the Kuala Lumpur High Court had deferred the decision on the Selangor State Government's application to strike out the Suit from 17 July 2013 to 5 August 2013.

On 5 August 2013, the Kuala Lumpur High Court allowed the Selangor State Government's application to strike out the Suit with costs. PNSB will seek its solicitors' advice on the next course of action for the above matter.

PNSB had on 30 August 2013 filed an appeal to the Court of Appeal against the decision of the Kuala Lumpur High Court on 5 August 2013 allowing the Selangor State Government's application to strike out the Suit with costs.

At the hearing held on 6 November 2013 on PNSB's appeal to the Court of Appeal against the decision of the Kuala Lumpur High Court on 5 August 2013 allowing the Selangor State Government's application to strike out the Suit with costs, the Court of Appeal allowed PNSB's appeal with no order as to costs.

On 10 February 2014, the Selangor State Government had filed an application for leave to the Federal Court to appeal against the decision of the Court of Appeal on 6 November 2013 allowing PNSB's appeal against the decision of the Kuala Lumpur High Court on 5 August 2013 allowing the Selangor State Government's application to strike out the Suit with costs.

The Federal Court had scheduled the hearing of the Selangor State Government's application for leave on 2 April 2014.

At the hearing held on 2 April 2014, the Federal Court dismissed the Selangor State Government's application for leave to appeal against the decision of the Court of Appeal on 6 November 2013 with costs of RM10,000.

#### **g) PNSB vs LUAS and the Selangor State Government**

##### **Kuala Lumpur High Court Judicial Review No : R2-25-67-03/2014**

On 20 March 2014, PNSB had filed an application in the Kuala Lumpur High Court for leave to issue Judicial Review proceedings against the decision of Lembaga Urus Air Selangor ("LUAS") and Selangor State Government as notified by LUAS to PNSB via a letter dated 7 March 2014 to not renew PNSB's raw water abstraction licenses beyond 31 May 2014.

On 27 March 2014, PNSB had obtained leave from the Kuala Lumpur High Court to bring Judicial Review proceedings against LUAS and the Selangor State Government ("Judicial Review proceedings"). At the case management held on 10 April 2014 in respect of the Judicial Review proceedings, the Kuala Lumpur High Court gave directions for the parties to file and exchange affidavits in reply and outline the submissions in respect of both the interim relief and substantive applications.

The application for interim relief is fixed for hearing on 5 May 2014 and the next case management for the substantive application was also fixed on 5 May 2014.

PNSB application for interim relief at the Kuala Lumpur High Court in respect of the Judicial Review Proceedings filed against LUAS and the Selangor State Government which was fixed for hearing on 5 May 2014 has been adjourned to 14 May 2014 and the hearing of PNSB's substantive application for Judicial Review is fixed on 16 May 2014.

In respect of the Judicial Review Proceedings filed by PNSB against LUAS and the Selangor State Government, PNSB's application for interim relief has on 6 May 2014 been directed by the Kuala Lumpur High Court to be heard on 12 May 2014 instead of 14 May 2014. The hearing of PNSB's substantive application for Judicial Review remains fixed for 16 May 2014.

PNSB's solicitors had on 8 May 2014 filed and extracted an application to amend the application for Judicial Review wherein the said application to amend is fixed for hearing on 12 May 2014.

As previously announced, the application for interim relief at the Kuala Lumpur High Court in respect of the Judicial Review Proceedings filed against LUAS and the Selangor State Government is fixed for hearing on 12 May 2014 whilst the hearing of PNSB's substantive application for Judicial Review is fixed on 16 May 2014.

The hearing of PNSB's application to amend its Application for Judicial Review and for interim relief scheduled for 12 May 2014 and the hearing of PNSB's substantive application for Judicial Review originally scheduled for hearing on 16 May 2014 have been re-scheduled for hearing by the Kuala Lumpur High Court on 19 May 2014.

On 19 May 2014, at the hearing of the substantive application for Judicial Review Proceedings filed by PNSB against LUAS and the Selangor State Government today, the Kuala Lumpur High Court has fixed 28 May 2014 for delivery of its decision.

On 28 May 2014, the decision of the substantive application for Judicial Review Proceedings filed by PNSB originally scheduled on 28 May 2014 has been re-scheduled by the Kuala Lumpur High Court to 29 May 2014.

At the hearing held on 29 May 2014, the Kuala Lumpur High Court had dismissed the substantive application for Judicial Review Proceedings filed by PNSB against LUAS and the Selangor State Government with costs of RM15,000 to each Respondent.

The Kuala Lumpur High Court had also dismissed PNSB's oral application thereafter for a stay pending an appeal to the Court of Appeal.

Upon PNSB's instruction, PNSB's solicitors had filed a Notice of Appeal against the decision of the Kuala Lumpur High Court at the Registry of the High Court on 29 May 2014.

Save as disclosed above, there are no other pending material litigations and arbitrations as at the latest practicable date prior to the issuance of this interim financial statements.

#### **B10 Dividend**

No dividend had been proposed or declared under the current financial quarter and financial year-to-date under review (1.1.2013 to 31.3.2013 : Nil).

#### **B11 Earnings per share ("EPS")**

##### **a) Basic EPS**

Basic EPS are calculated by dividing the profit for the year, net of tax, attributable to owners of the parent by the weighted average number of ordinary shares in issue during the financial year, excluding treasury shares held by the Company.

		INDIVIDUAL QUARTER		CUMULATIVE QUARTER	
		Current Year Quarter 3 months ended 31.3.2014	Preceding Year Corresponding Quarter 3 months ended 31.3.2013	Current Year to date 3 months ended 31.3.2014	Preceding Year Corresponding Period 3 months ended 31.3.2013
Profit net of tax attributable to owners of the parent	(RM'000)	46,494	60,656	46,494	60,656
Weighted average number of ordinary shares in issue	('000)	409,146	409,106	409,146	409,106
Basic EPS	(sen)	11.36	14.83	11.36	14.83

##### **b) Diluted EPS**

Profit net of tax attributable to owners of the parent		46,494	60,656	46,494	60,656
Add : accretion of interest on RCSSI		3,089	-	3,089	-
Profit net of tax attributable to owners of the parent	(RM'000)	49,583	60,656	49,583	60,656
Weighted average number of ordinary shares in issue	('000)	409,146	409,106	409,146	409,106
Effect of dilution	('000)				
- warrant 2013/2018		27,359	-	27,359	-
- RCSSI		82,500	-	82,500	-
Adjusted weighted average number of ordinary shares in issue and issuable	('000)	519,005	409,106	519,005	409,106
Diluted EPS	(sen)	9.55	14.83	9.55	14.83

**B12 Retained earnings**

	<b>As at 31.3.2014 RM'000</b>	<b>As at 31.12.2013 RM'000 (Restated)</b>
<b>Total retained earnings of the Company and it subsidiaries :</b>		
- realised	2,449,585	2,386,242
- unrealised	<u>(489,021)</u>	<u>(470,508)</u>
	1,960,564	1,915,734
<b>Total share of accumulated losses of joint ventures :</b>		
- realised	(336,853)	(333,508)
Less : Consolidation adjustments	<u>(48,987)</u>	<u>(54,000)</u>
<b>Total retained earnings</b>	<u>1,574,720</u>	<u>1,528,226</u>

By Order of the Board

**TAN BEE LIAN (MAICSA 7006285)**  
**LIM YEW HEANG (MAICSA 7007653)**  
**Secretaries**

Shah Alam  
29 May 2014