



**MEMORANDUM OF UNDERSTANDING
ON SUPPORT FOR ANTI-CORRUPTION INITIATIVES
BETWEEN THE OFFICE OF THE NATIONAL ANTI-CORRUPTION COMMISSION
AND THE JOINT FOREIGN CHAMBERS OF COMMERCE IN THAILAND**

This Memorandum of Understanding is made between Office of the National Anti-Corruption Commission (NACC) and the Joint Foreign Chambers of Commerce in Thailand (JFCCT) on the date of 10th September 2014 with aims to encourage actions based on good corporate governance principles and standards and to encourage respect for a voluntary Anti-Corruption Code of Conduct (“Voluntary Code of Conduct”) for the private business sector (to be developed) with reduction and eventual elimination of corruption with intent and details as follows:

Article 1: Objectives

1.1 To encourage, support and strengthen participation in various forms of anti-corruption initiatives;

1.2 To support and encourage private business sector to work towards compliance with principles of good corporate governance and to help to educate the business sector on the negative consequences of corrupt activity;

1.3 To support and participate actively in the development of a Voluntary Code of Conduct which all businesses in Thailand (local and foreign) can use, aspire to and eventually comply with.

1.4 To build and strengthen networks both at institutional and individual levels of the private business sectors on anti-corruption, to encourage preventative roles and to partake of various forms of anti-corruption initiatives

1.5 To understand and recognize the National Anti-Corruption Strategy Phase 2 and to lend support towards its objectives.

Article 2: Operational Guidance with Cooperative Activities

2.1 To strengthen roles on cooperation with anti-corruption initiatives and to organize seminars regularly for exchanging of experience, opinions and suggestions with solutions for reducing and eventually eliminating corruption related to business sectors and business – public sector interaction;

2.2 To support and encourage private business sector to act sincerely in accordance with good corporate governance principles and , and supporting and aspiring towards complying with the Voluntary Code of Conduct (to be developed) and to encourage transparency of trading, business activity, competition in line with integrity, high ethical standards and good governance;

2.3 To support and mobilize private business sectors to participate in the Collective Action Coalition of Thai private sector *[to clarify]* on anti-corruption including to avoid giving or condoning of all forms of bribery;

2.4 To jointly mobilize and put effort towards promulgation of policies and measures on anti-corruption and to partake in building of learning process on anti-corruption for group members and international networks including positive public relations and messages which properly reflect real progress made and the aspirations reflected in this MoU which would include, at the time they are achieved, positive perception among member organizations towards Thailand.

2.5 To deliver any other initiatives which may arise from time to time upon an agreement made between Office of the NACC and JFCCT;

Article 3: Intention

3.1 This MoU is entered into in good faith between the parties. However no legal relations are intended to be formed by the signing of this MoU or carrying out any activity pursuant to it.

3.2 For the avoidance of doubt, no fee or similar payment of any kind will be made by one party to the other in respect of engaging in this collaboration or the carrying out of any act, matter or thing to be done or not done pursuant to this collaboration

3.3 Any act, matter or thing done or to be done by one party pursuant to this MoU, or not done is intended to be done in good faith but no party will be liable to the other or any other person for the manner in which any act, matter or thing is done or not done under any circumstances, whether in negligence or otherwise. Any act, matter or thing agreed to be carried out by either or both parties under this MoU may be carried out only on a voluntary basis.

3.4 For the avoidance of doubt, the terms of clause 3.3 shall also apply, *mutatis mutandis*, in respect of any officer of the JFCCT, any chamber or business association member of the JFCCT and any person being a member or officer of any such chamber or business association.

3.5 It is acknowledged that the JFCCT has no capacity or power to engage in investigation, enforcement, monitoring, punishment, sanction or other similar activity either of its own members or others. Neither the Code of Conduct nor any other action contemplated by this MoU will reflect any such requirement or intention, and this MoU shall not be used by any person a basis for any kind of any investigation, enforcement, monitoring, punishment, sanction or other similar activity.

3.6 The JFCCT shall not be required to provide any information about its member chambers or business associations or any member of any chamber or business association.

3.7 The language of the MoU is English. In the event of any discrepancy between a Thai version of this MoU and the English version, the English language version will prevail.

Article 4: Signing of MOU

In order to express intents with willingness for implementing this MOU, it deems expedient to give signatures of both parties below.

FOR THE OFFICE OF THE NATIONAL
ANTI-CORRUPTION COMMISSION
OF THAILAND



(Mr. Sansern Poljiak)
Secretary-General

FOR THE JOINT FOREIGN CHAMBERS
OF COMMERCE IN THAILAND



(Mr. Stanley Kang)
Chairman

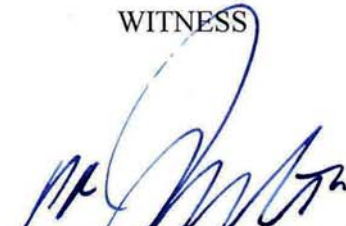
WITNESS



(Mr. Parthep Klanarongran)
President

The Office of The National Anti-Corruption
Commission of Thailand

WITNESS



(Mr. Nandor von der Luehe)
Former Chairman

The Joint Foreign Chambers
of Commerce in Thailand

WITNESS



(Professor Pakdee Pothisiri)
Commissioner

The Office of The National Anti-Corruption
Commission of Thailand

WITNESS



(Mr. Vichai Assarasakorn)
Vice Chairman

The Thai Chamber of Commerce