

REGULATION OF THE NATIONAL ANTI-CORRUPTION COMMISSION
ON INSPECTION AND INQUIRY (No. 2)
B.E. 2564 (2021)

Whereas it is expedient to amend the Regulation of the National Anti-Corruption Commission on Inspection and Inquiry;

By virtue of Section 49 paragraph one, Section 50 paragraph two and Section 53 appurtenant to Section 146 paragraph three of the Organic Act on Anti-Corruption B.E. 2561 (2018), the National Anti-Corruption Commission hereby issues the following regulation:

Article 1. This regulation is called “Regulation of the National Anti-Corruption Commission (NACC Regulation) on Inspection and Inquiry (No. 2) B.E. 2564 (2021)”.

Article 2.¹ This regulation shall come into force as from the day following the date of publication in the Government Gazette.

Article 3. Article 18 of the Regulation of the National Anti-Corruption Commission on Inspection and Inquiry B.E. 2561 (2018) shall be repealed and replaced with the following:

“**Article 18** The submission of matter to the NACC shall be submitted to the superior and chief inquiry officer who is appointed as Divisional Director, including the person or group of persons whom the NACC appointed or assigned for consideration in accordance with the powers and duties.

For the benefit of complying with this regulation, the person or group of persons whom the NACC assigned, the superior and the chief inquiry officer appointed as Divisional Director as per paragraph one who has the authority and administrative power for supervision shall have the duty to inspect, advise and screen work related to the performance of duties of competent official and preliminary inquiry committee. This is to ensure that the undertaking of the allegation is smooth, timely, efficient and compliant with the standard of the work in the judicial process, albeit to the extent that the independence in exercising discretion of the competent official or the preliminary inquiry committee in forming an opinion or deliberating on the case file is not affected.

¹ Published in the Government Gazette, Vol. 138, Part 21 a, dated 25 March B.E. 2564 (2021).

For the submission of the matter in paragraph one, in case of the submission of an inspection report or preliminary inquiry report, the superior and chief inquiry officer appointed as Divisional Director shall consider and form an opinion about the issue of the case in order to support the deliberation of the NACC in such report in writing.

The Office of the NACC shall develop manual and template for the performance of each function in order to render the inspection and inquiry compliant with the standard of the work in the judicial process.”

Article 4. The following shall constitute Article 18/1 of the Regulation of the National Anti-Corruption Commission on Inspection and Inquiry B.E. 2561 (2018):

“ **Article 18/1** for the benefit of the overseeing, supervising, inspecting and expediting the case as well as advising work within the responsibility and screening allegation cases, competent official or preliminary inquiry committee shall have the duty to report the progress in writing for submission to the superior higher up in the chain of command for acknowledgement on a monthly basis. And in case the superior has any recommendation or order, it will be undertaken in writing and noted in the report in order for the undertaking to be conducted within the time frame as prescribed by law. It shall also be affixed to the inspection report and the preliminary inquiry report.

In case the superior has a recommendation or an order for the inspection and the preliminary inquiry according to the prescribed standard of work, the competent official or the preliminary inquiry committee shall promptly abide by such recommendation or order. However, in case of disagreement with the recommendation or the order because the independence will be affected or on account of reasonable cause, a remark shall be noted.

The provisions in paragraph one and paragraph two shall also apply to additional inspection or preliminary inquiry.”

Article 5. The President of the National Anti-Corruption Commission shall take charge and control of the execution of this regulation.

Announced on 9 March 2021

Police General Watcharapol Prasarnrajkit

President of the National Anti-Corruption Commission

Note: This translation is provided by the Office of the National Anti-Corruption Commission of Thailand as the competent authority for information purposes only. Whilst the Office of the National Anti-Corruption Commission of Thailand has made efforts to ensure the accuracy and correctness of the translation, the original Thai text as formally adopted and published shall in all events remain the sole authoritative text with the force of law.

Note: Translated by Mrs. Piangtawan Sodprasert, International Affairs Officer (Professional Level) and Head of International Cooperation Division, Bureau of International Affairs and Corruption Investigation, Office of the National Anti-Corruption Commission of Thailand - Initial Version - Pending review and approval