



NACC's Press Release

Office of The National Anti - Corruption Commission (ONACC)
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The National Anti-Corruption Commission (“NACC”) reached a resolution that four former executives of the Thai State-owned oil and gas company, PTT Exploration and Production Public Company Limited (“PTTEP”), are found guilty of corruption, collusion, and bribery in connection to PTTEP’s Arthit Offshore Gas Field Project .

The NACC was made aware of this case following the United States Government’s announcement of the conclusion of its investigation into the global bribery scheme of Rolls-Royce, the United Kingdom-based manufacturer and distributor of power systems for the aerospace, defense, marine and energy sectors. The company entered into a deferred prosecution agreement, which publicly disclosed information on corrupt contract awards in relation to gas turbine procurement for several Thai Government’s natural gas projects, including PTTEP’s Arthit Project. The NACC initiated its investigation in response to this high-profile disclosure. The evidence obtained in this case was secured not only from domestic sources, but also from abroad through the close cooperation with foreign authorities and the Attorney-General, which is the designated Thai Central Authority for mutual legal assistance in criminal matters.

The NACC investigation revealed a long-running corruption and bribery scheme in Arthit Project pertaining to the procurement of feed gas turbine compressors between B.E. 2547 - 2551 (2004 - 2008) valued over US\$24.6 million. The scheme involved PTTEP’s Vice President of the Thai Offshore Assets Division, Mr. Poawpadet Vorabutr, intentionally issuing invitations to unapproved vendors, including Rolls-Royce, to submit bid proposals. In furtherance of the scheme, the Ad Hoc Board for Arthit Procurement (“Ad Hoc Board”), whose members included Mr. Chitrapongse Kwangsukstith, Mr. Chulasingh Vasantasingh, and Mr. Anucha Sihanatkathakul, acknowledged the bid result and approved the purchase in principle prior to finalization of critical issues and observations. Subsequently, PTTEP’s President and Secretary to PTTEP Board, Mr. Maroot Mrigadat, reported contrary facts regarding the approval to the PTTEP Board Meeting. However, Mr. Kwangsukstith, Mr. Vasantasingh, and Mr. Sihanatkathakul, attending the meeting along with Mr. Mrigadat, did not make any clarification or objections against those distorted facts which eventually resulted in the purchase made directly to Rolls-Royce. Moreover, the investigation documentarily revealed that Rolls-Royce transferred approximately US\$300,000 into the overseas bank accounts of Mr. Vorabutr’s close associates after the contract was awarded to the company.

Accordingly, the NACC arrived at the following decisions:

1. The acts of Mr. Chitrapongse Kwangsukstith, Mr. Anucha Sihanatkathakul, and Mr. Maroot Mrigadat constituted criminal offenses of corruption and collusion under §§8 and 11 of the Act on the Offences of Officials in State Organizations or Agencies, B.E. 2502 (1959); and §12 of the Act on the Offences Relating to the Submission of Bids to Government Agencies, B.E. 2542 (1999). The acts of Mr. Mrigadat additionally have grounds for a gross disciplinary offense.

2. The acts of Mr. Poawpadet Vorabutr constituted criminal offenses of corruption, collusion, and bribery under §§6, 8, and 11 of the Act on the Offences of Officials in State Organizations or Agencies, B.E. 2502 (1959); §§5 and 12 of the Act on the Offences Relating to the Submission of Bids to Government Agencies, B.E. 2542 (1999); §§5 (1) and (2) in conjunction with §60 of Anti-Money Laundering Act, B.E. 2542 (1999); and §§103 in conjunction with 122 of the Organic Act on Counter Corruption, B.E. 2542 (1999) (currently, an offense under §§128 in conjunction with 169 of the Organic Act on Anti-Corruption, B.E. 2561 (2018)). The acts also have grounds for a gross disciplinary offense.

3. The investigation found no facts and evidence demonstrating other persons' offenses as accused. The accusations had no grounds for further proceedings and were dismissed accordingly.

Due to the death of Mr. Chulasingh Vasantasingh, the right to file a criminal case was extinguished. His case was disposed.

In accordance with §§91 (1) and (2), and §98 of the Organic Act on Anti-Corruption, B.E. 2561 (2018), the NACC's report, investigation file, documentary evidence, electronic copy, and decision shall be sent to the Attorney-General for prosecution in the competent court, and to their superiors for disciplinary proceedings. Also, the NACC shall notify the Attorney-General to file a motion to the competent court for the confiscation of approximately US\$300,000 bribes in accordance with §§83 and 84 in conjunction with 93 of the Organic Act on Anti-Corruption, B.E. 2561 (2018).

This successful investigation is one of the tremendous examples reflecting the NACC's strong commitment in fighting transnational bribery and emphasized the importance of working cooperatively alongside our international partners to effectively investigate transnational bribery cases.

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