

**Royal Thai Police Act,
B.E. 2547 (2004)**

BHUMIBOL ADULYADEJ, REX.

Given on the 13th Day of January B.E. 2547;
Being the 59th Year of the Present Reign.

His Majesty Bhumibol Adulyadej is graciously pleased to proclaim that:
Whereas it is expedient to have a law on the Royal Thai Police;
Be it, therefore, enacted by the King, with the advice and consent of the
National Assembly, as follows:

Section 1. This Act is called “Royal Thai Police Act, B.E. 2547 (2004)”.

Section 2.¹ This Act shall come into force as from the day following the date
of its publication in the Government Gazette.

Section 3. The following shall be repealed:

- (1) Administration of Police Officials Act, B.E. 2521 (1978);
- (2) Administration of Police Officials Act (No. 2), B.E. 2531 (1988);
- (3) Notification of the National Peace Keeping Council No. 38 dated 28
February B.E. 2534 (1991);
- (4) Administration of Police Officials Act (No. 3), B.E. 2535 (1992);
- (5) Administration of Police Officials Act (No. 4), B.E. 2538 (1995);
- (6) Act on Police Discipline, B.E. 2477 (1934);
- (7) Act on Police Discipline (Amended), B.E. 2477 (1934);
- (8) Act on Police Discipline (No. 3), B.E. 2479 (1936);
- (9) Act on Police Discipline (No. 4), B.E. 2480 (1937);
- (10) Act on Police Discipline (No. 5), B.E. 2493 (1950);
- (11) Act on Police Discipline (No. 6), B.E. 2495 (1952);
- (12) Act on Police Discipline (No. 7), B.E. 2497 (1954);
- (13) Police Ranks Act, B.E. 2480 (1937);
- (14) Police Ranks Act (No. 2), B.E. 2495 (1952);

¹ Published in the Government Gazette, Vol. 121, Part 18 a, page 1, dated 14th February
B.E. 2547.

(15) Police Ranks Act (No. 3), B.E. 2504 (1961);

(16) Police Uniforms Act, B.E. 2477 (1934) (No. 2);

(17) Police Uniforms Act (No. 3), B.E. 2483 (1940).

All other laws, regulations, rules, by-laws or orders in so far as they have been provided herein, or are contrary to or inconsistent with the provisions of this Act shall be repealed.

Section 4. In this Act,

“police official” means a person who is instated and appointed under this Act and whose salary is paid out of the Royal Thai Police’s salary budget, and shall also include a police official in the Royal Thai Police whom the Royal Thai Police appoints or orders to perform police duties and whose salary is paid by another government agency, state enterprise or state agency;

“President” means the President of the Board of Royal Thai Police;

“Member” means a member of the Board of Royal Thai Police;

“Fund” means the Criminal Investigation and Inquiry Fund;

“Bureau” includes an otherwise named government agency whose status is equivalent to a Bureau;

“Division” includes an otherwise named government agency whose status is equivalent to a Division.

Section 5. The Prime Minister shall have charge and control of this Act and shall have the power to issue Ministerial Regulations for the execution of this Act.

Such Ministerial Regulations shall come into force upon their publication in the Government Gazette.

Title I General Provisions

Section 6. The Royal Thai Police is a government agency with juristic personality under the command of the Prime Minister and has the powers and duties as follows:

(1) to safeguard the persons of the King, the Queen, the Heir, the Regent, the Royal Family, Royal Representatives and Royal Guests;

(2) to supervise, control and direct the work of police officials who perform their functions under the Criminal Procedure Code;

(3) to prevent and suppress the commission of criminal offences;

(4) to maintain peace and order, the safety of the people, and the security of the Kingdom;

(5) to perform other acts which are prescribed by law as the powers and duties of police officials or of the Royal Thai Police;

(6) to assist with the development of the country as entrusted by the Prime Minister;

(7) to perform other acts to promote and support the efficient performance of the powers and duties under (1), (2), (3), (4), or (5).

In case where the law specifically criminalizes an act and such crime falls within the powers and duties of police officials or the Royal Thai Police under (3), (4), or (5), a Royal Decree may be issued to transfer the powers and duties under (3), (4), or (5) to any other agency or official; in such case, police officials and the Royal Thai Police shall, either entirely or partially, be relieved of such powers and duties, and the officials of the agency specified in such Royal Decree shall be administrative or police official, inquiry official, or senior administrative or police official under the Criminal Procedure Code, as the case may be, in accordance with such Royal Decree.

Section 7.² The Royal Thai Police shall organize systems for the administration, the crime prevention and suppression operations, the maintenance of peace, and the maintenance of the people's security, which are suitable to the needs of each locality and community, whilst allowing participation from Local Administrative Organizations and private organizations in the areas of policy, budget, volunteering, as well as the monitoring of the police's performance of functions, subject to the criteria and procedures prescribed by the Board of Royal Thai Police.

The participation from Local Administrative Organizations and private organizations under paragraph one shall be in accordance with the agreements concluded between the Royal Thai Police and such Local Administrative Organizations or private organizations.

Section 8.³ Police officials may, by Royal Decree, be classified as unranked police officials.

The Royal Decree under paragraph one shall be issued to specify the positions or functions of the police officials who will be unranked police officials; such Royal

² Section 7 as amended by Notification of the National Council for Peace and Order No. 111/2557 on amendments to the law on the Royal Thai Police.

³ Section 8 as amended by Notification of the National Council for Peace and Order No. 114/2557 on amendments to the law on the Royal Thai Police.

Decree shall prescribe the types of position, position classification method, qualifications and prohibitions, instatement, appointment, governance, discipline and maintenance of discipline, disciplinary proceedings, transfers between ranked and unranked police officials, including rank and salary adjustments upon such transfers, as well as other matters as necessary.

As regards salary rates, position allowance rates, receipt and payment of salary and position allowance of each category of unranked police officials, the law on the civil service, the law on government teachers and education personnel, and the law on civil servants in higher education institutions shall apply *mutatis mutandis* with respect to the relevant types of position, as the case may be.

The Royal Decree under paragraph two shall have no effect upon the status of police officials who have already been ranked on the date of coming into force of such Royal Decree.

Section 9. Working hours, traditional public holidays, annual public holidays and official leaves of police officials shall be determined by the Council of Ministers, however, in cases of necessity and for the benefit of the performance of duties, the Board of Royal Thai Police may require police officials to perform duties on the dates and at the times which differ from the determination of the Council of Ministers.

Title II

Administration of the Royal Thai Police

Section 10. The Royal Thai Police shall be organized into the following government agencies:

- (1) Office of the Commissioner General, Royal Thai Police;
- (2) Bureaus.

The administrative organization of the government agency under (1) into Bureaus or the establishment of Bureaus under (2) shall be done by way of Royal Decree, and the administrative organization into Divisions or otherwise named government agencies shall be done by way of Ministerial Regulations and such Royal Decree or Ministerial Regulations, as the case may be, shall provide for the relevant powers and duties.

Section 11. The Commissioner General is the Royal Thai Police's head of government agency, having the powers and duties as follows:

- (1) to be responsible for the control of the regular official service of the Royal Thai Police, formulate the direction and action plans for the Royal Thai Police, and

determine the priorities in the Royal Thai Police's annual action plan, whilst ensuring compliance with the policy and direction for the action plan as set out by the Prime Minister and the Board of Royal Thai Police, as well as directing, expediting, monitoring and evaluating the results of the performance of functions of the government agencies in the Royal Thai Police;

(2) to act as the most senior supervising official below the Prime Minister for police officials in the Royal Thai Police;

(3) to be the person responsible for the Office of the Commissioner General's performance of official functions;

(4)⁴ to lay down rules or issue specific orders for the purpose of the police officials' carrying out of functions in relation to the exercise of powers or the performance of duties pursuant to the Criminal Procedure Code or other laws.

Section 12. There shall be a Senior Inspector General, Deputy Commissioner General or Assistant Commissioner General who acts as supervising official for police officials in the Royal Thai Police and is responsible for the performance of official functions below the Commissioner General as required or entrusted by the Commissioner General.

Section 13. In a Bureau, there shall be a Commissioner who acts as supervising official for police officials and is responsible for the performance of official functions of such Bureau, under the direct command of the Commissioner General, and there may be Deputy Commissioners who act as the supervising official for police officials and are responsible for the performance of official functions below the Commissioner as required or entrusted by the Commissioner.

The provisions of paragraph one shall apply *mutatis mutandis* to otherwise named government agencies whose status is equivalent to a Bureau, the heads of such government agencies shall also have the corresponding powers and duties of a Commissioner.

Section 14. A Commissioner has the powers and duties as follows:

(1) to administer the Bureau in accordance with the laws, regulations, rules, by-laws and notifications of official authorities, the Board of Royal Thai Police, the Police Commission and the Royal Thai Police;

⁴ Section 11 (4) as amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of the positions of police official which have the power and duty to conduct inquiry.

(2) to control, direct and oversee the personnel, finance, supplies, premises and other properties of the Bureau in accordance with the laws, rules, by-laws and notifications of official authorities, the Board of Royal Thai Police, the Police Commission and the Royal Thai Police;

(3) to act as representative of the Royal Thai Police in the conduct of general official business of the Bureau;

(4) to submit a performance report, including the problems and obstacles encountered to the Commissioner General, every four months or at intervals as required by the Commissioner General;

(5) to perform other duties as required by the laws, rules, by-laws and notifications of official authorities, the Board of Royal Thai Police, the Police Commission and the Royal Thai Police.

In case where a law, rule, by-law or order, or resolution of Council of Ministers concerning a certain matter prescribes that an act falls within the powers of the Director General or the Commissioner General, the Commissioner shall have such power as if he were the Director General or in place of the Commissioner General in so far as such matter relates to the performance of official functions of the Bureau, in accordance with the criteria prescribed by the Board of Royal Thai Police.

Section 15. In a Division, there shall be a Commander who acts as supervising official for police officials and is responsible for the performance of official functions of such Division, and there may be Deputy Commanders who act as supervising official to the police officials and are responsible for the performance of official functions below the Commander as entrusted by the Commander.

The provisions of paragraph one shall apply *mutatis mutandis* to otherwise named government agencies whose status is equivalent to a Division, the heads of such government agencies shall have the corresponding powers, duties and responsibilities of a Commander.

A Commander has the powers, duties and responsibilities as follows:

(1) to administer the Division in accordance with the laws, regulations, rules, by-laws and notifications of official authorities, the Board of Royal Thai Police, the Police Commission and the Royal Thai Police;

(2) to control, direct and oversee the personnel, finance, supplies, premises and other properties of the Division in accordance with the laws, rules, by-laws and notifications of official authorities, the Board of Royal Thai Police, the Police Commission and the Royal Thai Police;

(3) to perform other duties as required by the laws, rules, by-laws and notifications of official authorities, the Board of Royal Thai Police, the Police Commission and the Royal Thai Police.

A Provincial Police Commander has the power and duty to direct and ensure that the performance of official functions of the police officials under another Bureau who perform official functions in the area of such province is in accordance with the laws, rules, by-laws or orders of the Royal Thai Police, the Bureau, or resolutions of Council of the Ministers, or orders from the Prime Ministers; for such purpose, a Provincial Police Commander shall have the power to issue orders so as to enable coordination and cooperation in the performance of duties, or temporarily suspend any act of a police official in the province area which is inconsistent with a law, rule, by-law or order of the Royal Thai Police, the Bureau, a resolution of Council of Ministers, or an order of the Prime Minister, and report to the Royal Thai Police or the relevant Bureau, in accordance with the criteria and procedure prescribed by the Royal Thai Police.

Title III The Board of Royal Thai Police

Section 16. There shall be a Board of Royal Thai Police, abbreviated as "Gor. Tor. Chor.", whose powers and duties are to formulate policy for the administration of the police service and supervise the Royal Thai Police's compliance with policies, protocols, resolutions of Council of Ministers and the laws.

Section 17.⁵ The Board of Royal Thai Police shall consist of:

- (1) the Prime Minister as President;
- (2) a Deputy Prime Minister as entrusted by the Prime Minister, as Vice President;
- (3) Permanent Secretary for Defence, Permanent Secretary for Interior, Permanent Secretary for Justice and Director of Bureau of the Budget, as *ex officio* Members;
- (4) two qualified Members selected by the Senate.

The Commissioner General shall be Member and secretary, and the President, upon the advice of the Commissioner General, shall appoint no more than two police officials of the Police Major General rank or higher as assistant secretary.

⁵ Section 17 as amended by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

Section 18. In addition to the powers and duties under section 16, the Board of Royal Thai Police shall have the powers and duties as follows:

(1) to issue rules, notifications or adopt resolutions on matters relating to the administration of the police service and police officials' administrative procedure in compliance with the plans and policies set out by the Board of Royal Thai Police;

(2) to make recommendations for the issuance of the Royal Decree under section 6 paragraph two;

(3)⁶ to consider and conduct the selection of police officials for the purpose of appointing the Commissioner General as proposed by the Commissioner General;

(4) to determine the procedure and the process for decentralization between the Royal Thai Police with the Provincial Police and Local Government, in the event that the Royal Thai Police deems it necessary and appropriate;

(5) to appoint sub-committees for the purpose of carrying out duties as entrusted by the Board of Royal Thai Police;

(6) to monitor and ensure the compliance of policy implementation and police administration with this Act and other laws; for this purpose, there shall be audit and monitoring committees for Bangkok Metropolitan Area, the provinces and police stations to audit, monitor and evaluate the performance of police officials in such areas and report to the Board of Royal Thai Police for consideration of further actions.

The composition, term of office, vacation of office, recruitment criteria and procedure, and powers and duties of audit and monitoring committees shall be determined by Rules issued by the Board of Royal Thai Police and published in the Government Gazette.

(7) to perform other duties as entrusted by the Council of Ministers or as prescribed by law as the powers and duties of the Board of Royal Thai Police.

The Rules or Notifications under (1) shall come into force upon its publication in the Government Gazette.

Section 19. A qualified Member under section 17 (2) must have the expertise or experience in the field of law, budget preparation, organizational development, planning, or administration and management.

Section 20. A qualified Member must the qualifications and must not be under the prohibitions as follows:

(1) being of Thai nationality by birth;

(2) being not less than forty years of age;

⁶ Section 18 (3) as amended by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

(3) not being a member of the House of Representatives, member of the Senate, political official, member of Local Council or consultant of a political official, member of the House of Representatives or member of the Senate, regardless of whether he or she is remunerated or not;

(4) not being a person holding any position in a political party;

(5) not being an incompetent person, a quasi-incompetent person, of unsound mind or of mental infirmity;

(6) not being bankrupt;

(7) not having been sentenced by a final judgment to imprisonment, except for an offence committed through negligence or a petty offence;

(8) not having been expelled, dismissed or discharged from a government agency, state agency or state enterprise;

(9) not having been subject to a judgment or a court order ordering the devolution of property upon the State due to unusual wealth or unusual increase in assets;

(10) not being a managing director, manager or holding any other position with similar functions in a partnership or a company.

Section 21. A qualified Member shall hold office for a term of four years and may be re-appointed, but may not hold office for more than two consecutive terms.

A qualified Member who vacates office upon the expiration of term shall continue to perform his or her duties until a new qualified Member who has been selected assumes his or her duties.

Section 22. In addition to vacating office upon the expiration of term pursuant to section 21, a qualified Member vacates office upon:

(1) death;

(2) reaching seventy years of age;

(3) resignation;

(4) being disqualified or under the prohibitions under section 20;

(5) the Board of Royal Thai Police adopting a resolution by a majority of not less than two-thirds of all Members requiring vacation of office due to disgraceful behavior, or a conduct or characteristic unsuitable to the performance of duties as Member;

In case where a qualified Member vacates office before the expiration of term, the recruitment and appointment of a new Member shall be carried out, except where the remaining term of office of the vacating qualified Member is less than ninety days, in such case, the recruitment process may not have to be carried out.

The appointed replacing qualified Member shall hold office for the remaining term of the replaced qualified Member.

Section 23. At a meeting of the Board of Royal Thai Police, the presence of not less than one half of Members is required to constitute a quorum.

At a meeting, if the President does not attend or is unable to perform duties, the Members present shall elect one among themselves to preside over the meeting.

The President and qualified Members may not entrust any other person to attend a meeting on their behalf.

The Board of Royal Thai Police shall have the power to issue a prescription on the conduct of meetings and vote casting for the Board of Royal Thai Police, the sub-committees under section 18 (5) and the committees under section 18 (6).

Title IV

Police Ranks and Classification of Police Officials

Section 24. There shall be police ranks as follows:

Police General
 Police Lieutenant General
 Police Major General
 Police Colonel
 Police Lieutenant Colonel
 Police Major
 Police Captain
 Police Lieutenant
 Police Sub-Lieutenant
 Police Senior Sargeant Major
 Police Sargeant Major
 Police Sargeant
 Police Corporal
 Police Lance Corporal

An acting ranked officer shall be deemed as if he were so ranked. For a female rank holder, the suffix so denoting shall be added after the rank.

Section 25. There shall be police officials in the classes as follows:

(1) class of Commissioned Officer which is those of Police Sub-Lieutenant rank or higher;

(2) class of Non-Commissioned Officer which is those of Police Lance Corporal, Police Corporal, Police Sargeant, Police Sargeant Major or Police Senior Sargeant Major rank;

(3) class of Police Constable which is Reserve Police Constables.

A Reserve Police Constable is a person who has been instated as police official and who has been selected or passed the exam to receive education and training in a school of the Royal Thai Police.

Section 26. The appointment of Commissioned Officer ranks shall be in accordance with the criteria and procedure stipulated by Regulation of Police Commission and shall be affected by Royal Proclamation.

The appointment of Commissioned Officer ranks in special circumstances may be made by Royal Proclamation.

During such time that no Royal Proclamation has been made to appoint Commissioned Officer ranks, the appointment may be made to temporarily appoint such Commissioned Officer ranks in an acting capacity by the following persons as appointing officer:

- (1) for the ranks of Acting Police Major General and higher, by the Prime Minister;
- (2) for the ranks of Acting Police Sub-Lieutenant but not higher than Police Colonel, by the Commissioner General.

Section 27. The appointment of Non-Commissioned Officer ranks shall be ordered by the Commissioner General or a supervising official of the position of Commissioner or higher who has been entrusted by the Commissioner General in accordance with the criteria and procedure prescribed by Regulation of Police Commission.

The appointment of Non-Commissioned Officer ranks in special circumstances shall be ordered by the Commissioner General in accordance with the criteria and procedure prescribed by Regulation of Police Commission.

Section 28. The removal or relinquishment of Commissioned Officer ranks shall be in accordance with the Rules of Royal Thai Police and shall be effected by Royal Proclamation.

Section 29. The discharge from Acting Commissioned Officer ranks or the removal or relinquishment of Non-Commissioned Officer ranks shall be ordered by the person having the power under section 26 paragraph three or section 27, as the case may be, in accordance with the Rules of Royal Thai Police.

Title V
The Police Commission

Section 30.⁷ There shall be a Police Commission, abbreviated to "Gor.TorRor.", consisting of:

- (1) the Prime Minister as President of the Police Commission;
- (2) the Commissioner General as Vice President of the Police Commission;
- (3) Secretary-General of the Civil Service Commission, Senior Inspector General and Deputy Commissioner General as *ex officio* Police Commission members;
- (4) two qualified Police Commission members as selected by the Senate.

The Commissioner of the Office of the Police Commission shall be secretary and the Deputy Commissioner of the Office of the Police Commission shall be assistant secretary.

Section 31. The Police Commission shall have the powers and duties as follows:

(1) to set out policies and standards for the administration of police personnel and the organization of the police service, as well as training and development programs for police officials; for such purposes, if the Board of Royal Thai Police has set out protocols and policies which are generally applicable, any stipulation on such matters by the Police Commission shall comply with the protocols and policies of the Royal Thai Police and the Police Commission shall notify the Board of Royal Thai Police of such course of action;

(2) to issue Regulations of Police Commission, Rules, By-laws, Notifications or Resolutions relating to personnel administration for the purpose of the execution of this Act;

(3) to oversee, audit and make recommendations so as to ensure that the personnel administration by the Office of the Royal Thai Police complies with this Act, and have the power to issue rules requiring the Office of the Royal Thai Police to report on examinations, instatements, appointments, salary increase, disciplinary proceedings, termination of service, or other actions relating to personnel administration under this Act.

(4) to report to the Council of Ministers for the purpose of revising the rates of salary, position allowances, subsistence supplements, welfare or other benefits for police officials as appropriate;

(5) to determine the ranks to which degree holders or certificate holders should be instated and appointed, and the salary rates which degree holders or certificate holders should receive;

⁷ Section 30 as amended by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

(6) to determine the rates of fees for actions relating to personnel administration carried out under this Act;

(7) to consider the approval of alterations to personal records relating to date of birth and the supervision of retirement of police officials;

(8) to adopt a resolution ordering the rectification by the Royal Thai Police in case where it is deemed that an act relating to personnel administration of the Royal Thai Police is improper or inconsistent with this Act, and to report to the Prime Minister for further action if the Royal Thai Police fails to comply with such resolution;

(9) to appoint sub-committees to perform acts as entrusted by the Police Commission;

(10) to perform acts in accordance with the powers and duties provided for by other sections of this Act and other laws.

A Regulation of Police Commission shall come into force upon its publication in the Government Gazette.

Section 32.⁸ For the purpose of ensuring fairness in the appointment and transfers of police officials, the Police Commission shall issue a Regulation of Police Commission clearly setting out the criteria and procedure for appointing and transferring police officials; such Regulation of Police Commission shall come into force from the day following the date of its publication in the Government Gazette.

Section 33.⁹ (repealed).

Section 34.¹⁰ (repealed).

Section 35.¹¹ (repealed).

Section 36.¹² (repealed).

Section 37.¹³ (repealed).

⁸ Section 32 as amended by Order of the Head of the National Council for Peace and Order No. 44/2558 on solutions to the problems in the personnel administration of police officials.

⁹ Section 33 as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

¹⁰ Section 34 as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

¹¹ Section 35 as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

¹² Section 36 as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

Section 38.¹⁴ (repealed).

Section 39.¹⁵ (repealed).

Section 40.¹⁶ (repealed).

Section 41.¹⁷ (repealed).

Section 42. At a meeting of the Police Commission, the presence of not less than one half of Police Commission members is required to constitute a quorum.

At a meeting, if the President of the Police Commission is not present or is unable to perform the duties, the Police Commission members present shall elect one among themselves to preside over the meeting.

The President of the Police Commission shall convene the meetings, but in case where not less than six Police Commission members request the convening of a meeting, the President of the Police Commission shall convene a meeting within seven days from the date of receipt of the request.

The Police Commission shall have the power to issue a Regulation on the meetings and vote casting of the Police Commission and the sub-committees under section 31 (9).

Section 43. As regards matters which the Police Commission has the power to act under this Act, the Commissioner General shall refer such matters to the Police Commission, however, this does not affect the right of a Police Commission member to refer a matter.

Title VI

Administration of Police Officials

Chapter I

¹³ Section 37 as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

¹⁴ Section 38 as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

¹⁵ Section 39 as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

¹⁶ Section 40 as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

¹⁷ Section 41 as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

Positions and Position Creation

Section 44.¹⁸ There shall be police official positions as follows:

- (1) Commissioner General;
- (2) Senior Inspector General and Deputy Commissioner General;
- (3) Assistant Commissioner General;
- (4) Commissioner;
- (5) Deputy Commissioner;
- (6) Commander;
- (7) Deputy Commander;
- (8) Superintendent;
- (9) Deputy Superintendent;
- (10) Inspector;
- (11) Deputy Inspector;
- (12) Squad Leader;
- (13) Deputy Squad Leader.

The Police Commission may, by Rules of Police Commission, create positions which are titled otherwise and whose title may be referenced with those under paragraph one.

Section 45. In the government agencies of the Royal Thai Police, the determination of positions, number of positions, specific qualifications for positions and ranks for positions, if any, as well as the reallocation of positions from one government agency to another government agency, shall be as prescribed by the Police Commission, taking into consideration the duties and responsibilities, workload and quality of work, as well as efficiency and cost effectiveness.

The determination of the number of police official positions for the position of Commander or its equivalent and higher requires prior approval from the Police Commission.¹⁹

¹⁸ Section 44 as amended by Order of the Head of the National Council for Peace and Order No.7/2559 on the creation of police official positions which have the power to conduct inquiry.

¹⁹ Section 45 paragraph two as amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of police official positions which have the power to conduct inquiry.

Section 46. The police officials holding the positions under section 44 (9), (10) and (11) who have the power and duty to conduct inquiry and work in the field of inquiry, shall receive special supplements in accordance with the Rules prescribed by the Police Commission, with approval from the Ministry of Finance.²⁰

In determining the amount of the special supplements under paragraph one, considerations shall be made to the expenses incurred in the carrying out of work and the honorable maintenance of one's justice, with comparison to be made with the amount of remuneration paid by the State to other state officials in the field of the administration of justice.

Section 47.²¹ (repealed).

Chapter II

Instatement, Appointment and Salary Increases

Section 48. A person who may be instated as police official shall have the qualifications and not be under the prohibitions as follows:

- (1) being of Thai nationality by birth;
- (2) being not less than eighteen years of age;
- (3) being a firm believer in the democratic regime with the King as Head of the State;
- (4) not being a political official, a person holding political position, a member of a Local Council, or an executive of Local Council;
- (5) not being a person holding any position in a political party;
- (6) having the qualifications and not being under the prohibitions as prescribed by Regulation of Police Commission.

Section 49. The instatement of persons to the police service as police official under this Act shall be made by the supervising officials granted by Rules of Police Commission with the power to order the instatement and appointment.

²⁰ Section 46 paragraph one as amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of police official positions which have the power to conduct inquiry.

²¹ Section 47 as repealed by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of police official positions which have the power to conduct inquiry.

Section 50. The instatement of persons to the police service as Police Constable, Non-Commissioned Officer and Commissioned Officer shall be made from candidates who have been selected or who have passed the competitive examination.

The criteria and procedure for the conduct of the selection or competitive examination shall be in accordance with the Regulation of Police Commission and the Commissioner General or the supervising officer entrusted by the Commissioner General shall be in charge of the conduct of the selection or competitive examination.

Section 51. The appointment of police officials to positions shall be made in accordance with the following criteria:

(1) for the position of Commissioner General, the appointment shall be made by royal appointment from police officials of the Police General rank;

(2) for the positions of Senior Inspector General and Deputy Commissioner General, the appointment shall be made by royal appointment from police officials of the Police Lieutenant General or Police General rank;

(3) for the position of Assistant Commissioner General, the appointment shall be made by royal appointment from police officials of the Police Lieutenant General rank;

(4) for the position of Commissioner, the appointment shall be made by royal appointment from police officials of the Police Major General or Police Lieutenant General rank;

(5) for the position of Deputy Commissioner, the appointment shall be made by royal appointment from police officials of the Police Major General rank;

(6)²² for the position of Commander, the appointment shall be made by royal appointment from police officials of the Police Colonel rank who receive the salary rate of the Special Police Colonel rank or from police officials of the Police Major General rank;

(7)²³ for the position of Deputy Commander, the appointment shall be made from police officials of the Police Colonel rank or from police officials of the Police Colonel rank who receive the salary rate of the Special Police Colonel rank;

(8)²⁴ for the position of Superintendent, the appointment shall be made from police officials of the Police Lieutenant Colonel or Police Colonel rank;

²² Section 51 (6) as amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of police official positions which have the power to conduct inquiry.

²³ Section 51 (7) as amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of police official positions which have the power to conduct inquiry.

²⁴ Section 51 (8) as amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of police official positions which have the power to conduct inquiry.

(9)²⁵ for the position of Deputy Superintendent, the appointment shall be made from police officials of the Police Lieutenant Colonel rank;

(10)²⁶ for the position of Inspector, the appointment shall be made from police officials of the rank of Police Captain or higher, but not higher than the rank of Police Lieutenant Colonel;

(11)²⁷ for the position of Deputy Inspector, the appointment shall be made from police officials of the rank of Police Sub-Lieutenant or higher, but not higher than the rank of Police Captain;

(12) for the position of Squad Leader, the appointment shall be made from police officials of the rank of Police Lance Corporal or higher, but not higher than the rank of Police Sergeant Major;

(13) for the position of Deputy Squad Leader, the appointment shall be made from police officials of the Police Constable rank.

The appointment of police officials to the positions under (2) to (13) may also be made to appoint police officials to equivalent positions.

Section 52. Police officials holding the positions under section 51 (12) or (13) may be selected and appointed to the position and rank under section 51 (11) in accordance with the criteria and procedure prescribed by Regulation of Police Commission.

The police officials holding the position under section 51 (13) may be selected and appointed to the position and rank under section 51 (12) in accordance with the criteria and procedure prescribed by Regulation of Police Commission.

Section 53.²⁸ The appointment of police officials to the positions under section 44 (1), (2), (3), (4), (5) and (6) shall be in accordance with the following criteria:

(1) for the appointment of police officials to the position under section 44 (1), the Commissioner General shall make a list of police officials from those holding the position of Senior Inspector General or Deputy Commissioner General, and submit the

²⁵ Section 51 (9) as amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of police official positions which have the power to conduct inquiry.

²⁶ Section 51 (10) as amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of police official positions which have the power to conduct inquiry.

²⁷ Section 51 (11) as amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of police official positions which have the power to conduct inquiry.

²⁸ Section 53 as amended by Order of the Head of the National Council for Peace and Order No. 44/2558 on solutions to the problems in the personnel administration of police officials.

selection to the Board of Royal Thai Police for approval, and the Prime Minister shall present the matter to the King for the purpose of royal appointment;

(2) for the appointment of police officials to the positions under section 44 (2), (3), (4), (5) and (6), the Commissioner General shall make a list of police officials and submit the selection to the Police Commission for approval, and the Prime Minister shall present the matter to the King for the purpose of royal appointment.

Section 54.²⁹ As regards appointments of police officers to the positions under section 44 (7) and lower in the Office of the Royal Thai Police, the Commissioner General shall order the appointment; as regards appointments in the Bureaus which are not attached to the Office of the Royal Thai Police, the Commissioner shall order the appointment.

In case of appointments of a police official from one government agency to a position in another government agency, the heads of government agency concerned shall conclude an agreement and the Commissioner General or the Commissioner who wishes to appoint shall order the appointment.

Section 55.³⁰ (repealed).

Section 56.³¹ In case where the Commissioner General considers that an exercise of power by a Commissioner is unfair or inconsistent with the criteria or procedure prescribed by the Police Commission pursuant to section 57, or in case of exceptional necessity which requires a police official holding the position under section 44 (7) or lower to be discharged from his or her area or duties, or in which it is deemed that for such police officer to remain in the position would cause prejudice to the service, or in case of special circumstances specified by the Police Commission, the Commissioner General shall have to power to order the appointment of police officers to the positions under section 44 (7) and lower, as appropriate to the circumstances.

Section 57. The selection, conclusion of agreements, approval and appointment of police officials under section 53 (2), section 54 and section 55 shall take into

²⁹ Section 54 as amended by Order of the Head of the National Council for Peace and Order No. 44/2558 on solutions to the problems in the personnel administration of police officials.

³⁰ Section 55 as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

³¹ Section 56 as amended by Order of the Head of the National Council for Peace and Order No. 44/2558 on solutions to the problems in the personnel administration of police officials.

account seniority, records of service, performance results, conduct and competencies, subject to the criteria and procedure prescribed by Regulation of Police Commission.

(paragraph two) (repealed).³²

(paragraph three) (repealed).³³

Section 58. Subject to section 68, a police officer who has obtained a higher educational qualification and is entitled to receive salary at a higher rate as prescribed by the Police Commission, the person having the power under section 64 shall have the power to order such salary increase.

Section 59. In the instatement of any person as police official or the appointment of any police official to a position, the person being instated or appointed is required to possess the specific qualifications for such position as prescribed by the Police Commission pursuant to section 45, except where it is justified and necessary, the Police Commission may approve the instatement or appointment of a police official who does not possess the prescribed specific qualifications for a position.

The appointment of a police official to another position in the Royal Thai Office shall only be made to appoint a police official to a position that is not lower than the original position, except where it is justified and necessary, the Police Commission may exceptionally approve an appointment to a position lower than the original position on a case-by-case basis.

Section 60. A person who has been instated as police official pursuant to section 50 shall perform official duties in the appointed position on a probationary basis for a period of not less than six months.

The criteria and procedure for probation, the evaluation of performance during probation, the report of performance and exemption from probation, as well as discharge order following the probation period, shall be prescribed by Regulation of Police Commission.

Any person who has been discharged from service during probationary period shall not be considered to have been a police official, however, this shall not affect the performance of official duties, the receipt of salary or other benefits from the service during the probationary period of such person.

³² Section 57 paragraph two as repealed by Notification of the National Council for Peace and Order No.88/2557 on amendments to the law on the Royal Thai Police.

³³ Section 57 paragraph three as repealed by Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on the Royal Thai Police.

Section 61. An order placing a police official at the Royal Thai Police or a government agency, or placing a police official on a reserve capacity at a government agency, to the effect that he or she vacates his or her original position, regardless of whether he or she has to relinquish his or her salary at the original rate or not, shall be made by the following empowered officials, in accordance with the criteria, procedure and conditions prescribed by Regulation of Police Commission:

- (1) the Prime Minister in case of the Commissioner General;
- (2) the Commissioner General in case of police officials of all positions;
- (3) a Commissioner in case of police officials in a Bureau or a government agency otherwise named whose status is equivalent to a Bureau.

Section 62. The transfer of a police official to serve in another government agency or body may be made subject to such police official's willingness and the government agency's or the body's wish to accept such transfer, and the transferee government agency or body shall make an agreement with the Royal Thai Police.

Section 63. The empowered person under section 49 shall order the instatement in the following cases:

- (1) the transfer of a non-police official or of an employee of Local Administrative Organization to be instated as police official, excluding political officials, officials under probationary period and employees of Local Administrative Organization under probationary period, the transfer shall be made subject to such person's willingness and the Royal Thai Police's wish to accept such transfer; for such purpose, the Royal Thai Police shall take into account the advantages which the Royal Thai Police may derive; in carrying out such transfer, the determination of positions, ranks and salary rates, and the calculation of service period shall be in accordance with the criteria and procedure prescribed by Regulation of Police Commission;

- (2) the return to the police service as police official

- (a) of police official who, by approval of the Council of Ministers, left the official service to perform any duties which, for the purpose of calculating gratuities and pensions under the law on official gratuities and pensions, are considered as full-time official service, if such person requests to return to the official service within the period specified by the Council of Ministers which may not be longer than four years from the date of leaving the official service to perform such duties, subject to the criteria and procedure prescribed by Regulation of Police Commission;

- (b) of police official who left the official service and did not so leave during the probationary period, if such person applies to join the official service and the

Royal Thai Police wishes to accept such person to the official service, the Royal Thai Police shall instate and appoint such person, subject to the criteria and procedure prescribed by Regulation of Police Commission;

(c) of a non-police official or an employee of Local Administrative Organization who left the official service or the employment, excluding political officials, officials who left the government service during the probationary period and employees of Local Administrative Organization who left the employment during the probationary period, if such person applies to join the official service as police official and the Royal Thai Police agrees to accept such person's return to the official service as police official; for such purpose, the Royal Thai Police shall take into account the advantages which the Royal Thai Police may derive; in processing such person's return to the official service, the determination of positions, ranks and salary rates, and the calculation of service period shall be in accordance with the criteria and procedure prescribed by Regulation of Police Commission.

Section 64. The Commissioner General shall order salary increase for police officials of the Sor. 8 level, the Sor. 7 level, the Sor. 6, level upon approval from the Police Commission.

The order of salary increase for police officials of the Sor. 5 level and lower shall be in accordance with the criteria prescribed by Rules of Police Commission.

In considering a salary increase for police officials, considerations shall be made to the quality and quantity of work, the efficiency and effectiveness of the work performed, competencies, efforts in the performance of duties, as well as the maintenance of discipline and conduct that is appropriate to the status of a police official as reported by the supervising officials in the chain of command, in accordance with the criteria and procedure prescribed by Regulation of Police Commission.

A salary increase of more than two scales in special circumstances requires special approval by the Police Commission on a case-by-case basis.

Section 65. The Police Commission may in special circumstances, for the purpose of the calculation of gratuities and pensions, consider a salary increase for a police official who dies as a result of performance of official duties.

Section 66. Supervising officials shall have to the duty to develop the knowledge, skills, attitude, morality and ethics of the officials under his or her supervision, as well as evaluating their performance of duties, for the purpose of providing information for the consideration of appointments and salary increases, in accordance with the criteria, procedure and duration prescribed by Regulation of Police Commission.

Chapter III

Salary, Position Allowance and Other Supplements

Section 67.³⁴ The salary rates of police officials shall be in accordance with the Schedule annexed to this Act.

The rates of position allowance and the receipt of position allowance of police officials shall be in accordance with the Schedule annexed to this Act, however, the position allowance is not deemed salary.

The police official positions entitled to receive the position allowance pursuant to the Schedule annexed to this Act and the rates of position allowance to which such positions are entitled shall be prescribed by Royal Decree.

In case where it is considered appropriate to adjust the salary rates of police officials so as to accommodate for the changing economic conditions, if such salary rate adjustment is made by way of an increase in equal percentage for all rates which does not exceed ten percent of the applicable rates, and upon approval of expenditure budget for such purpose by the National Assembly, such adjustment shall be made by Royal Decree, and the Salary Rates Schedule annexed to such Royal Decree shall be deemed the Salary Rates Schedule annexed to this Act; in addition, in case where such adjustment in equal percentage for all rates results in any rates not ending in the tens digit, such rates shall be rounded up to the tens digits and such rounding up shall not be deemed an increase in unequal percentage.

The adjustments of salary rates of police officials to the orders and scales, the levels and classes, the levels and scales, or the classes and scales, as the case may be, specified in the Schedule for salary rates of police officials under paragraph one and paragraph four, shall be in accordance with the criteria and procedure prescribed by the Police Commission and such adjustments shall result in the amendment of the scales or classes of police official salary prescribed by the relevant regulations or resolutions of Council of Ministers.

Section 68. Police officials shall receive salary as follows:

- (1) a police official of the Police General rank who holds the position of Commissioner General shall receive salary at the maximum scale of the Sor. 9 level;
- (2) a police official of the Police General rank shall receive salary at the Sor. 8 level;

³⁴ Section 67 as amended by Royal Thai Police Act (No. 2), B.E. 2554 (2011).

(3) a police official of the Police Lieutenant General rank shall receive salary at the Sor. 7 level;

(4) a police official of the Police Major General rank shall receive salary at the Sor. 6 level;

(5)³⁵ a police official of the Police Colonel rank who receive the salary rate of Special Police Colonel shall receive salary at the Sor. 5 level;

(6)³⁶ a police official of the Police Colonel rank shall receive salary at the Sor. 4 level;

(7)³⁷ a police official of the Police Lieutenant Colonel rank shall receive salary at the Sor. 3 level;

(8)³⁸ a police official of the Police Major rank shall receive salary at the Sor.2 level;

(9)³⁹ a police official of the Police Captain, Police Lieutenant or Police Sub-Lieutenant rank shall receive salary at the Sor. 1 level;

(10)⁴⁰ a police official of the Police Senior Sergeant Major rank shall receive salary at the Por. 3 level;

(11)⁴¹ a police official of the Police Sergeant Major rank who receive the salary rate of Special Police Sergeant Major shall receive salary at the Por. 2 level;

(12) a police official of the Police Sergeant Major, Police Sergeant, Police Corporal or Police Lance Corporal rank shall receive salary at the Por. 1 level;

(13) a police official of the Reserve Police Constable class shall receive salary at the level of Phor. 1.

The police officials under paragraph one shall receive salary at the minimum scale of the applicable levels; in case where the salary to be received is higher or lower than the minimum scale, or higher than the maximum scale of a level, it shall be in accordance with the criteria and procedure prescribed by Regulation of Police Commission.

The police officials under (2) to (13) may, by Royal Decree, receive salary at a higher level than the level prescribed by paragraph one; such Royal Decree shall prescribe the criteria, procedure and conditions for the receipt of salary at such higher level and the receipt of position allowance.

³⁵ Section 68 (5) as amended by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

³⁶ Section 68 (6) as amended by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

³⁷ Section 68 (7) as amended by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

³⁸ Section 68 (8) as amended by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

³⁹ Section 68 (9) as amended by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

⁴⁰ Section 68 (10) as amended by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

⁴¹ Section 68 (11) as amended by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

Paragraph four⁴² (repealed).

Paragraph five⁴³ (repealed).

Section 68/1.⁴⁴ In case where it is justified and necessary, as remedial measure to enable police officials to receive appropriate and fair salary or position allowance, the Police Commission may provide remedy for police officials by enabling them to receive the salary or position allowance as it sees fit in on a case-by-case basis, subject to the criteria and procedure prescribed by the Council of Ministers.

Section 69. Police officials may receive temporary subsistence supplements in line with economic conditions in the amounts and in accordance with the criteria and procedure prescribed by Royal Decree.

Section 70. Police officials may receive monthly supplements, other supplements or financial aid as prescribed by the Council of Ministers.

Section 71. Police Officials may receive supplements for posts in a foreign country or for positions created under special circumstances in accordance with the Rules of Police Commission, with approval from the Ministry of Finance.

Chapter IV Acting and Acting For

Section 72. In case where a police official position in a government agency or body in the Royal Thai Police becomes vacant, or the position holder is unable to perform duties; the following supervising officials shall order a police official whom he or she sees fit to act in such position:

- (1) the Prime Minister, in case of the Commissioner General position;
- (2) the Commissioner General, in case of the Senior Inspector General, Deputy Commissioner General positions or their equivalent, and the positions below;
- (3) a Commissioner or an equivalent position, in case of the Commander position or its equivalent and the positions below in his or her government agency;

⁴² Section 68 paragraph four as repealed by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

⁴³ Section 68 paragraph five as repealed by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

⁴⁴ Section 68/1 as inserted by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

(4) a Commander or an equivalent position, in case of the Superintendent position or its equivalent and the positions below in his or her government agency.⁴⁵

In case where no appointment of an acting official is made and a deputy of such position exists, the deputy shall act in such position; in case there is no deputy of such position, or there is but he or she is unable to perform duties and an assistant position of such person exists, the assistant of such person shall act in such position; in case of multiple deputies or assistants, the person with the highest seniority pursuant to the Rules of Police Commission shall act in such position; in case where there is no deputy or assistant of such position, or there is but he or she is unable to perform duties, a Commissioned Officer with the seniority prescribed by the Rules of Police Commission in such government agency or body shall act in such position.

For the benefit of the administration of official service, the performance of duties or exercise of powers by a police official who has been retroactively appointed to the positions under section 51 (2), (3), (4), (5) and (6) while in his or her original position before the publication of royal appointment, shall be valid.

Section 73. Apart from the provisions of this Act, the power to order, authorize, approve, perform duties and act in other respects which the Commissioner General may do or to comply with any laws, rules, by-laws or orders, or resolutions of Council of Ministers on any matters regarding the affairs of such Bureau, shall be exercised by the Commissioner of each Bureau, acting for the Commissioner General,

In acting for the Commissioner General pursuant to paragraph one, a Commissioner may assign a Deputy Commissioner to act for him or her.

The Commissioner General shall have the duty to direct and monitor the performance of duties of the Commissioner under paragraph one and shall have the power to advise and correct the performance of duties of the Commissioner under paragraph one.

In case of necessity for the benefit of the interests of the official service or of controlling the damage which may have arisen as a result of the exercise of power by the Commissioner under paragraph one, the Commissioner General may temporarily suspend the exercise of power of such Commissioner and assumes the exercise of power himself or herself, subject to the criteria and conditions prescribed by the Board of Royal Thai Police.

Section 74. For the benefit of the administration of the service in the Royal Thai Police, if the laws, rules, by-laws, orders or resolutions of Council of Ministers on a

⁴⁵ Section 72 paragraph one was amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of police official positions which have the power to conduct inquiry.

matter do not otherwise prescribe on the assignment of power or do not prohibit the assignment of power, the Commissioner General, or a head of government agency or head of body may assign the powers, which are exercisable by the Commissioner General or a head of government agency or head of body, to order, authorize, approve, perform duties or otherwise act, or to comply with any laws, rules, by-laws, orders or resolutions of Council of Ministers on such matters, to a person holding the position of deputy, assistant, or to a person holding the position of head of government agency or head of body down the chain of command, or to a person holding an equivalent position or a Commissioned Officer in such government agency or body.

The assignment of power under paragraph one shall be made in writing and the assignor shall have the duty to advise, direct and monitor the performance of duties of the assignee, and in case where the assignor considers that the assignee acts improperly in any performance of duties, the assignor shall have the power to correct the performance of duties of the assignee.

Once an assignment of power has been made, the assignee has the duty to assume the assigned power and may not assign such power to another position holder, except where the assignor has given approval on a case-by-case basis.

Section 75. the acting official under section 72 shall have the same powers and duties as the person in whose place he or she is acting.

In case where a law, rule, by-law, notification, order or resolution of Council of Ministers appoints a position holder to be the committee member or grants any powers or imposes any duties, the acting official shall have the powers and duties of a committee member or have the same powers and duties as such position holder during the period of acting for.

An acting order shall be valid from the time the appointed person assumes duties and the Deputy or Assistant shall be relieved from the acting position from the time the appointed person assume duties, however, this is without prejudice to any act committed by such person during the acting period.

Section 76. In case where a law, rule, by-law, notification, order or resolution of Council of Ministers grants powers to or imposes duties on a Permanent Secretary, the exercise of such powers or the performance of such duties in so far as a government agency or body of the Royal Thai Police is concerned, shall be done by the Commissioner General.

Chapter V

Discipline and Discipline Maintenance

Section 77. A police official shall observe and abide by the laws, official rules, resolutions of Council of Ministers and police ethics specified in a Regulation of Police Commission, and shall strictly maintain discipline in accordance with the provisions of this Chapter.

The Regulation of Police Commission under paragraph one shall come into force upon the expiration of sixty days from the date of its publication in the Government Gazette.

Section 78. A breach of discipline is a failure to maintain discipline pursuant to the following directives and prohibitions:

(1) to perform official duties with honesty, good faith and fairness, in conformity with the laws, regulations, official rules, resolutions of Council of Ministers, police ethics and government policies, without prejudice to the official service;

(2) to unequivocally and obediently comply with the orders of the supervising official which have been made in accordance with the laws and official rules, but if he or she considers that compliance with such orders would cause prejudice to the official service or would not preserve the interests of the service, he or she may submit an opinion in writing requesting the supervising official to review such order, and upon the submission of such opinion, if the supervising official affirms such order, the subordinate official must comply;

(3) to observe the protocol on paying respect between senior officials and junior officials;

(4) to devote one's time to the service, and not neglect or abandon official duties;

(5) to perform functions in a manner which does not amount to bypassing one's supervising official, except where the supervising official orders to such effect or special permission has been given on a case-by-case basis;

(6) to preserve official secrets;

(7) to be courteous, preserve harmony and refrain from acting in any manner which amounts to bullying, and provide assistance to fellow officials and colleagues in the performance of official functions;

(8) to be hospitable, accommodating, fair and supportive without delay and with courteousness, to members of the public who come to receive service or in the performance of official functions in so far as one's duties are concerned, and to not insult, denigrate, oppress or intimidate members of the public who come to receive service or in the performance of official functions in so far as one's duties are concerned;

(9) to perform one's official duties with seriousness and endeavor so as to achieve good outcomes or progress for the official service; to take good care, be mindful of the interests of the government service, and to not be negligent in the performance of official duties;

(10) to not act in a manner which causes division among police officials;

(11) to not make false reports to the supervising official, including reporting which omits statements which should have been reported and which constitutes a false report;

(12) to not engage in verbal impropriety or improper conduct;

(13) to not commit an act which is attributable to a misconduct;

(14) to not act in any manner which amounts to forcing the supervising official to cause prejudice to police protocols and discipline;

(15) to not act or omit an act in a manner which may cause prejudice to the official service or to police protocols and discipline;

(16) to not act or allow another to seek gains in a manner which may cause prejudice to fairness in the performance of official functions or cause prejudice to the honors of one's official functions;

(17) to not be a managing director, manager or hold any other similar positions in a partnership or a company;

(18) to commit or omit an act prescribed by Regulation of Police Commission.

Section 79. Any of the following constitutes a gross breach of discipline:

(1) to unlawfully perform or omit to perform official duties so as to allow oneself or another to make undeserving gains;

(2) to neglect or abandon one's official duties with no reasonable grounds, causing serious prejudice to the official service, or to neglect one's official duties for more than fifteen consecutive days without reasonable grounds or under circumstances which demonstrate an intention to disobey official protocols;

(3) to denigrate, oppress, intimidate or assault members of the public who come to receive service or in the performance of official duties;

(4) to commit a criminal offence resulting in a sentence of imprisonment or a more severe punishment by a final judgment imposing the sentence of imprisonment or the more severe punishment, except for an offence committed through negligence or a petty offence;

(5) to commit an act which is attributable to a gross misconduct;

(6) to commit or omit any act, including an offence under section 78 which causes serious prejudice to the official service;

(7) to act or fails to act in the manner prescribed by Regulation of Police Commission.

Section 80. A supervising official shall have the duty to improve and develop the discipline of subordinate officials, prevent subordinate officials from committing a breach of discipline, and conduct disciplinary proceedings as regards the subordinate officials against whom there are grounds to support an accusation of breach of discipline;

The manners for the improvement and development of the discipline of subordinate officials and the prevention of subordinate officials from committing a breach of discipline shall be in accordance with the Rules of Police Commission.

Where there are grounds to support an accusation that a police official has committed a breach of discipline, the supervising official shall immediately conduct disciplinary proceedings pursuant to Chapter VI.

Any supervising official who neglects to comply with this section and Chapter VI, or dishonestly performs such duties, shall be deemed to have committed a breach of discipline.

Section 81. In case of inevitable necessity, for the benefit of discipline maintenance and suppression of a police official who initiates an uprising, or for the purpose of forcing a police official who has neglected his or her duties to return to duty, the supervising official may use weapons or force, and if such use of weapons or force was done in good faith and proportionate to the circumstances, the supervising official or the person providing assistance shall be exempt from civil or criminal liability.

Upon an occurrence of such incident, the supervising official shall promptly report to one's supervising officials in the chain of command until the Commissioner General is reached.

Section 82. There are 7 modes of disciplinary punishment as follows:

- (1) written reprimand;
- (2) penalty;
- (3) confinement;
- (4) detention;
- (5) deduction of salary;
- (6) dismissal;
- (7) expulsion.

A sanction of written reprimand is the punishing of an offender who should have one of the modes of punishment imposed upon him or her, but who due to the existence of grounds of mercy, only deserves his or her wrongdoing being made known.

A sanction of penalty is to assigning one to hard labor, guarding duties in addition to regular duties, or to public service duties, the duration of which may not exceed six hours per day.

A sanction of confinement is placing one under confinement in an area designated as appropriate;

A sanction of detention is detaining one in a specific purpose detention location, either solitarily or with others, in accordance with an order.

An imposition of a sanction of confinement or detention may be supplemented by an assignment to hard labor or other official duties but the duration of this may not exceed six hours per day.

Section 83. An imposition of sanction on a police official shall be made by an order specifying the circumstances and legal grounds of such disciplinary sanction.

The procedure for making a sanction order shall be specified by Regulation of Police Commission.

Chapter VI

Disciplinary Proceedings

Section 84. Once there is an accusation or a ground of suspicion that a police official has committed a breach of discipline, the supervising official shall promptly conduct an investigation of facts or make a preliminary determination of whether there are sufficient grounds to accuse such person of breach of discipline.

In the conduct of an investigation of facts, the accused shall be informed of the accusation or complaint and the accused shall give a factual reply within the specified period; if it is considered that there is no ground for the accusation of breach of discipline, the matter shall be terminated; if it is considered that there are grounds for an accusation of breach of discipline, the matter shall immediately be proceeded in accordance with section 85 or section 86, as the case may be.

Section 85. Upon an accusation that a police official has committed a breach of discipline, the supervising official shall consider the report of the investigation of facts under section 84 for the purpose of making an order pursuant to section 89.

Section 86. Upon an accusation that a police official has committed a gross breach of discipline, a committee shall be appointed to conduct an inquiry; in the conduct of the inquiry, the accused shall be informed of the accusation and the summary of existing

corroborating evidence of such accusation, with or without identifying the witnesses, so that the accused can reply and adduce evidence in his or her defense; if, following the conduct of inquiry, there is a *prima facie* case for breach of discipline, the matter shall be proceeded in accordance with section 89 or section 90, as the case may be; if there is no *prima facie* case, the matter shall be terminated.

The person having the power under section 72 or the supervising official designated in the Rules of Police Commission shall order the appointment of the inquiry committee under paragraph one.

In case where police officials of different ranks are accused of jointly committing a gross breach of discipline, the person having the power as regards the accused who holds the higher position shall order the appointment of the inquiry committee.

In case where the supervising official has appointed an inquiry committee under section 101 and it appears from the inquiry results that the accused committed a gross breach of discipline, the supervising official shall proceed to make an order in accordance with the inquiry results without having to appoint an inquiry committee, or order a reinquiry, however, the accused shall be informed of the accusation and the summary of existing corroborating evidence of such accusation, with or without identifying the witnesses, and the accused shall be given an opportunity to reply and adduce evidence in his or her defense.

Section 87. The criteria, methods and durations relating to the investigation and the inquiry required to be conducted pursuant to section 84 and section 86 shall be prescribed by Regulation of Police Commission.

In the consideration of a matter by the supervising official having the power under section 85, section 86, section 89 or section 90, the consideration of action to be taken regarding the matter shall be completed within two hundred and forty days from the date of receiving the report, except where a ground of necessity specified by Rules of Police Commission results in the consideration not being completed within such duration, the duration may be extended but no more than twice, each time for a period of no more than sixty days; if the consideration is not completed following such extension, the accused police official shall revert to his or her previous status and shall not be deemed a person being subject to an ongoing investigation or inquiry, as the case may be, from the date of the expiration of such duration until such time that the consideration of action to be taken regarding the matter is completed and an order is made.

In case where the breach is of a flagrant character as prescribed by Rules of Police Commission, the disciplinary proceedings may be conducted without an investigation or inquiry.

Section 88. Upon a ground of necessity requiring the accused police official be placed under custody for the benefit of the inquiry, for instance, where the accused may flee, assault or threaten the victim or a witness, the supervising official shall have the power to place such police official under custody during the inquiry to the extent that it is necessary for the inquiry, but it shall not exceed the power of the supervising official to impose a sanction of detention and shall not be for more than fifteen days.

In case where the police official under paragraph one has a sanction of confinement or detention imposed on him or her, the period of being under custody shall be deducted from the period of confinement or detention; in case where such police official has a sanction of penalty imposed on him or her, the police official placed under custody shall be deemed to have served the penalty.

Section 89. The supervising official shall make an order imposing on a police official who committed a breach of discipline the sanction of a written reprimand, penalty, confinement, detention or salary deduction as appropriate to the committed breach for the specific case; extenuating circumstances may be taken into account to reduce the sanction, but a written reprimand may only be imposed in case of a minor breach of discipline, or in cases where there are extenuating circumstances and which do not deserve a sanction of penalty.

If the supervising official considers that the person committing a breach of discipline merits a more severe punishment which exceeds his sanctioning power, he or she shall report to his or her supervising official who has the power to impose such sanction as appropriate to the specific case.

In case where the committed breach of discipline was a minor one and there is ground to exempt the sanctioning, a sanction may be exempt by imposing a probation in writing or a warning.

As regards the imposition of sanction pursuant to this section, the modes and rates of sanction which supervising officials have the power to impose shall be prescribed by Regulation of Police Commission.

Section 90. The person having the power under section 72 shall make an order imposing on a police official who committed a gross breach of discipline the sanction of dismissal or expulsion, depending on the seriousness of the specific case; extenuating circumstances may be taken into account to reduce the sanction but a reduced sanction may not be less severe than dismissal.

As regards the imposition of sanction by the person having the power under section 72 (2), (3), and (4), such person having the power shall set up a committee to

consider and make recommendations, which shall at least comprise all deputy heads of such body, in accordance with the criteria prescribed by Regulation of Police Commission.

A person dismissed in accordance with this section shall be entitled to receive official gratuities and pensions as if such person had resigned from the official service.

Section 91. Once a supervising official has conducted disciplinary proceedings on a police official, he or she shall accordingly report to the supervising official in a position higher than that of the person conducting the disciplinary proceedings and to the Commissioner General.

In case where a supervising official who has received a report under paragraph one considers that the termination of the matter, exemption from sanction or imposition of sanction is incorrect or improper, he or she shall have the power to impose sanction, increase the sanction to a more serious mode or increase the rate of sanction, reduce to sanction to a less serious mode or reduce the rate of sanction, exempt the sanction by ordering a probation in writing or a warning, or grant a pardon, as is correct and appropriate to the specific case, as well as correcting or amending any part of the original order; and in case where he or she considers that any additional action should be taken to accompany the consideration for the purposes of truth and justice, he or she shall have the power to take or order such action as appropriate to the specific case; an imposition of sanction or an increase of sanction to a more serious mode of sanction shall not exceed the sanctioning power pursuant to section 89 and an increase of rate of sanction combined with the original rate of sanction shall not exceed such power; if such power is exceeded, he or she shall report to his or her supervising official in the chain of command for the purpose of considering the appropriate action for the specific case, however, if it is an imposition of sanction or an increase of sanction in a case of gross breach of discipline, the matter shall be reported to the Commissioner General for consideration for action.

In case where the supervising official who imposes sanction under section 89 orders the termination of a matter or the exemption of sanction for a police official, but the Commissioner General considers that it was a case of gross breach of discipline, or upon receiving the report from the supervising official under paragraph two, the Commissioner General considers that it was a case of gross breach of discipline, the Commissioner General shall have the power to proceed in accordance with section 86 but in case where an inquiry committee under section 86 has been appointed, the matter shall be proceeded in accordance with section 90.

In a case of sanction increase, sanction reduction, sanction exemption or pardon, the ordering person shall make a new order and in such order shall order the cancellation of the original sanction order, as well as specifying the procedure to enable the

person sanctioned by the original sanction order to serve the increased sanction or to revert to his or her original status, as the case may be, in accordance with the criteria and procedure prescribed by Regulation of Police Commission.

Section 92. Once the supervising official has conducted disciplinary proceedings for a gross breach of discipline or ordered the termination of service of a police official in any matter, if the Police Commission considers that it is appropriate to conduct an additional inquiry or reinquiry, the Police Commission shall have the power to conduct an additional inquiry or reinquiry in such matter insofar as it is necessary, by either conducting the inquiry itself or setting up a sub-committee or ordering the inquiry committee to conduct an additional inquiry or reinquiry, or specifying the issues and important points regarding which the information is required so as to enable the inquiry committee originally appointed by the supervising official to conduct additional inquiry.

Section 93 shall apply *mutatis mutandis* to actions taken under this section.

Section 93. the investigating official, investigation committee members and inquiry committee members shall be officials under the Criminal Code, and inquiry committee members shall have the same powers as the inquiry official under the Criminal Procedure Code insofar as they relate to the powers and duties of inquiry committee members and shall exclusively have the power to call any ministry, sub-ministry, department, government unit, state enterprise, state agency, partnership, company or person to give statements or explain facts, submit related documents or evidence, send a representative or affiliated person to explain or give statements relating to the subject matter of the inquiry.

Section 94. As regards any police official who is subject to an inquiry in a case of gross breach of discipline or a case of prima facie guilt under the Organic Act on Counter Corruption, despite the fact that such police official may have his or her service terminated, such inquiry may be continued, but shall be completed within a period of one year following the date of termination of service.

The disciplinary proceedings conducted upon the police official under paragraph one shall treat such police official as if he or she had not had his or her service terminated, except where it appears from the results of the inquiry that such person committed a breach of discipline requiring an imposition of a sanction of written reprimand, penalty, confinement or detention, the imposition of such sanction shall be exempt.

Section 95. As regards any police official who has been accused of having committed a gross breach of discipline, resulting in an appointment of an inquiry committee,

or has been accused of having committed a criminal offence or has had a criminal action commenced against him or her, except where such offence was committed through negligence or a petty offence, the person having the power under section 72 or another supervising official specified by Rules of Police Commission has the power to order a suspension from service or a provisional discharge, pending the results of disciplinary proceedings inquiry, but if it subsequently appears from the results of the disciplinary proceedings inquiry that such person was not guilty or was guilty but not to the extent that would deserve a sanction of dismissal or expulsion, and there are no other grounds for terminating his or her service, such person having the power shall order the reinstatement of such person in the same position or a position of the same level for which such person is qualified, considering the specific qualifications of such position.

Once a service suspension or provisional discharge order under paragraph one is imposed upon a police official, if it subsequently appears that such official has been accused of committing a gross breach of discipline in another case, the person having the power under section 72 or another supervising official specified by Rules of Police Commission has the power to conduct investigation or consider pursuant to section 84 and appoint an inquiry committee pursuant to section 86, as well as conducting disciplinary proceedings as provided for by the provisions of this Chapter.

In case where the person subject to a provisional discharge order receives an order reinstating him or her to the service or an order terminating his or her service for a non-punitive reason, such person shall retain the status of a police official throughout the period of being provisionally discharged.

The salary, other monthly payments and other financial aids, and their payment as regards a person subject to a service suspension or provisional discharge order shall be in accordance with the law or rules on such matter.

The criteria and procedure relating to the suspension from service, provisional discharge, duration of service suspension and provisional discharge and the implementation of inquiry results shall be in accordance with the Rules of Police Commission.

Section 96. Any police official who may be subject to a disciplinary proceedings investigation or inquiry but who has his or her service terminated before the conduct of the investigation or inquiry, if he or she is subsequently reinstated to the service within five years, the supervising official or the person having the power under section 72 shall order a resumption of the investigation or inquiry.

Chapter VII

Termination of Service

Section 97. A police official's service is terminated upon:

- (1) death;
- (2) retirement from the service pursuant to the law on official gratuities and pensions;
- (3) having been granted a permission to resign or his or her resignation becoming effective pursuant to section 99;
- (4) being discharged pursuant to section 60, section 95, section 98, section 100, section 101, section 102 or section 103;
- (5) dismissal or expulsion.

The date of termination of service under (4) and (5) shall be as prescribed by Rules of the Police Commission.

The termination of service of police officials whose serve under the law on the military service shall be in accordance of the law on such matter.

Section 98. As regards any person who has been instated as police official, is subsequently found to have lacked a qualification or possessed a prohibition under section 48, or lack a specific qualification for the position under section 45 prior to being so instated, the person having the power under section 72 shall order the termination of his or her service, without prejudice to any acts performed by such person in accordance with his or her powers and duties and to the salary or any other benefits received from the service prior to such termination of service order, and if the entry to the service was done in good faith, such person shall be deemed to have his or her service terminated for the purpose of receiving compensatory gratuities and pensions under the law on official gratuities and pensions.

Section 99. Any person who wishes to resign from the service shall submit a resignation letter to his or her immediate supervising official, for the consideration of a person having the power under section 72 or the supervising official designated by Rules of Police Commission.

In case where a police official requests to resign so as to assume a position created under the Constitution, a political position, or to apply to be a candidate in an election of members of the National Assembly, members of Local Assembly or local administrators, the resignation shall be effective upon the date on which such person requests to resign.

In addition to the circumstances under paragraph two, if a person having the power under section 72 or the supervising official designated by Rules of Police Commission considers it necessary for the benefit of the service, he or she may suspend the resignation

for a period of no more than three months from the date on which the resignation request is made.

The criteria and procedure relating to resignation, authorization of resignation and suspension of resignation shall be prescribed by Rules of Police Commission.

Section 100. A person having the power under section 72 has the power to order the discharge from service of a police official with gratuities and pensions under the law on official gratuities and pensions, but a discharge from service order with compensatory gratuities and pensions, apart from as provided elsewhere in this Act or under the law on official gratuities and pensions, may only be made in the following circumstances:

(1) upon a police official becoming unable to regularly perform his or her official duties as a result of an illness;

(2) upon a police official's application to perform any work as requested by the official service;

(3) upon a police official's lack of a general qualification under section 48 (1), (4), (5), or lack of a qualification or possession of a prohibition prescribed by Rules of Police Commission;

(4) upon a police official becoming unable to perform his or her official functions efficiently or effectively to the satisfaction of the official service, pursuant to the criteria and procedure prescribed by Rules of Police Commission.

Section 101. As regards a police official who has been subject to an accusation or a suspicion of reduced competence in the performance of official duties, deficiency in the performance of duties or improper conduct in the performance of official duties in relation to his or her position, if the supervising official whose position is Superintendent or its equivalent, or higher consider that such accusation or suspicion has a prima facie case and that allowing such person to continue serving would cause prejudice to the police service, such empowered person shall without delay appoint an inquiry committee; in the conduct of this inquiry, the accused shall be informed of the accusation and a summary of existing corroborating evidence, with or without identifying the witnesses, and the accused shall be given an opportunity to reply and adduce evidence in his or her defense; if the committee or the person ordering the appointment of the committee considers that such person should be discharged from service, the person ordering the appointment of the committee shall submit the matter to the person having the power under section 72 for the purpose of ordering the discharge from service of such person, with compensatory gratuities and pensions.

In case where the supervising official appointed a committee to conduct an inquiry on the accused pursuant to section 86 as regards a matter required to be subject to

an inquiry under paragraph one, and the inquiry committee under section 86 has conducted an inquiry, the empowered person under paragraph one may use such inquiry's report for consideration without appointing the inquiry committee under paragraph one.

The criteria and procedure relating to the conduct of inquiry and the consideration shall be as prescribed by Rules of Police Commission.

Section 102. When any police official has been accused of committing a gross breach of discipline and has been subject to an inquiry pursuant to section 86, but it is not sufficiently clear from the inquiry results that such person's breach requires a sanction of dismissal or expulsion, but such person has become tainted or tarnished following such inquiry and his or her continuing service would cause prejudice to the official service, the person having the power under section 72 shall order the discharge from service of such person, with compensatory gratuities and pensions.

Section 103. When any police official has been sentenced by a final judgment to a term of imprisonment for an offence committed through negligence or a petty offence which does not require a sanction of dismissal or expulsion, but his or her continuing service would cause prejudice to the official service, the person having the power under section 72 shall order the discharge from service of such person, with compensatory gratuities and pensions.

Section 104. In relation to the termination of service of a police official of the Superintendent position or its equivalent, or higher, if it is a case of termination of service pursuant to section 97, the Prime Minister shall present such matter to the King for acknowledgement.⁴⁶

The vacation of position by a police official of the Commissioner General, Senior Inspector General or Deputy Commissioner General position or the equivalent shall be presented to the King for the purpose of issuing a Royal Proclamation giving effect to such vacation of position, except for the case of vacation of position due to death.

Chapter VIII

Appeals

⁴⁶ Section 104 paragraph one as amended by Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of the positions of police official having the power and duty to conduct inquiry.

Section 105. Any police official who has had a sanction imposed or been subject to a discharge from service order under this Act, such person shall have the right to appeal as follows:

(1) in case of an imposition of an order of written reprimand, penalty, confinement, detention or salary deduction as sanction, an appeal regarding such sanction order shall be made to the supervising official of the supervising official who made such order, but in case where the Commissioner General made the sanction order, an appeal shall be made to the Police Commission;

(2) in case of an imposition of an order of dismissal or expulsion as sanction, or a discharge from service order, an appeal regarding such order shall be made to the Police Commission.

An appeal under (1) and (2) shall be made within thirty days from the date of knowledge of the order.

The consideration of an appeal under (1) and (2) shall be completed within two hundred and forty days from the date of receipt of the appeal, except where a ground of necessity prescribed by Rules of Police Commission results in the consideration not being completed within such duration, the duration may be extended but for no more than twice, each time for a period of no more than sixty days.

The criteria and procedure for appeals and the consideration of appeals shall be prescribed by Regulation of Police Commission.

Section 105/1.⁴⁷ In case where the Administrative Court renders a final judgment ordering the revocation or rectification of an order regarding any matter, it shall be the duty of the empowered supervising official, the Police Commission or the Board of Royal Thai Police, as the case may be, to make an order to remedy and rectify or carry out an act as deemed appropriate.

Chapter IX Complaints

Section 106. Any police official who considers that the supervising official, in the exercise of powers and duties, treated him or her wrongly or did not treat him or her in accordance with the rules, laws or as a result of the supervising official's unlawful treatment towards him or her, such person may file a complaint to the supervising official or the Police

⁴⁷ Section 105/1 as inserted by Order of the Head of the National Council for Peace and Order No. 44/2558 on solutions to the problems in the personnel administration of police officials.

Commission, as the case may be, for the purpose of rectification, except where he or she has the right to appeal under Chapter VIII, he or she shall exercise the right to appeal as provided for by the said Chapter.

The criteria and procedure for filing complaints, grounds for complaint and the consideration of complaints shall be prescribed by Regulation of Police Commission.

Chapter X Police Uniforms

Section 107. The components, types and categories of police uniforms, as well as how, when or under which conditions the uniforms are worn, shall be prescribed by Ministerial Regulation.

Section 108. Any person who wears a police uniform without entitlement to wear it shall be liable to a term of imprisonment from three months to five years.

If the offence under paragraph one is committed within an area which is under martial law, or under a state of emergency, or is committed for the purpose of committing a criminal offence, such person shall be liable to a term of imprisonment from one year to ten years.

Section 109. Any police official who wears a police uniform at the time of committing an offence under the Criminal Code for which the maximum term of imprisonment is one year or more, shall be liable to a term of imprisonment from one year to seven years.

Section 110. Any person who wears clothing which resembles a police uniform and acts in any way which causes the police service to be subject to insult or hatred, or causes dishonor to the police service, or causes another person to believe that he or she is a police officer, shall be liable to a term of imprisonment of not exceeding three months, or to a fine from one thousand baht to ten thousand baht, or to both.

If the offence under paragraph one is committed within an area which is under martial law, or under a state of emergency, or is committed for the purpose of committing a criminal offence, such person shall be liable to a term of imprisonment from one year to ten years.

Section 111. In a performance in a film, drama or any other similar performance which is planned for public broadcast, if a performer wishes to wear a police

uniform or wear clothing which resembles a police uniform, the person responsible for such performance or an assigned person shall inform the head of police station of the locality in which the performance will be performed, in accordance with the criteria prescribed by Ministerial Regulation.

Title VII

Criminal Investigation and Inquiry Fund

Section 112. There shall be a fund within the Royal Thai Police called “Criminal Investigation and Inquiry Fund” whose objective is to support the criminal investigation and inquiry work.

Section 113. The Fund consists of:

- (1) subsidy from the Government;
- (2) monies and property received from state agencies, state-owned enterprises, local governments or foundations;
- (3) fruits of the monies or properties of the Fund.

The Council of Ministers may approve that a portion of the proceeds from the collection of fixed penalty which falls within the powers of police officials and of proceeds of fines collected under the law on road traffic, to the extent that such portion of the proceeds is required to be remitted to the Ministry of Finance as State revenue, be remitted to the Fund without having to remit such portion of proceeds to the Ministry of Finance as State revenue.

The monies, fruits and properties under paragraph one and paragraph two shall be remitted to the Fund without having to be remitted to the Ministry of Finance as State revenue.

Section 114. The management of the monies, fruits and properties which make up the Fund shall be conducted for the benefits of the interests which are within the scope of the Fund’s objectives.

Section 115. There shall be an executive board, consisting of the Commissioner General as President, a representative of the Office of the Secretary General of the Office of the Prime Minister, a representative of the Office of the Attorney General, a representative of the Ministry of Justice, a representative of the Bureau of the Budget, a representative of the Comptroller General’s Department, a representative of the

Department of Local Administration and two of the Deputy Commissioner Generals or Assistant Commissioner Generals as entrusted by the Commissioner General, as members.

The President shall appoint one police official to act as secretary and no more than two police officials to act as assistant secretary.

Section 116. The executive board shall have the following powers and duties:

(1) to administer the Fund in accordance with the Fund's objectives and the policies formulated by the Board of the Royal Thai Police;

(2) to issue rules prescribing the criteria for the disbursement of the Fund's money for the purpose of supporting the performance of functions of police officials in relation to the conduct of criminal investigations or inquiries; such rules shall come into force upon approval from the Board of the Royal Thai Police;

(3) to put in place an accounting system which complies with the standards recommended by the members who are the representatives of the Bureau of the Budget and the Comptroller General's Department;

(4) to prescribe the criteria and procedure for the receipt, maintenance and disbursement of the Fund's monies;

(5) to issue rules prescribing the operating expenses of the Fund;

(6) to appoint sub-committees for the purpose of performing functions as the executive board may entrust;

(7) to issue rules, prescriptions, notifications and orders in the administration of the Fund;

(8) to report the financial conditions and administrative status of the Fund to the Board of the Royal Police.

Section 117. The executive board shall prepare and submit the financial budget and account to an auditor for the purpose of auditing within one hundred and twenty days from the last day of every calendar year.

The Office of the Auditor General shall act as the Fund's annual auditor and report the audit results of the Fund's account to the Board of the Royal Thai Police and the Ministry of Finance.

Transitory Provisions

Section 118. The government agencies established under Royal Decree on the Organization of Government Agencies of Thailand National Police Department, Ministry

of Interior B.E. 2539 (1996) and its amendments shall be government agencies under this Act until such time that a new Royal Decree on the Organization of Government Agencies of the Royal Thai Police is issued.

The Office of Human Resources, Office of Logistics, Office of Planning and Budget, Office of Police Commission, Office of Police Secretary, Finance Division, Foreign Affairs Division, Litigation Division and Academic Division, which are government agencies under paragraph one, shall be government agencies or attached body under the Office of the Commissioner General under section 10 (1); other government agencies apart from the aforementioned shall be government agencies under section 10 (2) of this Act until such time that a Royal Decree or Ministerial Regulation issued pursuant to section 10 provides otherwise, however, such issuance shall be made within one year from the date of coming into force of this Act.

Section 119. Any person who was a police official under Administration of Police Officials Act, B.E. 2521 (1978) on the day before the date of coming into force of this Act shall continue to be a police official under this Act.

Any person who was a former police official before the date of coming into force of this Act shall be a former police official under this Act.

Section 120. Any person who has a police rank or an acting police rank as prescribed by other laws on the day before the date of coming into force of this Act shall use such police rank or acting police rank as prescribed under this Act.

Section 121. Any person who was a Special Reserve Police Constable, Special Police Constable, Police Constable of the position of Serviceman or its equivalent in any government agency of the Royal Thai Police under Administration of Police Officials Act, B.E. 2521 (1978) on the day before the date of coming into force of this Act, shall be Non-Commissioned Officer of the position of Squad Leader or a position equivalent to Squad Leader in such government agency of the Royal Thai Police under this Act.

Section 122. The position of Assistant Commissioner General or a position equivalent to Assistant Commissioner General in any government agency of the Royal Thai Police which was created under Administration of Police Officials Act, B.E. 2521 (1978) on the day before the date of coming into force of this Act, shall be the position of Deputy Commissioner General or a position equivalent to Deputy Commissioner General in such government agency of the Royal Thai Police under this Act.

Any person who holds the position of Assistant Commissioner General or a position equivalent to Assistant Commissioner General in any government agency of the

Royal Thai Police on the day before the date of coming into force of this Act, shall be deemed to have been appointed to the position of Deputy Commissioner General or a position equivalent to Deputy Commissioner General in such government agency of the Royal Thai Police under this Act.

As regards the position of Assistant Commissioner General or positions equivalent to Assistant Commissioner General which are adjusted to the position of Deputy Commissioner General under paragraph one and paragraph two, the Police Commission shall arrange for the abolishment of such positions so that only a number of such positions remains in so far as necessary, and the abolished positions and salary rates shall be allocated to the positions and salary rates under section 44 (6) and lower.

Section 123. As regards any police official who has been the subject of a case of breach of discipline or a case requiring him or her to be discharged from service on the day before the date of coming into force of this Act, the supervising official under this Act shall have the power to order the imposition of sanction on such person or order the discharge of such person from service in accordance with Administration of Police Officials Act, B.E. 2521 (1978); the conduct of inquiry, the consideration and arrangements for sanction or discharge from service shall be carried out in accordance with this Act, except:

(1) where the supervising official has ordered inquiry in full compliance of the applicable law at the time before the date of coming into force of this Act and the conduct of inquiry has not completed, the conduct of inquiry shall continue until its completion;

(2) where there has been an inquiry or consideration in full compliance with the applicable law at the time before the date of coming into force of this Act, the conduct of inquiry or the consideration, as the case may be, shall be valid.

In case where the matter has been submitted or the inquiry report has been proposed or submitted to a standing sub-committee of a ministry or the Police Commission for its consideration in accordance with the applicable law at the time, and the standing sub-committee of a ministry or the Police Commission has not completed its consideration on such matter, the matter shall be proceeded in accordance with this Act.

Section 124. Any person who has been ordered to be discharged, dismissed or expelled, or ordered the discharge from service under the Administration of Police Officials Act, B.E. 2521 (1978) shall have the right to appeal in accordance with section 105.

Any person who has the right to complaint under the Administration of Police Officials Act, B.E. 2521 (1978) and Act on Police Discipline, B.E. 2477 (1934) may file a complaint in accordance with section 106.

Section 125. The recruitment of qualified Members of the Board of Royal Thai Police shall be completed within one hundred and eighty days from the date of coming into force of this Act.

During the recruiting process under paragraph one, the *ex officio* Members of the Board of Royal Thai Police under section 17 (1) shall perform their duties in the interim, and shall prescribe the criteria and procedure for the recruitment of qualified members of the Board of Royal Thai Police to be applied to such recruitment, such criteria and procedure shall be repealed upon the assumption of duties by the Board of Royal Thai Police under section 17.

Section 126. The recruitment of members of the Police Commission under section 30 (2) shall be completed within one hundred and eighty days from the date of coming into force of this Act.

During the recruiting process under paragraph one, the Police Commission under the Administration of Police Officials Act, B.E. 2521 (1978) shall perform duties in the interim.

Section 127. During such time that the promulgation of Royal Decrees or the issuance of Ministerial Regulations, Regulations of Police Commission, Rules, Prescriptions, Directives, Notifications, or Resolutions for the execution of this Act has not been made, the Royal Decrees, Ministerial Regulations, Regulations of Civil Service Commission, Rules, Prescriptions, Notifications, Resolutions or the applicable cases shall apply *mutatis mutandis*.

Section 128. The extent to which any matters which are being carried out or for which it was possible to carry out under the law on administration of police officials, the law on police discipline, the law on police ranks and the law on police uniforms in force on the day before the date of coming into force of this Act, and which are not provided for by this Act, may be carried out shall be determined by the Police Commission, in a manner not contrary or inconsistent with the law.

Countersigned by

Police Lieutenant General Thaksin Shinawatra

Prime Minister

Schedule for Salary Rates of Police Officials⁴⁸

⁴⁸ Schedule for Salary Rates of Police Officials as amended by Royal Thai Police Act (No. 3), B.E. 2558 (2015).

Schedule for Position Allowances of Police Officials⁴⁹

1. Executive Positions

Position	Rate (baht/month)
High-level Executive	
Pol.Gen. ,Pol.Lt.Gen.	21,000
Pol.Maj.Gen.	14,500
Pol.Col. with the salary rate of Special Pol.Col.	10,000
Mid-level Executive	
Pol.Col.	5,600

2. Specialist Professional or Specialist Expert Positions

Positions	Rate (baht/month)
Specialist Professional and Specialist Expert	
Pol.Gen. ,Pol.Lt.Gen.	15,600
Pol.Maj.Gen.	13,000
Pol.Col. with the salary rate of Special Pol.Col.	9,900
Specialist Professional	
Pol.Col.	5,600
Pol.Lt.Col.	3,500

3. Knowledge Worker Positions in Royal Police Cadet Academy

Positions	Rate (baht/month)
Professor, Pol.Col. Rank with the salary rate of Special Pol.Col. or higher	13,000
Associate Professor, Pol.Col. Rank with the salary rate of Special Pol.Col.	9,900
Associate Professor, Pol.Col. and Pol.Lt.Col. Ranks	5,600
Assistant Professor, Pol.Col. Rank	5,600
Assistant Professor, Pol.Lt.Col. and Pol.Maj. Ranks	3,500

⁴⁹ Schedule for Position Allowances of Police Officials as inserted by Royal Thai Police Act (No. 2), B.E. 2554 (2011).

Remarks: - The reasons for the promulgation of this Act are as follows. Whereas the laws relating to police officials, namely Administration of Police Officials Act, B.E. 2521 (1978), Act on Police Discipline, B.E. 2477 (1934), Police Ranks Act, B.E. 2480 (1937) and Police Uniforms Act, B.E. 2477 (1934) (No. 2), have been in force for a long time, with various provisions unsuitable to the development of the police's administration system under the present circumstances; therefore, it is expedient to revise such laws by consolidating them into one piece of legislation covering all matters relating to police officials, providing for the organization of the Royal Thai Police by dividing it into the Office of the Commissioner General and Bureaus so as to decentralize more powers to Bureaus, with the Board of Royal Thai Police in charge of formulating policy for the administration of the police service for the purpose of providing guidelines for the administration and operation of police officials in line with the said policy, and specifically entrusting the task of personnel administration to the Police Commission so as to increase fairness, propriety and efficiency in the administration of the police service, personnel administration, chain of command, appointments and rotation, or disciplinary proceedings; in addition, unranked positions of police officials are created and the position of inquiry official is separated from the existing positions of police officials, so as to improve the field of inquiry which is a crucial preliminary stage of the criminal justice system, thereby increasing the capacity of the criminal justice system under the responsibilities of police officials; accordingly, the enactment of this Act is required.

Notification of the Council for Democratic Reform No. 17 on the authorization of state administration powers⁵⁰

[Repealed by Notification of the Council for Democratic Reform No. 28 on the repeal of Notifications of the Council for Democratic Reform No. 17 dated 22 September B.E. 2549 (2006) and No. 18 dated 22 September B.E. 2549 (2006)]

Notification of the Council for Democratic Reform No. 18 on amendments to the law on the Royal Thai Police⁵¹.

⁵⁰ Published in the Government Gazette No. 123, Part 98 a, page 6, dated 24th September B.E. 2549.

⁵¹ Published in the Government Gazette No. 123, Part 98 a, page 7, 24th September B.E. 2549.

[Repealed by Notification of the Council for Democratic Reform No. 28 on the repeal of Notifications of the Council for Democratic Reform No. 17 dated 22 September B.E. 2549 (2006) and No. 18 dated 22 September B.E. 2549 (2006)]

Notification of the Council for Democratic Reform No. 28 on the repeal of Notifications of the Council for Democratic Reform No. 17 dated 22 September B.E. 2549 (2006) and No. 18 dated 22 September B.E. 2549 (2006)⁵².

Royal Thai Police Act (No. 2) B.E. 2554 (2011)⁵³

Section 6. During such time that the Royal Decree under section 67 paragraph three of the Royal Thai Police Act B.E. 2547 (2004), as amended by this Act, has not been promulgated, the Royal Decree relating to position allowances issued under Salaries and Position Allowances Act, B.E. 2538 (1995) shall apply *mutatis mutandis* to the receipt of position allowances by police officials under this Act.

Section 7. The Prime Minister shall have the charge and control of this Act.

Remarks: - The rationale for the promulgation of this Act is as follows – whereas the principal mission of police officials is the maintenance of peace and order, the prevention and suppression of criminal offences and the administration of justice for the people, in line with the nature of work required to be performed, it is expedient to have a schedule for salary rates and a schedule for position allowances specifically, as well as revising the structure of the salary system for police officials of certain positions so as to enable them to receive higher salaries, in line with the changing economic and social conditions; accordingly, the enactment of this Act is required.

Royal Decree on the increase of salary rates of police officials, B.E. 2554 (2011)⁵⁴.

Section 2. This Royal Decree shall come into force from 1 April B.E. 2554 (2011).

⁵² Published in the Government Gazette No. 123, Part 105 a, page 13, dated 3rd October B.E. 2549.

⁵³ Published in the Government Gazette No. 128, Part 17 a, page 1, dated 21st March B.E. 2554.

⁵⁴ Published in the Government Gazette No. 128, Part 31 a, page 1, dated 4th May B.E. 2554.

Remarks: - The rationale of the promulgation of this Royal Decree is as follows – whereas section 67 paragraph four of Royal Thai Police Act, B.E. 2547 (2004), as amended by Royal Thai Police Act (No. 2), B.E. 2554 (2011), provides that in case where it is expedient to increase the salary rates of police officials in line with the changing economic and social conditions, if such increase will be made in equal percentage for all rates and will not exceed ten percent of the applicable rates, upon approval for the expenditure budget from the National Assembly for such purpose, such increase shall be made by Royal Decree; whereas the currently applicable Schedule for Salary Rates of Police Officials is no longer in line with the economic conditions and rising living costs, it is expedient to make proper increases to the salary rates of police officials, by making an increase of five percent to all rates; accordingly, the issuance of this Royal Decree is required.

Notification of the National Council for Peace and Order No. 88/2557 on amendments to the law on Royal Thai Police⁵⁵.

Clause 7. Members of the Board of Royal Thai Police and members of the Police Commission who hold office on the day before the date of coming into force of this Act shall vacate office.

Clause 8. During such time that there is no qualified Member under section 17 (4), the Board of Royal Thai Police shall consist of the Prime Minister as President, Deputy Prime Minister entrusted by the Prime Minister as Vice President, Permanent Secretary for Defence, Permanent Secretary for Interior, Permanent Secretary for Industry and Director of Bureau of Budget as members, and the Commissioner General as member and secretary.

Clause 9. During such time that there is no qualified member of Police Commission under section 30 (4), the Police Commission shall consist of the Prime Minister as President of Police Commission, Commissioner General as Vice President of Police Commission, Secretary-General of Civil Service Commission, Senior Inspector General and Deputy Commissioner General as *ex officio* members of Police Commission.

Clause 10. As regards any matters which are being carried out under Royal Thai Police Act, B.E. 2547 (2004) before the date of coming into force of this Act and have not been completed, the Board of Royal Thai Police under clause 1 or the Police

⁵⁵ Published in the Government Gazette No. 131, Special Part 134 d, page 20, dated 21st July B.E. 2557.

Commission under clause 3, as the case may be, shall consider the appropriate course of action to be taken for such matters.

Notification of the National Council for Peace and Order No. 111/2557 on amendments to the law on Royal Thai Police⁵⁶.

Notification of the National Council for Peace and Order No. 114/2557 on amendments to the law on Royal Thai Police⁵⁷.

Royal Thai Police Act (No. 3), B.E. 2558 (2015)⁵⁸.

Section 2. This Act shall come into force from 1 December B.E. 2557 (2014).

Section 7. In the initial phase, the salaries currently received by police officials shall be increased in line with the salary rates in the Schedule annexed to this Act.

Police officials of Phor.1 level, Phor.2 level, Por.1 level, Por.2 level, Por.3 level, Sor.1 level, Sor.2 level and Sor.3 level shall receive salary at the rate that is one scale higher than their currently received rates under the salary rates schedule annexed to this Act.

Section 8. The Prime Minister shall have the charge and control of this Act.

Remarks: - The rationale for the promulgation of this Act is as follows – whereas it is expedient to increase the salary rates of police officials so that they are appropriate, fair and in line with standards, taking into account the changing living costs, remuneration in the private sector, fiscal conditions of the country, income disparity between different categories of government officials and other necessary factors, it is expedient to make proper adjustments to the Schedule for Salary Rates of Police Officials; accordingly, the enactment of this Act is required.

⁵⁶ Published in the Government Gazette No. 131, Special Part 143 d, page 24, dated 30th July B.E. 2557.

⁵⁷ Published in the Government Gazette No. 131, Special Part 143 d, page 28, dated 30th July B.E. 2557.

⁵⁸ Published in the Government Gazette No. 132, Part 43 a, page 10, dated 21st May B.E. 2558.

Order of the National Council for Peace and Order No. 44/2558 on solutions to the problems in the personnel administration of police officials⁵⁹.

Clause 5. The Police Commission shall proceed to issue Regulation of Police Commission in order to complete the execution of this Order within thirty days from the date of coming into force of this Order.

Clause 6. During such time that the Regulation of Police Commission under clause 5 has not been issued, the Regulations of Police Commission, Notifications, Resolutions or the relevant parts of existing applicable cases shall apply *mutatis mutandis* insofar as they are not contrary or inconsistent with the provisions of Royal Thai Police Act, B.E. 2547 (2004) as amended by this Order, until such time that the Regulation of Police Commission under clause 5 is issued and comes into force.

Clause 7. This Order shall come into force from the date of its publication in the Government Gazette.

Order of the Head of the National Council for Peace and Order No. 7/2559 on the creation of the positions of police official which have the power and duty to conduct inquiry⁶⁰.

Clause 9. The positions of inquiry official under section 44 (6), (7), (8), (9), (10) or (11) in any government agencies of the Royal Thai Police which were created under Royal Thai Police Act, B.E. 2547 (2004) shall be the positions under section 44 (6), (7), (8), (9), (10) or (11), as the case may be, in such government agencies of the Royal Thai Police.

Any person who holds the positions of inquiry official under section 44 (6), (7), (8), (9), (10) or (11) of Royal Thai Police Act, B.E. 2547 (2004) on the day before the date of coming into force of this Order, shall be deemed a person holding the positions under section 44 (6), (7), (8), (9), (10) or (11), as the case may be, and the holders of such position shall continue to perform duties in accordance with their powers and duties in the interim until such time that the actions taken under paragraph three are completed.

The Police Commission shall create or transfer the positions under paragraph one from one government agency to another government agency of the Royal Thai Police, and the Commissioner General shall complete the ordering of appointments of police

⁵⁹ Published in the Government Gazette No. 132, Special Part 322 d, page 31, dated 4th December B.E. 2558.

⁶⁰ Published in the Government Gazette No. 133, Special Part 36 d, page 7, dated 5th February B.E. 2559.

officials who hold such inquiry official position to hold the positions under section 44 (6), (7), (8), (9), (10) or (11) within ninety days from the date of coming into force of this Order.

The holders of position under paragraph two shall continue to receive special supplements under section 46 of Royal Thai Police Act, B.E. 2547 (2004) until such time that the actions taken under paragraph three are completed.

Clause 10. All provisions of any laws, regulations, rules, prescriptions, notifications, orders or resolutions of Council of Ministers which refer to Senior Professional Inquiry Official, Professional Inquiry Official, and inquiry official under section 44 (6), (7), (8), (9), (10) or (11) of Royal Thai Police Act, B.E. 2547 (2004) shall be deemed to refer to police officials who hold the positions under section 44 (6), (7), (8), (9), (10) or (11) who have the power and duty to conduct inquiry and who are in the field of inquiry, as the case may be.

Clause 11. This Order shall come into force upon the expiration of fifteen days from the date of its publication in the Government Gazette.