

Who Are the Companies Connected to Sabah's Controversial Nature Conservation Agreement?

In the absence of transparency about the nature of the companies who will be required to deliver on the Agreement that the Sabah Government signed with Hoch Standard Pte Ltd on 30th October 2021, this note provides background using readily available information from versions of the Agreement itself, from the deal's promotional materials and media statements, and from government registrars for companies in Singapore, Australia and Malaysia and other internet sources.

With Whom Has the Government Made This Agreement?

Although the Agreement is signed by Hoch Standard Pte Ltd, seven companies have been identified as associated with this process, as will be detailed in the relevant sections below. The three companies in Malaysia and Singapore turn out to be essentially "shell companies" – entities which rather than undertake actual work are only holding interests for other persons or companies; while the three companies in Australia are small consultancy outfits run by a single individual. Ultimately, the actual owner of the Agreement cannot yet be identified, because they have been hidden from scrutiny in the British Virgin Islands tax shelter by a still mysterious entity called Lionsgate Ltd.¹

The common denominator for these companies is Mr. Stan Lassa Golokin, a Sabahan native currently resident in Australia. All three companies who have at various times been scheduled as signers of this carbon deal involve Mr. Golokin as a director and/or signatory; and the CEO of the Australian entities that purportedly provides the technical expertise names Mr. Golokin as his business partner. Mr. Golokin is the person who was promoting the deal at COP 26 in Glasgow until asked to stop in a letter from Sabah's Attorney General.² Mr. Golokin's history, business and personal relationships have long been the basis of public discussion in Sabah, and need to be subject to due diligence.

In addition, a second figure emerges in this review as key to the legal arrangements, the Singapore National Mr. Ng Wei Cheun Benjamin, who replaced Mr. Golokin as Director at Global Nature Capital Singapore in May 2021, who is currently the sole Director at Hoch Standard according to official Singapore company documents. Information available online suggests that Mr. Ng's expertise may be around the use of offshore tax havens, especially the British Virgin Islands. The actual legal role at Hoch Standard of the surgeon and control buy-out specialist Dr. Ho Choon Hou, who has been presented as the figurehead by the deal's protagonists, is unclear in the documents consulted.

In short, the companies have successfully hidden from public view with whom Sabah has actually signed this Agreement. One purpose of Sabah Government due diligence, if this has not already been done, should therefore be to make irrefutably clear who this is, and their relationships, if any, with current members of the Sabah Government. Inquiries about Lionsgate Ltd, and its connections, including its jurisdiction of registration, are particularly required,³ as is clarification of the roles of Dr. Ho Choon Hou and Mr. Stan Golokin.

Do These Companies Have the Technical Competence and Institutional Experience?

The second issue to emerge from this review is that none of the entities so far identified have the technical expertise and institutional experience to manage the tasks laid out in the Agreement. The

¹ The section on Hoch Standard will share what is known of this unregistered foreign entity in Singapore.

² See <https://www.malaymail.com/news/malaysia/2021/11/11/controversial-two-million-hectare-sabah-forest-carbon-deal-unlikely-to-go-a/2019992> and <https://news.mongabay.com/2021/11/bornean-communities-locked-into-2-million-hectare-carbon-deal-they-dont-know-about/>

³ There are at least three registered companies called Lions Gate Ltd globally: one in Ashdod Israel, one in Tanzania and the other in Mauritius.

Singapore and Malaysian entities appear to be only shell companies that have yet to undertake any substantial related business activities. The experience of the Australian companies does not include any operational carbon trading or related scheme, and their mention in deal-promotion materials of leading universities appears only suggestive. It is unclear whether Hoch Standard has provided evidence of their technical competence or that of these associated companies or others, and, if so, whether this has stood up to scrutiny.

Has the Sabah Government's Due Diligence Been Undertaken?

It has to be assumed that Cabinet approval for signing the Agreement would have been "subject to satisfactory due diligence". Such due diligence is also a requirement under Sabah Law. In addition, under the Agreement itself (Articles 16.1(f) and (g)), Hoch Standard warrants that "all the information it has given to the other Party is correct and not misleading or deceptive" and that "it has not withheld any information that might have caused the other Party not to have entered into this Agreement". Due Diligence is fundamental to any major contract, particularly one that did not involve competitive tendering, was signed without informing the public, and which offers (at 30% of gross revenue) an extraordinarily large share of the proceeds of managing Sabah's natural heritage.

In this regard statements by Deputy Chief Minister, Datuk Seri Dr. Jeffrey Kitingan have been strong and varied. On the one hand he told the Malay Mail on 12th November 2021 that the deal signing "was supposed to be kept discreet while we wait for it to be announced in January, and for us to ascertain whether they can deliver what they say, because it is a pilot project for them, and there are lots of checks that need to be done first;"⁴ but on 18th November he backed away from the need for checks or their inexperience and stated instead that "Hoch Standard is a global player, involved in private equity funding all over the world", and that "due diligence was done on Hoch Standard, the private firm that signed an agreement with the state on 30th October. 'The company is not an issue. We are confident in their background. It is backed by several multi-billion private equity funding institutions'."⁵ Sabah's Chief Conservator of Forests, on the other hand, has provided the press with a statement on "nine outstanding matters of importance that must be resolved before the state can go ahead" that include "a satisfactory due diligence report on and confirmation of the truth and reliability of Hoch Standard's representations and capability."⁶

Who is Hoch Standard?

Hoch Standard Pte Ltd was registered in Singapore on 9/11/2019,⁷ and uses the address of a small apartment that does not appear to be occupied.⁸ Tierra Australia's deal materials claim that Dr. Ho Choon Hou "initiated and established, Hoch Standard Pte Ltd, a Singapore incorporated company to undertake global environmental related projects under the framework of the Carbon Impact Exchange (CIX) in Singapore". Dr. Ho is a distinguished Singapore surgeon who has transitioned into corporate management in the health sector and then private equity, most notably as one of the Managing Directors at Southern Group, which focuses on control buy-outs of medium-sized

⁴ <https://www.malaymail.com/news/malaysia/2021/11/12/sabah-dcm-defends-carbon-deal-says-it-will-benefit-state-both-environmental/2020260>

⁵ <https://www.malaymail.com/news/malaysia/2021/11/18/sabah-dcm-bullish-on-carbon-deal-says-wont-get-conned/2021843>

⁶ <https://www.malaymail.com/news/malaysia/2021/11/11/sabah-forestry-dept-rep-says-carbon-deal-projects-benefits-outweigh-the-ris/2020233>

⁷ UEN 201930288H

⁸ International Plaza, 10 Anson Road No. 40-09, Singapore 079903. Videos of this location by concerned Sabahan residents in Singapore have been circulated on social media.

enterprises.⁹ However, Dr. Ho's LinkedIn site and other substantial media profile make no mention of Hoch Standard or any engagement in the carbon or natural capital sector.¹⁰ Dr. Kitingan has also not mentioned Dr. Ho's in defence of the deal, despite the fact that he is named on the Agreement contract and is the person to which the Sabah Attorney General's letters are directed.

Uncertainty around whether Dr. Ho's engagement is being honestly handled is heightened by the fact that the Singapore Government documents from ACRA show that Hoch Standard's Director is Mr. Ng Wei Cheun Benjamin, with Dr. Ho mentioned nowhere in those papers. Meanwhile, there are only two references to Mr. Ng's professional career found on Google: the top reference being the Panama Papers Offshore Leaks where he is connected to a British Virgin Islands entity called Raffles Ventures, and the second being that in 2020 an individual of that name was described as having been asked to amend records of "Project Timber" in a 2018 UOBKH corruption case (he was not charged).¹¹ Hoch Standard became the new vehicle for the deal, taking over from another shell company, Global Nature Capital Pte Ltd, about which more below, where this same Mr. Ng replaced Mr. Stan Golokin as Director in May 2021. Hoch Standard's Secretary is recorded in the Singapore Government documents as Chen Ning, who provides the same address as is used by Global Nature Capital Pte Ltd.¹² Despite this legal situation, it is not Mr. Ng who signed the Agreement with the Sabah Government for Hoch Standard. In fact, the Nature Conservation Agreement of 30th October 2021 lists Dr. Ho and Mr. Stan Golokin as signatories, Mr. Golokin therein described as Corporate Advisor.

Far from being a global player, Hoch Standard appears to be only a shell company. According to ACRA of the Singapore Government,¹³ its shares are owned entirely by Lionsgate Ltd, which registered on 3/9/2019 as an "unregistered foreign entity" in Singapore,¹⁴ and gives its address as a corporate service centre in the British Virgin Islands.¹⁵ ACRA lists Hoch Standard's paid up capital is just \$1,000. When the lack of capital and working office was presented to Dr. Kitingan he stated on the record in regard to paid up capital that "it's not true", and in regards to the lack of working office "you cannot just look at offices and whether a company has 100,000 employees. In this era of the internet we must look at things appropriately".¹⁶ However, if this company has been successfully involved in any business activities beyond this deal they have managed to do it without creating any public record trace. Tierra Australia deal-promotion materials, and Dr. Kitingan himself, claim that their Singapore-registered companies have connections to Singapore's Temasek sovereign wealth funds with Singapore's carbon commitments. However, when speaking recently to the press Dr. Kitingan retracted this connected to Temasek, but still claimed Hoch Standard had massive financial backing and added that "I am told that they are dealing with other countries, such as Indonesia, Australia, South America dealing with monetising natural capital".¹⁷ In short, there is a concerning

⁹ <http://www.southerncapitalgroup.com/people.html>

¹⁰ Except as an Independent Director at Advanced Holdings Ltd that provides engineering products to the oil and gas industries.

¹¹ These connections are subject to identification confirmation. See:

<https://offshoreleaks.icij.org/nodes/12106137> and <http://guanyu9news.blogspot.com/2020/07/two-ex-uobkh-staff-charged-with-lying.html>

¹² 336 Smith St, No. 05-311, New Bridge Centre, Singapore 050336

¹³ ACRA is the Accounting and Corporate Regulatory Authority of the Singapore Government.

¹⁴ UEN T19UF6939E

¹⁵ Vistra Corporate Services Centre, Wickhams Cay II Road Town, Tortola VG 1110, British Virgin Islands

¹⁶ <https://www.malaymail.com/news/malaysia/2021/11/18/sabah-dcm-bullish-on-carbon-deal-says-wont-get-conned/2021843>

¹⁷ Tierra Australia's deal promotion materials state that they have presented related nature capital proposals to Indonesia and at least two Aboriginal Communities in Australia. While that document dated 18th September

gap between statements of capacity and the evidence in the public domain about Hoch Standard's financial and technical ability to manage such an Agreement. Instead, available information only raises more questions about who controls Hoch Standard, its relationships with the other companies involved, and again the role of Mr. Stan Golokin.

Who are Global Nature Capital Pte Ltd & Global Nature Capital Sdn Bhd?

Documents indicate that during earlier negotiations with Yayasan Sabah, and in the first round with the State Government itself, the contract would have been signed by Global Nature Capital Sdn Bhd (Malaysia) and Global Nature Capital Pte Ltd (Singapore). The Malaysian entity was to receive 20% of the revenue in lieu of the "business of implementing and managing programs for the sustainable management of natural assets, including biodiversity, forestry, and nature capital", despite this primarily being the financial responsibility of the State of Sabah. Meanwhile, the Singaporean entity would earn 10% of total revenue from the "business of applying expertise in the development of carbon sequestration offsets projects and emissions avoidance offsets projects (both eligible Kyoto projects and eligible non-Kyoto projects) and is a liaison with Federal and State Government Agencies, and various organisation[s] to exchange, dispose, transfer, sell or otherwise monetise Nature Capital and Carbon Credit Units". How little expertise this Singapore entity has in advancing carbon credits is illuminated by the fact that the Kyoto Protocol it refers to is no longer even in force. It is yet clear that in the final contract with Hoch Standard whether these two GNC entities remain responsible for delivering these work-packages, and, if so, whether they have the capacity to do so.

It is now necessary to examine the two Global Nature Capital entities, which appear modelled on the Australian entity of that name established by Mr. Peter Burgess (about which more below).

Global Nature Capital Sdn Bhd (Malaysia) is in fact the long established Tropplant Foresters Sdn Bhd under a new name.¹⁸ Its purpose is described as: "1. Consultancy services on forest management, 2. Ecosystem biodiversity assessment, 3. Natural capital, carbon offset, environmental, assessments and related field works." However, it appears to lack staff,¹⁹ or office, and uses as an address a modest secretarial service in Wisma Merdeka.²⁰ The signatories in the proposed May 2021 Sabah Foundation contract as Directors for Global Nature Capital Sdn Bhd would have been Dr. Ho Choon Hou and Mr. Stan Golokin. The legal nature and control of this entity requires further due diligence, especially if they are to be engaged in delivery under the current Agreement. If they are not to be involved, then Hoch Standard should indicate what Malaysian company would be responsible for its Sabah operations such that the appropriate due diligence can be conducted.

2021 claims "Our company group have been appointed as the exclusive contractor to manage 4 million hectares of tropical rainforest carbon and NC projects in Sabah", a false statement potentially construed to mislead other jurisdictions, they do not suggest that any other deals have been made. A due diligence process should therefore determine from Dr. Kitingan who informed him that they are dealing with these countries, because if this was Hoch Standard and if no evidence of such deals exists this would be grounds for dismissal.

¹⁸ The CTOS Credit Website lists them and provides their purpose under Company number 0508932U, with the founding date of 25/03/2000. MY-Check.net gives those details as Tropplant Foresters Sdn Bhd. The Yayasan Sabah draft contract gives their Company Number as 200001006327, which is the number of Tropplant. Due Diligence should confirm whether this is simply an innocent re-purposing of a defunct company, or if there is actually an institutional relationship involved with Tropplant that then requires clarification.

¹⁹ But see the claims below of Mr. Peter Burgess that he is the CEO with a non-Sabahan staff.

²⁰ Popular Management Sdn Bhd, B1201, 12th Floor, Wisma Merdeka Phase 2, Jalan Tun Razak, 88000, Kota Kinabalu, Sabah.

Global Nature Capital Pte Ltd is a company registered in Singapore,²¹ perhaps at the dwelling of Teo Chor Hua (ID S1325713B) who is its Secretary, and founder of the original company in 2017. This is the third name,²² and fourth set of Directors,²³ for this company in four years, which has been continually re-purposed for what are presumably different goals. Mr. Stan Lassa Golokin and Mr. Thomas Mueller are the only Directors who remained since founding, before resigning on 6th May 2021, the week before the company became Global Nature Capital. On their resignation a new sole Director came in, Mr. Ng Wei Cheun Benjamin (S7427045Z), the same person serving as sole Director at Hoch Standard Pte Ltd. Global Nature Capital Pte Ltd's paid up capital is just 150 Singapore Dollars and its shares are all held by Hoch Standard Pte Ltd (ID 201930288H). The purpose and role of this company under the current Agreement, if any, needs clarification.

The Australian Entities

Mr. Peter Burgess was the first person to speak to the media about the relationships of the companies involved in this deal. Thus *Mongabay*, the respected international journal, reported:

"Burgess said Tierra Australia, along with its Singapore-based subsidiary, Global Nature Capital Sdn. Bhd.,²⁴ and the companies' private equity-backed funder, Hoch Standard Pte. Ltd., finalized the nature conservation agreement with the chief minister, deputy chief minister, and other cabinet members of Sabah on Oct. 30.

Hoch Standard is run by Singaporean Ho Choon Hou, the managing director of the private equity firm Southern Capital Group. Singapore's government has [a \\$74 billion fund](#) for climate change-related projects, and Hoch Standard provides a link to a portion of that money, according to investor presentations by Tierra Australia obtained by Mongabay.

Burgess said his business partner, Stan Lassa Golokin, a native Sabahan of Dusun descent, was involved in the negotiations.²⁵"

Tierra Australia's deal materials refer to GNC and Hoch Standard Pte Ltd as their partners. Dr. Kitingan has meanwhile denied that the State is dealing with Tierra Australia.²⁶

Tierra Australia Pty Ltd is a well-known small consulting company, led by Mr. Burgess, that works around landscape management in agriculture. It was founded by an agricultural researcher, and agronomist and a landscape architect/horticulturist,²⁷ and operates out of a small house in Perth suburb.²⁸ According to the Australian Government there are in fact three companies under the

²¹ 201711964N. 336 Smith St, No. 05-311, New Bridge Centre, Singapore 050336

²² Founded as Global Digital Exchange Holdings Pte Ltd it next it became Crystal JTS Ventures Pte Ltd, becoming Global Nature Capital Pte on 15th May 2019.

²³ Previous Directors include: Stan Lassa Golokin (2017-06/05/2021) (Sabah); Tan Chor Hua (2017) (Singapore); Mueller Thomas Urs (2017-2019 and 2019 to 6/5/2021) (Swiss); Hoon Fong Chong (2017-19) (Australian); MD Nasiruddin Abdul Latif (2019) (Brunei); Klink Friedrich Alfred (2019) (Australian); and Lee Kok Wei Wilson (Li Guowei Wilson) (2019) (Singaporean). Ng Wei Cheun Benjamin became the sole Director on 6/5/21.

²⁴ This is misstated: the Sdn Bhd is the Malaysian Company

²⁵ <https://news.mongabay.com/2021/11/bornean-communities-locked-into-2-million-hectare-carbon-deal-they-dont-know-about/>

²⁶ <https://www.malaymail.com/news/malaysia/2021/11/18/sabah-dcm-bullish-on-carbon-deal-says-wont-get-conned/2021843>

²⁷ <http://www.tierraaustralia.com.au/about>. A second staff member is Mr. Tim Wiley, who is described as a senior rangeland scientist.

²⁸ 22 Gardiner St, East Perth, WA6004, Australia

banner of Tierra Australia's registration,²⁹ and all at this same address: namely Tierra Australia, Global Natural Capital and Kinabalu Coin (which is presumably the block-chain currency element).³⁰ Peter describes himself as the CEO of the first two; there is no evidence that the third has staff or operations.³¹ Global Nature Capital (Australia) was apparently the model for the two entities of this name in Malaysia and Singapore respectively. A website begun for the group is not completed, and provides only what may be the address of its website design company.³² Mr Burgess' statements to the press and his promotional materials make it clear he believes the Australian entities are connected with the Malaysian one; indeed in promotional materials he presents himself as CEO of Global Natural Capital Sdn Bhd.³³ This will also need to be addressed in the due diligence process.

Mr. Burgess's expertise is focused in cattle and range management. Despite the scale of his vision, he has no identifiable track record or particular expertise on carbon issues or around international compliance, as was made clear by the content and quality of his presentation at the International Conference on Heart of Borneo in November 2021. He is quoted in the Daily Express as saying: "We can implement Artificial Intelligence, Machine Learning and Big Data to underpin Blockchain technology and build the world's most verifiable and robust data rooms for Global Nature Capital Assets, Carbon Stocks, Human, Social and Built Capital to create a 'Gold Standard' for Nature Capital conservation management and monetisation."³⁴ These are the kinds of claims of competency and experience that Sabah's due diligence could assess alongside whether Hoch Standard Pte Ltd will rely on the technical competency of Tierra Australia or Global Natural Capital, and, if so, whether the Australian consultancies are capable of delivering such services at this scale.

²⁹ ABN 48610173343

³⁰ Kinabalu Coin Pty Ltd (Company No. 642707748) has also registered in Malvern, Victoria in July 16th 2020.

³¹ Peter Burgess' LinkedIn site states that in addition to his own companies he continues to serve as a consultant with two other Australian agricultural industry forms: Kalyx Australia Pty Ltd and Cronus Resources Australia. Dr. Brad Stelfox, a landscape ecologist based in Canada and the CEO of the ALCES Group has also contributed to Tierra Australia's work.

³² <https://globalnaturecapital.com/>. The company would be Lethal Digital.

³³ He also claims that Dr. Brad Selfox of ALCES is on staff, Mr. Ben Lim is the Chief Financial Officer and Mr. Homan Mohammadi, is its Digital Technology Specialist. Mr. Mohammadi is a Canadian entrepreneur who does not mention this on his LinkedIn site.

³⁴ <http://www.dailyexpress.com.my/news/181812/monetising-natural-capital-for-conservation/>