

*Translation*

Royal Thai Police Act

B.E. 2565 (A.D. 2022)

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KING MAHA VAJIRALONGKORN, REX.

Given on the 11<sup>st</sup> Day of October B.E. 2565;

Being the 7<sup>th</sup> Year of the Present Reign.

His Majesty King Maha Vajiralongkorn Phra Vajiraklaochaoyuhua, graciously gives the Royal Command, hereby proclaiming that

Whereas it is expedient to revise the law on the Royal Thai Police,

This Act contains certain provisions in relation to the restriction of rights and liberties of a person, in respect of which Section 26 in conjunction with Section 27 of the Constitution of the Kingdom of Thailand so permits by virtue of the provisions of law;

Rationales and necessities for restriction of and liberties of a person by this Act are to control the Personnel Administration of Police Officials based on a Merit System. There are the measures preventing abuse of power or action and allow police officials to perform their duties properly according to the honor and dignity of a police officer, within the police ethics and to comply with the national reform guidelines under Section 258 D(4) where the enactment of this Act is consistent with conditions prescribed in Section 26 of the Constitution of the Kingdom of Thailand.

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. 2565 (A.D. 2022)”.

Section 2. 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 The following shall be repealed: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) Royal Thai Police Act, B.E. 2547 (A.D. 2004);
- (2) Royal Thai Police Act, (No. 2) B.E. 2554 (A.D. 2011);
- (3) Royal Thai Police Act, (No. 3) B.E. 2558 (A.D. 2015);
- (4) Royal Thai Police Act, (No. 4) B.E. 2562 (A.D. 2019);
- (5) Notification of the National Council for Peace and Order (NCPO) No. 88/2557 on Amendments to law on the Royal Thai Police, dated 10 July 2014;
- (6) Notification of the National Council for Peace and Order (NCPO) No. 111/2557 on Amendments to law on the Royal Thai Police, dated 21 July 2014;
- (7) Notification of the National Council for Peace and Order (NCPO) No. 114/2557 on Amendments to law on the Royal Thai Police, dated 21 July 2014;
- (8) Order of the National Council for Peace and Order No. 44/2558 on Solutions to the Problems in the Personnel Administration of Police Officials, dated 4 December 2015;
- (9) Order of the Head of the National Council for Peace and Order No. 7/2559 on the Specification of the Positions of Police Official which have the Power and Duty to Conduct Inquiry, dated 5 February 2016;
- (10) Order of the Head of the National Council for Peace and Order No. 21/2559 on the Administration of the Royal Thai Police Office, dated 26 April 2016;
- (11) Order of the Head of the National Council for Peace and Order No. 7/2560 on the Improvement of the Promotion System of Police Official, dated 20 February 2017;

Section 4. In this Act,

“Police official” refers to 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” refers to the President of The National Police Policy Board of Thailand;

“Commission” refers to a member of The National Police Policy Board of Thailand;

“Fund” refers to the Criminal Investigation, Inquiry, Prevention and Suppression Fund;

“Bureau” refers to and includes other named government agency whose status is equivalent to a Bureau;

“Division” refers to and includes other named government agency whose status is equivalent to a division.

Section 5. The Prime Minister shall be in 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

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

(1) To provide security to His Majesty the King, Her Majesty the Queen, the Heir, the Regent, members of the royal family, royal representatives, and royal visitors;

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

(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 duties 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 assigned by the Prime Minister;

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

The duties and power under Paragraph one shall not restrict/override the duties and power of Local Administrative Organization in maintaining peace and order and traffic management within the territory of the administrative organization

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 prescribed by 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. The Royal Thai Police shall organize systems for the administration, the crime prevention and suppression operations, the maintenance of peace and order, and the maintenance of the people's security, which are suitable to the needs of each locality and community, whilst allowing Local Administrative Organization, private organizations and communities in the areas to participate in policy, budget, volunteering work, as well as monitoring police's performance subject to the criteria and procedures prescribed by The National Police Policy Board of Thailand (Gor. Tor. Chor.).

In case that Local Administrative Organization allocates subsidies to any police stations for the purpose of performing the duties of police officials and the affairs of such police station. Such subsidies shall not be sent as Government Revenue to Public Finance.

The participation of Local Administrative Organization, private organizations, or communities under Paragraph One shall be in accordance with the agreements concluded between the Royal Thai Police and such Local Administrative Organization or private organizations or communities

Section 8. Police officials may be classified into 2 types as following;

(1) Police Officials with Ranked Level such as a person whose position is stated under Section 62.

(2) Police Officials with Unranked Level such as a person whose position is stated in the group under Section 61 (2) and (5) as prescribed by the Police Commission.

The specification of types of position, methods of position classification, qualifications and prohibitions, instatement, appointment, governance, discipline and maintenance of discipline, disciplinary proceedings, salary rates, position allowance, additional allowance for the position as well as other matters as necessary for unranked police officials according to (2) shall be under the issuance of the Royal Decree. In addition, the duties regarding to proof or evidence demonstrate or the similar works, the Royal Decree shall specify that the officials will freely perform their duties.

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 National Police Policy Board of Thailand may require police officials to perform the duties on the dates and times which differ from what determined by the Council of Ministers.

## Title II

### Administration of the Royal Thai Police

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Section 10. The administration of the Royal Thai Police shall be rearranged in order to meet the mission of the state, including the efficiency, cost-effectiveness and facilitation and fairness to the public. It is the duty of the Royal Thai Police and the Commissioner-General to ensure that the police officials perform their duties with effectiveness, morality, ethics and have good quality of life.

Section 11. The Royal Thai Police shall be organized into the following government agencies:

(1) Office of the Commissioner General,

(2) Bureaus or other named government agencies whose status is equivalent to a Bureau Under the enforcement of Third Paragraph and Section 12, the separation of the government agency under (1) into Bureaus or the establishment of Bureaus under (2) shall be under the issuance of the Royal Decree, and the separation of the government agency into Divisions or other named government agencies or other unit or other lower status shall be under the issuance of Ministerial Regulations and the relevant powers and duties of each government agencies shall be clearly prescribed in such Royal Decree or Ministerial Regulations, as the case may be.

In case that the Bureau is divided into Divisions or other named government agencies or other unit under Paragraph Two, the manpower required for General Staff Unit in such Divisions shall be in the number that is only necessary to facilitate, support, maintain the operation of the Division and the police officials in operation unit.

Section 12 For the Benefit in providing public service to the people regarding to justice, prevention and suppression of the commission of criminal offences, maintenance of peace and order, safety of the people, the Royal Thai Police shall be divided according to Section 11, at least the following units;

(1) Metropolitan Police Bureau and Provincial Police Region which is a government agency called otherwise with a position equivalent to Bureau. The area for the operation is clearly specified and its responsibilities are to coordinate and gave instructions on the conciliation of power or to order the police officials under his affiliation to perform specific duties under the supervision of the Commissioner or a person temporarily assigned by the Commissioner for the term of no more than six months and when the mission is complete, he shall be return to his original agency;

(2) Metropolitan Police Division and Provincial Police Division which is a government agency called otherwise with a position equivalent to Division;

(3) Police Station

It shall be the duty and power of the Commissioner to supervise, promote, support, as well as to coordinate between agencies under supervision to ensure that Metropolitan Police Division or Provincial Police Division and police station operates effectively, including the work regarding to personnel development, personnel management supervision. In addition, to ensure that the police station, Metropolitan Police Division and Provincial Police Division have Sufficient budget and equipment for the performance of duties as prescribed by this Act and prescribed by the Royal Decree under Section 11 Paragraph Two

For the purpose of effective prevention and suppression of the commission of criminal offences and maintenance of peace and order, and safety of the locality or community, Metropolitan Police Bureau or Provincial Police Region will provide plans or measures to maintain peace and order as well as safety of people in the area in accordance with the needs of each locality or community. Therefore, when the National Police Policy Board of Thailand and the Cabinet have approved such plans or measures, Budget Bureau and Royal Thai Police shall consider an allocation of budget in accordance with such plans or measures.

In case Royal Thai Police has insufficient manpower, it shall allocate manpower to the police station, Metropolitan Police Division and Provincial Police Division, respectively, to meet the manpower framework firstly.

In specifying plans or measures under Paragraph Three, the discussion shall be jointly made among Bangkok Governor, Provincial Governor, District Chief, Police Station Chief, Local Administrative Organization and communities in accordance with the rules and procedures prescribed by the Ministerial Regulations

Section 13 Police stations shall be divided into the following levels:

- (1) a large police station; a chief of police station is in the position of superintendent;
- (2) a medium police station; a chief of police station is in the position of superintendent or chief inspector;
- (3) a small-level police station; a chief of police station is in the position of inspector;

The specification of the level of any police station shall be done by The National Police Policy Board of Thailand in which it shall consider the amount of workload, density of people in the area of responsibility, workforce and location of the police station.

### Title III

#### The National Police Policy Board of Thailand

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Section 14. There shall be The National Police Policy Board of Thailand, abbreviated as "Gor. Tor. Chor." It 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 Defense, Permanent Secretary for Interior, Permanent Secretary for Justice, Attorney General, Secretary - General of the Office, the Office of the Judiciary, and Director of Bureau of the Budget, as ex officio Members;

(4) Qualified committee in which the committees under (1) (2) (3) and (5) shall selected from the experts or the professionals in fields of strategy, law, organization development, mass communication, or information and communication technology, one for each field and one representative from public sector.

(5) The Commissioner General as the director and Secretary

The commissioner from the government agencies that responsible for the strategy planning and one police official appointed by the Commissioner General become assistant secretaries.

The Committees under (1) (2) (3) and (5) shall attend the meeting in person. The proxy is not allowed to attend the meeting on their behalf.

Criteria and methods for recruiting and selecting qualified committees under (4) shall be ruled by The National Police Policy Board of Thailand.

Section 15. The National Police Policy Board of Thailand shall have the powers and duties to specify the policy and strategy for the police official administration;

(1) To issue rules, regulations, stipulations notifications or pass the resolutions on the matters relating to the administration of the police officials, the administrative procedures, the improvement of police system as well as the monitor and evaluation of the Royal Thai Police's operation in compliance with this Act;

(2) To make recommendations for the issuance of the Royal Decree under Section 6 Paragraph Three;

(3) To determine the procedure and the process for the decentralization between the Royal Thai Police and Bureau or Provincial Police, between Bureau or Provincial Police and Local Administrative Organization.

(4) To monitor and ensure that the policy implementation and police administration is in compliance with this Act and other laws. For this purpose, there shall be audit and monitoring committees for Bangkok Metropolitan area, provincial area and police stations to audit, monitor and evaluate the performance of police officials in such areas and report to National Police Policy Board of Thailand for further actions as the case may be.



The composition, term of office, vacation of office, recruitment criteria and procedure, as well as powers and duties of the audit and monitoring committees shall be determined by Rules issued by The National Police Policy Board of Thailand and in which they will be published in the Government Gazette.

(5) To appoint the sub-committee as to perform other duties as entrusted by The National Police Policy Board of Thailand

(6) To perform other duties as entrusted by the cabinet or as the law specified that they are duties of The National Police Policy Board of Thailand

Section 16. A Qualified committee must be fully qualified and not be under any of the prohibitions as following:

- (1) Being of Thai nationality by birth;
- (2) Being Not less than forty years of age;
- (3) Not being a person holding a political position or office or a person holding a position in political party.
- (4) Not being an incompetent person, a quasi-incompetent person, of unsound mind or of mental infirmity;
- (5) Not being bankrupt;
- (6) Not having been sentenced by a final judgment to imprisonment, except for an offence committed through negligence or a petty offence;
- (7) Not having been expelled, dismissed or discharged from a government agency, state agency or state enterprise;
- (8) Not having been expelled, dismissed or removed from work on the ground of dishonest performance of duties;
- (9) Not having been ordered by a judgment or an order of a court that his assets shall be vested in the State on the grounds of unusual wealth or an unusual increase of assets;
- (10) Not being a managing director, manager or holding any other position with similar functions in a partnership or a company.

Section 17. A Qualified committee 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 committee who vacates office upon the expiration of term shall continue to perform his/her duties until a new qualified committee who has been selected assumes his/her duties.

Section 18. In addition to the vacation of office specifically provided in Section 17, a Qualified committee vacates office upon:

- (1) Death;
- (2) Reaching seventy years of age;
- (3) Resignation;
- (4) Being disqualified or under the prohibitions under Section 16;

(5) The National Police Policy Board of Thailand passed a resolution by a majority of not less than two-thirds of all Members requiring vacation of office due to disgraceful behavior, or an unsuitable conduct or characteristic to the performance of duties as committee;

(6) Register for a political candidate, become a Member of the House of Representatives, Senator, member of Administrative Organization Council, Chief Executive of local Administrative Organization Council or Deputy Chief Executive.

Section 19 In the event where a qualified committee member vacates office before the expiration of his/her term, a replacement qualified committee member shall be appointed except when the remaining term of office is less than ninety days, a replacement qualified committee member may not be appointed. The appointed replacement committee member shall hold office for the remaining term of the member whom he/she replaces.

During the time when a qualified committee member vacates office before the expiration of his/her term, The National Police Policy Board of Thailand shall consist of the remaining committee.

In event that the term of the appointed replacement committee member is less than two years, it is deemed that he/she does not hold office according to Section 17.

Section 20 When a qualified committee member will vacate office on the expiration of his/her term, the appointment of the new qualified committee shall be done within ninety days before the expiration of his/her term.

Section 21. At a meeting of The National Police Policy Board of Thailand, the presence of not less than one half of Members is required to constitute a quorum.

At any meeting of the Committee, if the President does not attend or is unable to perform the duty, the Vice President shall serve as the President in such meeting. If both the President and the Vice President do not attend or are unable to perform the duty, the members present shall elect one among themselves to preside over the meeting.

The President is a person whom summon the meeting. However, in case that no less than one-third of the committee request the summon of meeting, the President shall summon the meeting within seven days from the date of the receipt of the request.

The National Police Policy Board of Thailand has a power to issue the regulation regarding to The National Police Policy Board of Thailand's meeting and resolution as well as the committee's and the sub committee's according to Section 15 (4) and (5)

The National Police Policy Board of Thailand shall hold the meeting at least four times in a year.

#### Title IV

#### The Police Commission

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Section 22. There shall be The Police Commission, abbreviated as "Gor. Tor. Ror." It shall consist of:

- (1) The Prime Minister, as President of Police Commission;
- (2) The Commissioner General, as Vice President of Police Commission;
- (3) Secretary-General of the Civil Service Commission, Secretary-General of the Public Sector Development Commission Members, Five Deputy Commissioner General in the seniority order, Inspector General, as the Police Commission;

(4) Qualified committee of Police Commission in which the committees shall be selected under Section 26 as following;

(a) Three ex-police officials whose last positions are commissioner or equivalent to commissioner or higher. They shall be retired or removed from being the police officials for over a year;

(b) Three Qualified committees whom have never been police officials in which the Police Commission under (1) (2) and (3) shall jointly discuss and select six candidates whom have the qualifications and not been under the prohibitions as prescribed by Section 24, The police officials shall reduce the number to three persons.

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.

The Police Commission under (1) (2) and (3) shall attend the meeting in person. The proxy is not allowed to attend the meeting on their behalf.

Section 23. The Police Commission shall have the powers and duties as follows:

(1) To determine the standards for the police personnel management in accordance to the Merit system and to organize of the police official system, as well as the policies and standards of police training and development. Therefore, if the Police Commission has specified the regulations, plans and strategies in general. Such specification shall be complied with The National Police Policy Board of Thailand's regulations, plans and strategies and the Police Commission shall inform such matter to the National Police Policy Board of Thailand;

(2) Under Section 77, to issue Rules of the Police Commission, Regulation, Provision, Requirement, and Notification or Resolution regarding to the personnel management for the purpose of the execution of this Act. However, it shall not affect the power of Promotion and Transference of the Commissioner;

(3) To set minimum standards regarding manpower, equipment, and tools used in operations of the Police Station, Metropolitan Police Division and Provincial Police Division in which at least the minimum manpower of each units under Section 61 (3) shall be determined in order to be sufficient for the performance of duties in providing justice and services to the people. The workload shall be taken into consideration for the determination of the number of Case Officers in the Police Station, Metropolitan Police Division and Provincial Police Division. A number of investigating officers provided to conduct investigation works shall be sufficient. and there shall be assistant investigating officers in the number suitable for the workload;

(4) To consider and approve the selection of police officials for the appointment of the Commissioner General as proposed by the Prime Minister

(5) To supervise and monitor the Promotion and Transference of police officials of the Commissioner in every procedure to strictly be in accordance with this Act and the Rules of the Police Commission;

(6) To Evaluate the performance of human resource management of police officials in order to maintain fairness and personnel management standards as well as auditing and monitoring the operation to be complied with this Act;

(7) To allocate the police workforce to the police stations in the number that is sufficient to perform the duties and to supervise the budget allocation to government agencies in the sufficient amount;

(8) To issue rules regarding to the examination, recruitment, appointment, promotion, salary increase, disciplinary proceedings, termination of service, or other actions relating to personnel management under this Act as long as it is not contrary to or inconsistent with this Act;

(9) To report to the Cabinet for the purpose of revising the salary rates, position allowance, additional allowance, cost of living, welfare or other benefits for police officials as appropriate;

(10) To determine the ranks to be appointed the salary rates to be received for each degree and certificate;

(11) To determine the fee rates for operation relating to personnel management carried out under this Act;

(12) To consider the approval of the change in personal records relating to date of birth and the supervision of the retirement of police officials;

(13) To adopt a resolution ordering the rectification by the Royal Thai Police in case where it is deemed that an operation relating to personnel management 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. Therefore, the Prime Minister has an authority to order that Commissioner General and an interested officer to comply with such resolution of the Police Commission to transfer to other position;

(14) To appoint sub-committees to perform the duties as assigned by the Police Commission;

(15) To operate in accordance to the powers and duties provided in this Act and other laws.

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

Section 24 Qualified committee of Police Commission under Section 22 (4), beside the qualification under Section 22 (4) (a) or (b), he/she must be fully qualified and not be under any of the prohibitions as following:

- (1) Being of Thai nationality by birth;
- (2) Being not less than forty years of age;
- (3) Not being an official or employee or staff of the government agencies
- (4) Not being a person holding a political position or office or a person holding a position in political party;
- (2) Not being an incompetent person, a quasi-incompetent person, of unsound mind or of mental infirmity;
- (3) Not being bankrupt;
- (4) Not having been sentenced by a final judgment to imprisonment, except for an offence committed through negligence or a petty offence;
- (5) Not having been expelled, dismissed or discharged from a government agency, state agency or state enterprise;
- (6) Not having been ordered by a judgment or an order of a court that his assets shall be vested in the State on the grounds of unusual wealth or an unusual increase of assets;
- (7) Not being a managing director, manager or holding any other position with similar functions in a partnership or a company.

A Qualified committee of Police Commission under Section 22 (4) (b) shall have any one qualification as following;

- (1) Used to serve in the government service at a position not lower than the Director-General or equivalent or not lower than the Chief Judge or not lower than the Chief Prosecutor;
- (2) Used to be a full-time lecturer in a public higher education institution in the field of Law, Political Science, Public Administration, Criminology, or other fields that are beneficial to the operation of the Police Commission as well as holding or having held a position not lower than Associate Professor. In the case of holding the position of Associate Professor, the term in such position shall be for not less than five years.

(3) To work or used to work in civil society or human rights protection for not less than ten years;

(4) To work or used to work in the field of mass communication or information and communication technology for not less than ten years.

Section 25 The police official whose position is Deputy Superintendent or equivalent or higher shall be responsible for the selection of Qualified committee of Police Commission under Section 22 (4).

Section 26 The procedure for the selection of Qualified committee of Police Commission under Section 22 (4) shall be as following;

(1) The Police Commission has a resolution to specify the selection date for of Qualified committee of Police Commission and the appointment of committee to carry out matters related to the selection of Qualified committee of Police Commission;

(2) The Office of the Police Commission announce the recruitment of the committee and prepare a list of the qualifications and is not under any of the prohibitions under Section 24 for the candidates who apply for selection as a member of the Police Commission under Section 22 (4) (a) and notify the President of the Police Commission to request the committees under Section 22 (1), (2) and (3) jointly nominate persons to be elected as Qualified committees under section 22 (4) (b);

(3) Not less than fifteen days before the selection date, the Secretary of the Police Commission shall send the list of candidates and the names that the Police Commission members by its position has selection under (2) in Alphabetical order to the Selection Committee. The Selection Committee shall organize the selection process and announce the selection results according to the criteria and procedures of the committee. The selection is scheduled which shall at least be defined as direct and secret one. Subject to such criteria, the objection on the selection and the consideration of the objection shall also be specified;

(4) The name list of candidates under section 22 (4) (a) and (b) shall be sorted by the scores. A person who receives the highest voting scores shall be selected as a qualified Committee of the Police Commissioner and the list of candidates who received high scores in next order for (a) in the number of not more than fifteen people and for (b) in the number of not more than three people shall be put in reserve list. However, the reserve list shall remain in force until a new qualified Committee of the Police Commissioner is selected.

In case it appears that the candidates have equal scores that lead to the fact that the scores cannot be sorted in order. The Commissioner General shall openly draw the names in order to sort them in order of first-come-first-served numbers.

The supervising officials or anyone is prohibited from ordering, intimidating or persuading in any way to select or not select any person to be a qualified committee of the Police Commission.

Any supervisor who violates Paragraph Three shall be regarded as serious disciplinary action and shall be subject to penalties under Paragraph Five as well.

Whoever violates Paragraph Three shall be liable to imprisonment for a term not exceeding six months.

The criteria and procedure for the selection of qualified committee of Police Commission under Section 22 are prescribed by Rules of Police Commission.

Section 27 The Qualified committee of Police Commission shall hold office for a term of four years and shall only hold office for one term.

The Qualified committee who vacates office upon the expiration of term shall continue to perform his/her duties until a new qualified committee who has been selected assumes his/her duties.

Section 28. In addition to the vacation of office specifically provided in Section 27, a Qualified committee of Police Commission vacates office upon:

- (1) Death;
- (2) Reaching seventy years of age;
- (3) Resignation;
- (4) Being disqualified or under the prohibitions under Section 24;
- (5) The Police Commission passed a resolution by a majority of not less than two-thirds of all Members requiring vacation of office due to disgraceful behavior, or an unsuitable conduct or characteristic to the performance of duties as committee;
- (6) Register for a political candidate, become a Member of the House of Representatives, Senator, member of Administrative Organization Council, Chief Executive of local Administrative Organization Council or Deputy Chief Executive;
- (7) Being selected as the committee of The Police Complaint Review Board under Section 44.

Section 29 In the event where a qualified committee of Police Commission under Section 22 (4) (a) or (b) vacates office before the expiration of his/her term, a person named in the reserve list under 26 (4)



in order shall be appointed as a qualified committee under Section 22 (4) (a) or (b), as the case may be and he/she shall hold office for the remaining term of the member whom he/she replaces.

In event that the term of the appointed replacement committee member is less than two years, it is deemed that he/she does not hold office according to Section 27.

Section 30 When a qualified committee member will vacate office on the expiration of his/her term, the appointment of the new qualified committee shall be done within ninety days before the expiration of his/her term.

Section 31. At a meeting of The Police Commission, the presence of not less than one half of members is required to constitute a quorum.

At any meeting of the Police Commission, if the President does not attend or is unable to perform the duty, the Vice President shall serve as the President in such meeting. If both the President and the Vice President do not attend or are unable to perform the duty, the members present shall elect one among themselves to preside over the meeting.

The President of the Police Commission is a person whom summon the meeting. However, in case that no less than one-third of the committee request the summon of meeting, the President shall summon the meeting within seven days from the date of the receipt of the request.

The Police Commission has a power to issue the regulation regarding to The Police Commission's meeting and resolution as well as the committee's and the sub committee's according to Section 23 (14).

Section 32. In the case where the Police Commission has duties provided in this Act , the Commissioner General shall propose the matter to the Police Commission, but does not deprive any member of the police commissioner to propose

#### Title V

#### The Police Merit Systems Protection Board

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Section 33. There shall be The Police Merit Systems Protection Board, abbreviated as "Gor. Phor. Khor. TorRor." It shall consist of Seven committee as appointed by the Prime Minister under Section 35.

The Police Merit Systems Protection Board members shall work full-time.

Section 34 A person whom is appointed as The Police Merit Systems Protection Board member shall have the following qualifications;

(5) Being of Thai nationality by birth;

(6) Being not less than forty-Five years of age and not over Seventy years old on the 1<sup>st</sup> January of the year that he/she is appointed;

(7) Having any one qualification as following;

(a) Used to serve in the government service at a position not lower than the Director-General or equivalent;

(b) Used to serve in the government service as police official at a position not lower than the Commissioner or equivalent;

(c) Used to serve in the government service at a position not lower than the Court of Appeal Judge or equivalent;

(d) Used to serve in the government service at a position not lower than the Executive Director or equivalent;

(e) Used to be a lecturer in a public higher education institution in the field of Law, Political Science, Public Administration, or other fields related to administration of state affairs as well as holding or having held a position not lower than Associate Professor. In the case of holding the position of Associate Professor, the term in such position shall be for not less than five years.

Section 35 There shall be a Selection Committee for the Police Merit Systems Protection Board member in which it consists of President of the Supreme Administrative Court, as the president, one Vice President of the Supreme Court who is designated by President of the Supreme Court, one qualified member of the Police Commission who is assigned by the Police Commissioner and Secretary-General of the Civil Service Commission, as a director and secretary.

The selection committee shall have the duty to select seven qualified persons under Section 34. At least one qualified person shall be selected according to Section 34 (3) (b) and at least one qualified person shall be selected according to according to section 34 (3) (c) or (d). At least three substitutes shall be listed, unless there is no person in such category to choose from.

After the due of the period under Section 37 Paragraph One or Paragraph Two, as the case may be, the persons whom are selected under Paragraph Two shall organize the meeting and elect one member among themselves to be President of Police Merit Systems Protection Board and one member to be a committee and secretary and then proposed to the Prime Minister for appointment

The Commissioner of the Office of the Police Commissioner shall be the assistant secretary of the Police Merit Systems Protection Board.

Criteria and procedure for recruiting and selecting the Police Merit Systems Protection Board member shall be prescribed by the Selection Committee.

Section 36 In addition to the prohibited characteristics under Section 24 Paragraph One (4) (5) (6) (7) (8) (9) and (10), the Police Merit Systems Protection Board member shall not have following prohibited characteristics;

- (1) Not being the official or officer or employee of any government agencies or any person;
- (2) Not being the director of state enterprise.
- (3) Not being a committee in the central personnel management unit of the government agencies;
- (8) Not work or have an occupation or hold a position or operate or be the director of the government agencies or private sector in which it is against the performance of the duties.

Section 37 In case that any selected person to become The Police Merit Systems Protection Board member is subject to any of the prohibitions under Section 24 Paragraph One (10) or Section 36 (1), (2), (3) or (4), such person shall resign from being such prohibited person or showing evidence to believe that he/she has ceased to engage in an occupation or professional or to conduct such prohibited activities to the Assistant Secretary of the Police Merit Systems Protection Board within fifteen days from the date of selection.

In the event that any selected person to become The Police Merit Systems Protection Board member has not resigned or ceased his/her occupation or profession or business within the period specified in Paragraph One, it shall be deemed that such person has never be selected as The Police Merit Systems Protection Board member. The person named in the reserve list shall be selected as substitutes and the provisions of Paragraph one shall also apply to such replacement *mutatis mutandis*, in which a period of fifteen days starts from the date of being replaced.

Section 38 The Qualified committee of Police Merit Systems Protection Board shall hold office for a term of four years and shall only hold office for one term.

The Qualified committee of Police Merit Systems Protection Board who vacates office upon the expiration of term shall continue to perform his/her duties until a new qualified committee who has been selected assumes his/her duties.

Section 39. In addition to the vacation of office upon the expiration of term, a Qualified committee of Police Merit Systems Protection Board vacates office upon:

- (1) Death;

- (2) Resignation;
- (3) Reaching Seventy-Five years of age;
- (4) Being disqualified under Section 34 or having the prohibited characteristics under Section 36;
- (5) Having been sentenced by a final judgment to imprisonment, including suspended Sentence, except the suspension for an offence committed through negligence or a petty offence or Defamation offence;
- (6) Being able to work full time and consistently under the regulations of the Police Merit Systems Protection Board.

When an event under Paragraph One occurs, the remaining Police Merit Systems Protection Board members may continue to perform their duties and it shall be deemed that the Police Merit Systems Protection Board consists of the remaining members of the Police Merit Systems Protection Board, unless the number of the Police Merit Systems Protection Board members is less than four persons.

When there is an event under Paragraph One or in the case where a member of the Police Merit Systems Protection Board vacates office at the expiration of the term, the selection committee shall select that candidate for the Police Merit Systems Protection Board member to replace the one whom vacates office immediately.

Section 40. The Police Merit Systems Protection Board has the following duties and powers;

- (1) To advice to the Police Commission, thus the Police Commission can set or revise the human resource policies related to the Merit Systems Protection;
- (2) To consider and make a decision for the appeals under Section 141 (2);
- (3) To consider and make a decision for the complaints under Section 148;
- (4) To consider the matter related to the merit system protection under Section 150;
- (5) To issue rules of Police Merit Systems Protection Board, regulations, criteria and procedures for the execution of this Act. Rules of Police Merit Systems Protection Board shall come into force upon their publication in the Government Gazette;
- (6) To perform any other duties as prescribed by this Act or other laws in which they are defined to be duties and powers of Police Merit Systems Protection Board;

In the performance of duties under (2) and (3), the Police Merit Systems Protection Board shall consider and make a decision on its own. It shall not assign any person or group of persons to consider or make a decision on its behalf. For performing other duties under Paragraph one, the Police Merit Systems Protection Board may appoint a group of persons or assign any person to study or propose to the Police Merit Systems Protection Board for further consideration and resolution.

Should the decision of the Police Merit Systems Protection Board under (3) is made whether the Rules of Police Merit Systems Protection Board is contrary to or inconsistent with this Act, or not, such decision is deemed to be final.

Section 41. Police Merit Systems Protection Board shall receive position allowance and other benefits as prescribed by the Royal Decree. He/She has a right to receive travel expenses under the Royal Decree regarding travel expenses for government officials as well as those whom holds high-level executive positions.

In a consultation meeting for decision making or other performance of the duties, the chairman and Merit Systems Protection Board members, secretary and assistant secretary shall receive meeting allowances as prescribed by the Police Commission in which it is approved by the Ministry of Finance.

Section 42. Meetings of the Police Merit Systems Protection Board shall be in accordance to the regulations prescribed by the Police Merit Systems Protection Board.

## Title VI

### The Police Complaint Review Board

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Section 43. There shall be the Police Complaint Review Board, abbreviated as "Gor. Ror. TorRor." Its duties and power is to consider complaints regarding to the suffer or unfair treatment of the people from the wrongful actions or neglectful actions of the police officials or Indecent conduct and detrimental action to the dignity of the police officials as well as committing a disciplinary offense or violating the Code of Ethics and the Code of Conduct for the Police officials. The Board consists of the President of the Police Complaint Review Board and Board members which the Prime Minister appoints from the following persons;

- (1) One person who is jointly elected by Ombudsman and National Human Rights Commission;
- (2) One person who served in the government service at a position not lower than the Court of Appeal Judge or equivalent and is elected by the Judicial Commission;
- (3) One person who served in the government service at a position not lower than the Executive Director or equivalent and is elected by the Public Prosecutor Commission;
- (4) Three persons who served in the government service as police officials at a position not lower than the Commissioner or equivalent in which the Police Commission selects from candidates according to the method specified in Section 44.

(5) One lawyer who has practiced a law for not less than twenty years and is elected by the Lawyers Council

(6) Two provincial representatives from Sub-district Community Organization Council in which they are elected at the national meeting of the Community Organization Council. At least, one of them shall be female.

Senior Inspector General shall be a board member and secretary of the Police Complaint Review Board and the Police Complaint Review Board shall have the power to appoint Police officials holding positions not lower than Commander or equivalent in the Office of the Inspector General in the number of no more than two persons to be assistant secretary of the Police Complaint Review Board.

When the number of the board member is not less than seven persons, the board members shall hold the meeting to elect the one director from the directors under (1), (2), (3) or (4) to be the chairman of the Police Complaint Review Board. At such meeting. The number of directors attending a meeting shall not less than seven persons. While the number of directors of the Police Complaint Review Board does not reach the requirement, it shall be deemed that the Police Complaint Review Board consists of the existing numbers for the time being.

The Royal Thai Police Agency shall publish the list of the Police Complaint Review Board in the Government Gazette.

The directors under (1), (2), (3) and (4) shall perform their duties full-time.

Section 44. For the selection of the directors of the Police Complaint Review Board under Section 43 (4), the procedure shall be following;

(1) The Police Commission shall select the persons whom were elected to become the member of the Police Commission under Section 22 (4) (a), in which it asked the willingness of the such persons one by one in order from a person who received the highest voting scores under Section 26 (4) until it reaches the required numbers.

(2) In the event that the number of willing persons are insufficient, it can select the willing persons from the reserve list under Section 26, in order from a person who received the next high voting scores until it reaches the required numbers.

(3) When Qualified committees of Police Commission are selected as the directors of the Police Complaint Review Board, they shall vacate the office of the Police Commission. The person in the next high score in the reserve list shall be select as the replacement.

(4) In the case where the Police Commission selects a person from the reserve list under (3), such person shall be removed from the reserve list under section 26

Section 45. Directors of the Police Complaint Review Board shall be not less than forty years of age and not more than seventy years of age on the day of selection. They shall be healthy, Honest and have qualifications and not have any prohibited characteristics under Section 24 Paragraph one (4), (5), (6), (7), (8), (9) and (10).

Section 46. Directors of the Police Complaint Review Board shall hold office for a term of four years. and can hold the position only one term

Directors of the Police Complaint Review Board who vacate office upon the expiration of term shall continue to perform their duties until new selected directors assume their duties.

The provisions of Section 31 Paragraph One, Paragraph Two and Paragraph Three shall apply to the meeting of the Police Complaint Review Board mutatis mutandis, and the Police Complaint Review Board shall have the power to issue regulations on meetings and resolutions of the Police Complaint Review Board.

Section 47. Directors of the Police Complaint Review Board who perform full-time duties shall receive position allowance, benefits and travel expenses which are the same as the Police Merit Systems Protection Board. Other directors of the Police Complaint Review Board shall receive the remuneration as prescribed by Royal Decree.

Section 48. In performing duties and exercising powers of the Police Complaint Review Board, the Police Complaint Review Board shall pass a resolution to appoint one or more directors of the Police Complaint Review Board to perform the duties on behalf of the Police Complaint Review Board in which I shall be complied with the rules, procedures and conditions prescribed by the Police Complaint Review Board.

Section 49 For the benefit of the performance of duties of the Royal Thai Police, the Senior Inspector General shall arrange his/her police official in the Office of the Inspector General to assist the Police Complaint Review Board and perform the duties as assigned by the Police Complaint Review Board. Therefore, the number and level of positions are prescribed by the Police Complaint Review Board.

For merit consideration in order to increase the salary of the police officials under Paragraph One, the supervising official shall consider according to the resolutions of the Police Complaint Review Board, but the resolutions of the Police Complaint Review Board shall be consistent with the budget allocated.

Section 50. Any person who is not treated fairly by the actions or omissions of the police officials or witnessed inappropriate behavior of the police officials that degraded their dignity as well as a disciplinary breach or violation of the code of ethics, he/she has a right to complain to the Police

Complaint Review Board according to the criteria and procedures prescribed by the Police Complaint Review Board. Such criteria and procedures shall not have unnecessary methods and cause unreasonable burdens to people.

Section 51 When it appears to the Police Complaint Review Board by any means whether there is a complaint or not, that any Police official who does or does not commit an unlawful act or Indecent conduct and detrimental action to the dignity of the police officials as well as committing a disciplinary offense or violating the Code of Ethics and the Code of Conduct for the Police officials, the Police Complaint Review Board shall have power to investigate the facts. The Police Complaint Review Board shall proceed the investigation itself or assign the police officials in the Office of the Inspector General to conduct preliminary fact-finding and report to the Police Complaint Review Board on issues prescribed by the Police Complaint Review Board. In the event that it is not an issue that causes direct suffer to the public, the assigned police officials will send the matter to his/her supervisor for disciplinary action and report the results to the Police Complaint Review Board for acknowledgement.

In the event that the Police Complaint Review Board considers that the case has no grounds, it shall order the matter to be terminated. However, if the Police Complaint Review Board considers that matter is a disciplinary breach, the Police Complaint Review Board shall submit a file of consideration and decision together with evidence to the supervising official who have the power to consider the punishment as soon as possible in which the supervising official shall not conduct an investigation or interrogation unless the supervising official has new evidence showing that the accused had not committed the offence as accused or committed the offence that was different from what he/she is accused. The supervising official may request the Police Complaint Review Board to reconsider the case in writing and submit the evidence to the Police Complaint Review Board within thirty days from the date of receipt of the file from the Police Complaint Review Board. However, if any case is subject to fraud, the Police Complaint Review Board shall submit the case together with evidence to the National Anti-Corruption Commission or the Public Sector Anti-Corruption Commission, as the case may be. In the event that the Police Complaint Review Board has a decision that the accused has committed a discipline breach, the Police Complaint Review Board will order the supervising official of the accused to take disciplinary action without waiting for the result from the National Anti-Corruption Commission or the Public Sector Anti-Corruption Commission. In the event that it is deemed appropriate to alleviate the suffer of the public or prevent damage to the official service, the supervising official may order the suspension of such person for the time being until the disciplinary action is completed. It shall deem that such suspension of government service is the order government service suspended under Section 131.



Inquiry and consideration shall be in accordance with the rules and procedures prescribed by the Police Complaint Review Board. There shall be at least a measure regarding to confidentiality of complainants or accusers, measure regarding to the fast process, hearing to the explanation of the accused

In the event that any supervisor fails to comply with Paragraph Two without reasonable cause, it shall be deemed as a serious breach of discipline.

In the event that the Police Complaint Review Board considers that even though the case is no ground as it is in compliance with the regulations, provisions, or resolutions of the Police Commission. However, if the regulations, provisions, or resolutions of the Police Commission may not in accordance to good public affairs management, the Police Complaint Review Board shall give advice to the Cabinet, the Police Commission or any other relevant agencies to review such regulations, provisions, or resolutions of the Police Commission.

Section 52. In conducting a fact-finding inquiry, the Police Complaint Review Board shall have the following powers:

(1) To summon the complainant, complained person, officer or any other person to clarify or express an opinion or submit relevant documents and evidence for consideration. Section 128 shall be applied *mutatis mutandis*;

(2) To notify the supervising official of the complained Police official in order to consider ordering such police official to perform other duties temporarily during the fact-finding inquiry.

The police officials assigned by the Police Complaint Review Board under Section 51 Paragraph one shall have the powers under (1), however, in the case under (2), they shall submit to the Police Complaint Review Board for consideration.

In order to proceed under (1) in relation to complainants and witnesses, a person who call a summon shall concern with the safety of the complainants and witnesses and not cause trouble or undue burden. For this purpose, the Police Complaint Review Board shall determine the measures to protect complainants and witnesses in accordance to the criteria and procedures prescribed by the Police Complaint Review Board. In the case where it deems appropriate, it may assign Witness Protection Office, Ministry of Justice to protect the witnesses. The complainants and witnesses under this Act shall be deemed to be the witnesses under Regulation on Witness Protection in Criminal Cases.

The Police Complaint Review Board shall determine the criteria on rates and methods for travel payment, accommodation rental and witness compensation. In the case where it is necessary to request the witnesses to give additional statements before of the Police Complaint Review Board, such criteria is applicable upon the approval of the Ministry of Finance and publication in the Government Gazette.

Section 53 The Office of the Inspector General shall be responsible for administration, assistance and support of the performance of duties of the Police Complaint Review Board and other duties as assigned by the Police Complaint Review Board.

## Title VII

### Police Ranks and Classification of Police Officials

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Section 54. 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 Sergeant Major

Police Sergeant Major

Police Sergeant

Police Corporal

Police Lance Corporal

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

Section 55. There shall be police officials in the classes as follows:

(1) Commissioned Police officials hold ranks ranging from Sub-Lieutenant or higher;

(2) Non-Commissioned Police officials are ranked as Police officials with Rank of Police Lance Corporal, Police Corporal, Police Sergeant, Police Sergeant Major or Police Senior Sergeant Major rank;

(3) 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 56. The appointment of Commissioned Police officials shall be in accordance with the criteria and procedure stipulated in the Regulation of Police Commission and shall be affected by Royal Proclamation.

The appointment of Commissioned Police Officer ranks in special circumstances maybe made by Royal Proclamation.

During such time that no Royal Proclamation has been made to appoint Commissioned Police Official, the temporarily appointment may be made such Commissioned Police Official ranks in which the following persons shall act as appointing officer:

(1) For the ranks of Acting Police Major General and higher, the appointment is made by the Prime Minister;

(2) For the ranks of Acting Police Sub-Lieutenant but not higher than Police Colonel, the appointment is made by the Commissioner General.

Section 57. The appointment of Non-Commissioned Officer ranks shall be ordered by the Commissioner General or a supervising official at the position of Commissioner or higher who has been entrusted by the Commissioner General in accordance with the criteria and procedure stipulated in the Regulation of Police Commission.

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

Section 58. The removal or relinquishment of Commissioned Officer ranks shall be in accordance with the Rules of Royal Thai Police and shall be effective by Royal Proclamation.

Section 59. 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 56 Paragraph Three or Section 27, as the case may be, in accordance with the Rules of Royal Thai Police.

#### Title VIII

#### The Rules and Regulations of Police Officials

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## Chapter 1

Police Officials Administration

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Section 60. The Administration of the Police Officials shall be under this Act in which it shall take the merit system into consideration as following;

(1) For the recruitment of person for government service and the appointment to positions, it shall consider the knowledge, competence of persons, equality, fairness and benefits of the government.

(2) For the management of human resource, it shall consider the achievement and efficiency of the organization and nature of work without unfair discrimination.

(3) The merit consideration, promotion and other benefits to police officials shall be fair in which it shall consider the seniority, work performance, potential and behavior. The political opinions or political party affiliation shall not be taken into consideration.

(4) Disciplinary proceedings shall be fair and without prejudice.

(5) Human resource management shall be politically neutral.

## Chapter 2

Positions and Position Determination

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Section 61 The police official positions can be divided into 5 groups as follows:

(1) Management Group;

(2) General Administration and Support Group;

(3) Investigation Group, such as Investigation work, Interrogation work, and other work prescribed by the Police Commission;

(4) Prevention and Suppression Group, such as crime prevention and suppression work and other work prescribed by the Police Commission;

(5) Specific Professional Group

Under these groups, the line of work and position shall be prescribed by the Police Commission in which it shall not be contrary to or inconsistent with the division of groups under Paragraph One.

Section 62 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, determine the positions which are titled otherwise and whose title may be referenced with those under Paragraph one.

For the benefit in working in the investigation group, besides the police official positions under Paragraph One, the Police Commission shall set the position of Deputy Inspector in the Police Station or other Supervision Division that engages investigation works at the number of persons deemed appropriate. This position can be adjusted its level up to the level of deputy superintendent. The position of superintendent in the Metropolitan Police Division, Provincial Police Region or other Supervision Division that engages investigation works is set at the number of persons deemed appropriate. This position can be adjusted its level up to the level of Deputy Commander.

Section 63 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. To formulate the direction and action plans for the Royal Thai Police, as well as to determine the priorities in the Royal Thai Police's annual action plans, whilst ensuring they are in compliance with the policy and direction for the action plan as set out by the Prime Minister and the National Police Policy Board of Thailand. The responsibilities shall also include directing, expediting, monitoring and evaluating the performance of the government agencies in the Royal Thai Police that directly under the Prime Minister;

(2) To be the supervising official of the police officials in the Royal Thai Police;

(3) To be responsible for the operation of the Office of the Commissioner General;

(4) To set rules or issue specific orders for the operation of the police officials in relation to the exercise of powers or the performance of duties pursuant to the Criminal Procedure Code or other laws. Such regulations and orders are not contrary to or inconsistent with the Criminal Procedure Code or this Act;

(5) To be responsible for supervising and monitor the Promotion and Transference to be strictly in compliance to this Act and Rules of the Police Commission;

Section 64. There shall be a Deputy Commissioner General, Senior Inspector General, Assistant Commissioner General or Deputy Senior Inspector General acting as supervisor of the police officials. The responsibility is to perform the official duties below the Commissioner General as required or entrusted by the Commissioner General.

Section 65. In a Bureau, there shall be a Commissioner who acts as supervisor of the police officials and the responsibility is to perform the official duties of such Bureau, under the direct command of the Commissioner General. In addition, there may be Deputy Commissioners who act as the supervising official and are responsible for the performance of official duties 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 Bureau; the heads of such government agencies shall also have the corresponding powers and duties of a Commissioner.

Section 66. A Commissioner has the powers and duties as follows:

(1) To administer the Bureau in accordance with the laws, rules, regulations, provisions and notifications of official authorities, the National Police Policy Board of Thailand, the Police Commission and the Royal Thai Police;

(2) To control, direct and oversee the personnel, budget management, finance, supplies, premises and other properties of the Bureau in accordance with the laws, regulations, provisions and notifications of official authorities, the National Police Policy Board of Thailand, the Police Commission and the Royal Thai Police;

(3) The duties and powers of Bureau are prescribed by Royal Decree;

(4) To consider the Promotion and Transference to the police officials whose positions are Deputy Commander and below;

(5) To consider and order to increase the salary for the police officials with commissioned police level 6 (Sor. 6) and below.

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

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

(8) To perform other duties as required by the laws, regulations, provisions and notifications of official authorities, the National Police Policy Board of Thailand, the Police Commission and the Royal Thai Police;

In case where a law, regulation, provision or order, or resolution of cabinet 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 is the Director General or in place of the Commissioner General in so far as such matter relates to the performance of official duties of the Bureau, which shall be in accordance with the criteria prescribed by the National Police Policy Board of Thailand.

Section 67. In a Division, there shall be a Commander who acts as supervisor of the police officials and the responsibility is to perform the official duties of such division. In addition, there may be Deputy Commanders who act as the supervising official and are responsible for the performance of official duties below the commander as required or entrusted by the Commander.

The provisions of Paragraph One shall apply mutatis mutandis to otherwise named government agencies whose status is equivalent to Division; the heads of such government agencies shall also have the corresponding powers and duties of a Commander.

Section 68 A Commander has the powers and duties as follows:

(1) To administer the Division in accordance with the laws, rules, regulations, provisions and notifications of official authorities, the National Police Policy Board of Thailand, the Police Commission and the Royal Thai Police;

(2) The duties and powers of Division are prescribed by Royal Decree;

(3) To control and oversee the personnel, finance, supplies, premises and other properties of the Bureau in accordance with the laws, regulations, provisions and notifications of official authorities, the National Police Policy Board of Thailand, the Police Commission and the Royal Thai Police;

(4) To advice the Promotion and Transference to the Commander whom is his/her supervisor for the police officials who work in the division and police station under his/her territory in which their positions are Superintendent and below;

(5) To order the police officials whose positions are Superintendent and below to perform duties in his/her other affiliation as necessary for the term of no more than six months. In case of necessary and for the official benefit, he/she shall such police officials to perform duties more than six months, but not over one year, but its shall be approved by the Commissioner whom is their supervisor;

(6) To advice and give an opinion on for the police officials with commissioned police level 5 (Sor. 5) and level 4 (Sor. 4) whom are under his/her supervision.

(7) To consider and order to increase the salary for the police officials with commissioned police level 3 (Sor. 3) and below. Such consideration for the police officials whose positions are Deputy Commander and below, the opinion of the supervising official of such police officials shall be taken into account;

(8) To perform other duties as required by the laws, regulations, provisions and notifications of official authorities, the National Police Policy Board of Thailand, the Police Commission and the Royal Thai Police;

The power and duty of a Provincial Police Commander to direct and ensure that the performance of official duties of the police officials whom are under another Bureau, but performance of official duties in the area of such province shall be in accordance with the laws, regulations, provisions or orders of the Royal Thai Police, the Bureau, or resolutions of Cabinet, or orders from the Prime Ministers. Therefore, 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, regulation, provision, or order of the Royal



Thai Police, the Bureau, a resolution of cabinet, or an order of the Prime Minister, and then report the matter to the Royal Thai Police or the relevant Bureau. Therefore, the criteria and procedure shall be prescribed by the Royal Thai Police.

Section 69 Under Section 23 (3), in the government agencies of the Royal Thai Police, the Police Commission shall determine the types of positions, the number as well qualifications for such positions. This shall include the ranks and types of ranks as well reduce the number of such position from one government agency and transfer to other government agency. To do that, the nature of duties, workload and quality of work, as well as efficiency, effectiveness, non-duplicity, and saving are the main issues to be concerned

It shall be the duty of the Police Commission to review the manpower of each government agency in accordance with changed Responsibilities and workloads to meet the change in current situation.

Section 70 A police official holding a position under Section 62 whom works in Investigation group which hold the position and operate the investigation work and whom works in Prevention and Suppression Group which hold the position and operate the prevention and suppression work shall receive additional remuneration as a special case at the rate prescribed by the Police Commission with the approval of the Ministry of Finance. Therefore, it can determine such police official who performs duty at a police station on the regular basis may be paid a higher remuneration than those whom perform duties in other agencies.

The Police Commission and the Ministry of Finance shall jointly review the additional remuneration under Paragraph One in accordance with economic conditions every three years

In determining the additional remuneration as a special case under Paragraph One and Paragraph Two and the approval of the Ministry of Finance under Paragraph One, the cost of operation; and the maintenance of justice with dignity shall be concerned. In addition, this additional remuneration shall be compared with the remuneration that the government gives to other officials that related to the justice process.

### Chapter III

#### Instatement, Appointment and Salary Increase

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Section 71. 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) Believing in the democratic regime with the King as Head of the;
- (4) Not being a person holding a political position or office or a person holding a position in political party;
- (5) having the qualifications and not being under the prohibitions as prescribed by Rules of the Police Commission.

Section 72 The instatement of persons to the police service as police official under this Act shall be made by the supervising official granted by Rules of Police Commission with the power to order the instatement and appointment.

Section 73 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 official entrusted by the Commissioner General shall be in charge of the conduct of the selection or competitive examination.

Section 74 For the instatement and appointment of the Commissioned Police officials that; whose positions are not in Specific Professional Group to be positioned and operate in any government agencies, shall proceed as follow;

(1) In case that persons whom are instated and appointed were graduated from the Royal Police Cadet Academy, such graduates with a bachelor's degree with the averaged highest grades throughout their courses will have a right to choose. first, one by one, in order of their scores;

(2) In case that persons whom are instated and appointed passed examination or competition, such candidates with the all highest total will have the right to choose first, one by one, in order of their scores;

(3) In cases other than (1) and (2), it shall proceed as prescribed by the Police Commission.

Criteria and procedure for the selection under (1) and (2) shall be as prescribed by the Police Commission In the case, where it is necessary for the benefit of the government, the Police Commission may also determine conditions for selection.

Section 75 A person who has been instated as police official pursuant to Section 73 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 Rules of Police Commission.

Any person who has been discharged from service during probation 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 probation period of such person.

Section 76 For the instatement and appointment of the Commissioned Police officials that; whose positions are not in Specific Professional Group, the supervising official shall appoint such persons to operate in any line of work that they have knowledge, expert, and skills. In addition, such persons will have a chance to perform their duties in various aspects, however, subject to the criteria prescribed by the Police Commission.

The appointment of police officials to positions of inspector level upwards in any line of work shall consider seniority, knowledge and competence, skills, willingness and necessity of such government agencies as well the compliance with the criteria and conditions prescribed in this Chapter

Section 77. The appointment of police officials to positions shall be made in accordance with the following criteria:

(1) For the position of Commissioner General, It shall be made by royal appointment from police officials with the rank of Police General whose positions are Senior Inspector General or Deputy Commissioner General;

(2) For the positions of Deputy Commissioner and Senior Inspector General, it shall be made by royal appointment from police officials with the ranks of Police Lieutenant General or Police General and they have been in positions of Assistant Commissioner General or Deputy Senior Inspector General for at least one year. In case that no candidate has been in positions of Assistant Commissioner General or Deputy Senior Inspector for one year, it shall appoint the persons who have been in positions of Assistant Commissioner General or Deputy Senior Inspector General for the longest period, in order;

(3) For the position of Assistant Commissioner General or Deputy Senior Inspector, it shall be made by royal appointment from police officials with the ranks of the Police Lieutenant General and they have been in positions of Commissioner or Inspector General for at least one year.

(4) For the position of Commissioner or Inspector General, it shall be made by royal appointment from police officials with the ranks of the Police Major General or Police Lieutenant General and they have been in positions of Deputy Commissioner or Deputy Inspector General for at least two year;

(5) For the position of Deputy Commissioner or Deputy Inspector General, it shall be made by royal appointment from police officials with the ranks of the Police Major General and they have been in positions of the Commander for at least two year;

(6) For the position of Commander, it shall be made by royal appointment from police officials with the rank of the Police Colonel whose salary is at the rate of the Special Police Colonel rank or from police officials with the rank of the Police Major General whom have been in positions of the Deputy Commander for at least four year;

(7) For the position of Deputy Commander, it shall be appointed from police officials with the ranks of the Police Colonel or the Police Colonel whose salary is at the rate of the Special Police Colonel rank and they have been in positions of the Superintendent for at least four year;

(8) For the position of Superintendent, it shall be appointed from police officials with the ranks of Police Lieutenant Colonel or Police Colonel and they have been in positions of the Deputy Superintendent for at least four year;

(9) For the position of Deputy Superintendent and Chief of Inspector, it shall be appointed from police officials with the rank of the Police Lieutenant Colonel and they have been in positions of the Inspector for at least five year;

(10) For the position of Inspector, it shall be appointed from police officials with the ranks of Police Captain or higher, but not higher than the rank of Police Lieutenant Colonel and they have been in positions of the Deputy Inspector for at least seven year;

(11) For the position of Deputy Inspector, it shall be appointed from police officials with the ranks of Police Sub-Lieutenant or higher, but not higher than the rank of Police Captain;

(12) For the position of Squad Leader, it shall be appointed from police officials with the ranks of Police Lance Corporal or higher, but not higher than the rank of Police Sergeant Major;

(13) For the position of Deputy Squad Leader, it shall be appointed from police officials with the ranks of the Police Constable.

The period under Paragraph One shall be counted from the actual service period of such position, not the multiple period in which twelve months equals to one years, unless

(1) The police officials whom are instated and appointed to become the Commissioned Police at the first time. In case that the period counting from the first date of the Commissioned Police until 30 September, is totally not less than eight months, it is deemed to count as one year;

(2) The Commissioned Police officials whom are promoted to higher position in the annual agenda, whenever they are promoted, the period from such position to 30 September is deemed to be one year.

For the appointment of police officials to the positions under (2) to (13), it may also appoint police officials to equivalent positions.

The police officials holding the positions under (12) or (13) may be selected and appointed to the position and rank under (11) in accordance with the criteria and procedure prescribed by Rules of Police Commission.

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

Section 78 The selection and appointment of police officials to the positions under Section 77 (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 77 (1), the Prime Minister shall select from the list of police officials who are qualified under Section 77 (1) in which seniority, and knowledge and competence shall be taken in consideration, especially the experiences in the investigation and prevention and suppression. The name list shall be proposed to the Police Commission for consideration and approval first and then 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 77 (2), the Commissioner General shall select from the list of police officials and proposed to the Police Commission for consideration and approval first and then the Prime Minister shall present the matter to the King for the purpose of royal appointment;

(3) For the appointment of police officials to the positions under Section 77 (3) and (4), the Commissioner General shall select from the list of police officials as proposed by the Police Appointment Consideration Commission under Section 81 (1) (a) and then proposed to the Police Commission for consideration and approval first and then the Prime Minister shall present the matter to the King for the purpose of royal appointment;

(4) For the appointment of police officials to the positions under Section 77 (5) and (6), the Commissioner General shall select from the list of police officials as proposed by the Police Appointment Consideration Commission under Section 81 (1) (a). The nomination information proposed by the Head of government agencies at the Bureau level which is considered and proposed in the form as prescribed by the Commission in rules of the Police Commission shall be taken into consideration. In case that the opinion on the name list is different from the nomination information proposed by the Head of government agencies, it shall explain the reasons to the Police Appointment Consideration Commission under Section 81 (1) (a) and then proposed to the Police Commission for consideration and approval first and then the Prime Minister shall present the matter to the King for the purpose of royal appointment.

The preparation of nomination information proposed by the Head of government agencies at the Bureau level under (4) shall be considered and proposed for the nomination of police officials whom are under their supervision only.

In the event that the Police Commission has examined and found that it does not comply with the criteria and conditions prescribed by this Act, it shall notify the Commissioner General to correct such matter.

Section 79 For the appointment of police officials to the positions under Section 77 (7) and below, the Commissioner General shall have a power to appoint the police officials in the Office of the Royal Thai Police. For the Bureaus which are not under the Office of the Royal Thai Police, the Commissioner shall order the appointment in which the nomination information proposed by the Head of government agencies at the Bureau level or Division level, as the case maybe which is considered and proposed in the form as prescribed by the Commission in rules of the Police Commission shall be taken into consideration. In case that the opinion on the name list is different from the nomination information proposed by the Head of government agencies, it shall explain the reasons to the Police Appointment Consideration Commission under Section 81

The preparation of nomination information under Paragraph One shall be considered and proposed for the nomination of police officials whom are under their supervision

For the appointment of police officials to the positions under Section 77 (11) and below, but the position is not higher than the original one in the Bureau under the Office of the Royal Thai Police, the Commissioner shall have power of appointment. For the appointment within the Division, the Commander shall have power of appointment

For the appointment of police officials to the positions under Section 77 (7) and below, but the position is not higher than the original one between the government agencies under Section 11 (1) and (2), the Commissioner General and Commissioner

of the relevant government agencies jointly make an agreement, then the Commissioner General or Commissioner who wishes to make the appointment of such police officials shall order the appointment. For the appointment of the police officials between the Bureaus that are not under the Office of the Royal Thai Police, the Commissioners of the relevant government agencies jointly make an agreement, then the Commissioner General or Commissioner who wishes to make the appointment of such police officials shall order the appointment

Section 80 For the appointment of police officials to the higher position under Section 77 (7) and below in the government agencies under Section 11 (1) and (2), it shall be only considered and appointed the police officials whose position is in such government agencies.

Section 81 The selection and appointment of police officials under Section 77 (3) and below, the Police Appointment Consideration Commission shall have duties to consider and examine the qualification and eligibility in the selection and appointment of police officials for any positions before the authorized persons shall select or order the appointment as following;

(1) The Police Appointment Consideration Commission for the Royal Thai Police level has the duty and power to consider and select police officials for positions under Section 77 (3) to (6) and to consider an appointment of police officials holding positions under Section 77 (7) and below in the Office of the Royal Thai Police in which its components are as following;

(a) The selection of police officials to the positions under Section 77 (3) to (6) shall consist of the Commissioner General, as the chairman, Senior Inspector General and all Deputy Commissioner Generals as members, and one representative of the Civil Service Commission as members;

(b) The appointment of police officials to the positions under Section 77 (7) and below under the Office of the Royal Thai Police shall consist of the Commissioner General, as the chairman, Senior Inspector General and all Deputy Commissioner Generals as members

The commissioner of the government agency that is responsible for personnel administration shall be the secretary and the commander of the government agency that is responsible for the manpower work is the assistant secretary.

(2) The Police Appointment Consideration Commission for the Bureau level has the duty and power to consider and select police officials for positions under Section 77 (7) and below in the Bureaus that are not under the Office of the Royal Thai Police or under Section 77 (11) and below

in which the position is not higher than the original one within the Bureau under the Office of the Royal Thai Police, as the case maybe, shall consist of the Head of government agency at Bureau level, as the chairman. and Deputy Head of Government as members.

The Commander or Superintendent, as the case may be, who is responsible for the manpower work shall be the secretary and the Superintendent or Inspector, as the case may be, who is responsible for manpower work shall be the assistant secretary.

(3) The Police Appointment Consideration Commission for the Division level has the duty and power to consider and select police officials for positions under Section 77 (11) and below which is not higher than the original position within the same division. It consists of Head of government agency at Division level, as the chairman and Deputy Head of Government agency, as members. For the Metropolitan Police Division and Provincial Police, one representative of the Police Administration Audit and Monitoring Commission for the Metropolitan Police Division and Provincial Police shall be the member.

The Superintendent who is responsible for the manpower work shall be the secretary and the Inspector who is responsible for manpower work shall be the assistant secretary.

The selection and appointment of police officials under Section 77 (3) and below, the authorized officials for the selection and appointment shall consider from the police officials list that the Police Appointment Consideration Commission passed the resolution to propose.

The appointment for the rotation of the police officials who hold academic positions in which it can adjust the level up and down itself in the group of investigative work under Section 62 Paragraph three, it shall be in accordance with the rules, procedures and conditions prescribed by the Police Commission.

Section 82 Subject to Section 88, the selection or appointment of police officials promoted to higher rank in each rank level, it shall consider the following

(1) For the level of Deputy Commissioner General and Senior Inspector General and down to Assistant Commissioner General and Deputy Senior Inspector General, to consider from the persons with knowledge and competence named in the list under Paragraph Three and sorted in order of seniority;



(2) For the level of Commissioner and Inspector General and down to the Commander, to consider from the persons with knowledge and competence named in the list under Paragraph Three and sorted in order of seniority at the number not less than Fifty percent of the number of vacant positions in each level;

(3) For the level of Commander and down to the Inspector, to consider from the persons with knowledge and competence named in the list under Paragraph Three and sorted in order of seniority at the number not less than Thirty-Three percent of the number of vacant positions in each position level in the government agencies under Section 11;

(4) For the number of vacant positions left after the consideration under (2) and (3), the seniority and knowledge and competence shall be taken in consideration.

For a consideration of the knowledge and competence, this shall include the history of government service, performance result, behavior and satisfaction evaluation result from people or service receiver as they get from the service provision of such police officials. This shall be in accordance with the criteria and procedures prescribed by the Police Commission

A consideration for the promotion to a higher position under (1), (2), (3) and (4) shall be only considered to select or appoint police officials named in the list of eligible candidates for promotion to a higher rank. In this regard, the preparation of a list of eligible persons for the promotion to a higher position shall be considered from the knowledge and competence under Paragraph Two and the classification of the positions for the calculation of seniority ratio to promote to a higher position shall be in accordance with the criteria and procedures prescribe by the Rules of the Police Commission.

The appointment for the promotion to higher position of the police officials who hold academic positions in which it can adjust the level up and down itself shall be according to the Police Commission's specification.

The Office of Royal Thai Police may specify the criteria for the selection and appointment of police officials holding a position of Commander or higher for those who will about to retire from government service, for a special circumstance which shall be prescribed by the Rules of Police Commission.

Section 83 Subject to Section 84 and Section 90, the selection or appointment of government officials to be promoted to higher position under Section 77 (4) to (9) for a particular line of work, according to Section 61, it shall consider the police officials with the government service period in such particular line of work

at the current position level in total for not less than half of the period of time in the position specified for promotion to higher position at the level of the next rank under Section 77

The selection or appointment of police officials under Section 77 (4) to (9) for the rotation to hold various positions or in any particular line of work under Section 61 shall be considered from police officials who previously held a position in that line of work at the current position level or maintain the position at two level lower in such line of work for not less than two-thirds of the period of such position required for the promotion to a higher level of the current position under Section 77.

To count the period of holding the position in the investigation group under Section 61 (3) and the prevention and-suppression group under Section 61 (4) as the period of service that can be supportive between each other in both groups.

The appointment of police officials under Section 77 (7) and below, in which the police officials voluntarily request the appointment for the rotation at the same position level. shall be in accordance with the rules of the Police Commission.

Section 84 Subject to Section 90, the appointment of the commissioned police officers to the higher positions in the investigation group at all position levels, it shall consider only those who have the total service period in the investigative group at the current position not less than one-half of the period in the position required for the promotion to a higher level of the current position under Section 77.

In case of an appointment for the rotation to hold a position in the investigation group, it shall consider from those who have been in the position at the current level and one level lower in the investigation group for total period not less than one-half of the period in the position required for the promotion to a higher level of the current position under Section 77, except for the appointment for the rotation to hold position under Section 77 (11).

To count the period of holding the position in the prevention and-suppression group under Section 61 (4) and the investigation group under Section 61 (3) as the period of service that can be supportive between each other in both groups.

Designation of police officers in the investigative group, who hold a leveling position Increase and decrease by yourself under Section 62, paragraph three, to hold a higher position. to be considered from the person holding the position has completed the specified period of time and has passed the knowledge and competency assessment criteria in accordance with the rules and procedures prescribed by the Police Commission without being subject to the conditions of Section 82 (3).

Section 85 In appointing a police officer to advance to the position of head of a police station Director level for the first time to be appointed to a position in a middle level police station under section 13 (2) section.

Section 86 In the event that the Commissioner of the Royal Thai Police considers that the exercise of unfair commander or if there is a case that does not comply with the rules or procedures prescribed by the Sor. Sor. Or there is a reason it is absolutely necessary to remove a police officer holding a position from Section 77 (7) and down from the area or duty. or is of the opinion that continuing to hold the same position will cause damage to the government or there are special circumstances as specified by the Police Commission to Commissioner of the Royal Thai Police shall have the power to order the appointment of police officers shall hold the position under Section 77 (7) below as appropriate to the case.

Section 87 Any police officer who sees that he has not been unfair in the ranking of seniority or in appointment shall have the right to lodge a complaint with the Police Merit Systems Protection Board within thirty days from the date of acknowledgment of the appointment order.

Complaints under paragraph one shall be completed by the Police Merit Systems Protection Board for consideration and determination within thirty days from the date of receipt of the complaint.

The decision of the Police Merit Systems Protection Board shall be final. Except in the case where the complainant is dissatisfied with the results of the Police Merit Systems Protection Board consideration, he or she shall have the right to appeal to the Supreme Administrative Court within ninety days from the date of receiving the notification of the result. The consideration of the Police Merit Systems Protection Board.

In the event that the Police Merit Systems Protection Board or the Supreme Administrative Court decides or judges that in seniority sorting or in appointment The supervisor fails to comply with the criteria set forth in this Act in sorting. seniority or appointment shall be considered that the commander commits a disciplinary breach and to the supervisors with authority to consider punish that person as appropriate to the case within thirty days from the date of receipt of the notification from the Police Merit Systems Protection Board or from the date The Supreme Administrative Court has a judgment or order without having to carry out further investigation and report it to the Police Commission

to any person or to cause damage to anyone shall be deemed to have committed a serious breach of discipline. And let the superiors have the power to punish that person without investigating.

Any person who gives, asks or accepts to give assets or any other benefits or impersonating the power of any person or demanding, accepting, agreeing to accept property or any other benefits or commit any unlawful act to make an appointment or not to appoint anyone to any position Regardless of whether the appointment or non-appointment is in line with the criteria according to this Act or not shall be liable to imprisonment for a term not exceeding five years.

Section 88. In order to maintain fairness in the appointment and transfer of police officials, the Police Commissioner shall issue rules. Ranks of senior police officers for use in selection or appointment setting the annual agenda counting the length of office, counting the number of vacancies, calculating seniority proportions to promote higher positions Classification of positions for use in Calculation of seniority proportions for higher ranks and making a list of people who are in the criteria that deserve to be received Promotion to a higher position The aforementioned of the Police Commission rules shall come into force after one hundred and eighty days from the date of promotion. Announcement date in the Royal Gazette.

Section 89 Subject to Section 99, any police officer who has higher qualifications and is entitled to Salary increases as determined by the Police Commission. The authority under Section 95 is empowered to order postponement.

Section 90 The assignment of a person to the government service as a police officer or the appointment of a civil servant What position do police officers have? Persons who are recruited or appointed must have specific qualifications for the position as specified by the Police Commissioner under Section 69, unless there is a reason and necessity and it is not a position in the investigative division, the Police Commissioner may approve. recruit or appoint police officers who do not have specific qualifications for the position as specified.

The appointment of a police officer to another position in the Royal Thai Police must appoint a position not lower than the original position. Unless there is a reason and necessity, the Police Commission may approve the appointment. To hold a position lower than the original position, especially for income.

Section 91 Ordering police officers to post to the Royal Thai Police or any government agency in the National Police Agency or to reserve government service in any government agency in the Royal Thai Police, provided that

retiring from his previous position and whether or not to be absent from the salary rate of the previous position, the following authorized persons shall be able to give orders in accordance with the rules, procedures and conditions prescribed in the Police Commission.

(1) Chairman of the Police Commissioner under the resolution of the Police Commissioner for the Commissioner-General of the Royal Thai Police.

(2) Commissioner of the National Police for all ranks of police officers.

(3) Commander for police officials in the headquarters or in government agencies called by name. something else that is equivalent to the headquarters

Section 92 It is forbidden to order a police officer affiliated with a police station under section 13 to perform duties in a government agency other than a police station. Unless in that order-to-order other police officers to perform That duty instead in that police station.

Ordering police officers to provide security for important persons in the positions specified by the Police Commission is in accordance with the regulations set by the Royal Thai Police, which must be submitted to the Police Commission for information and announcement. The order may be issued upon request of the person holding such position without identifying the person. But the ordered police officer must also be voluntary. and when the applicant retires to order the police officers. The security officer returns to perform duties in the Royal Thai Police within thirty days from the date of resignation candidate but if the applicant had previously held the position of Prime Minister and had never been subject to a final judgment imprisonment If that person has requested further security will order police officers to treat security of the requester may continue further.

Any superintendent who knows that his subordinate has not been on duty for more than fifteen consecutive days without reasonable cause, such superintendent shall complete disciplinary action within sixty days from the date of knowledge. That person has no disciplinary authority. to report to superiors at the higher level in order to complete further disciplinary action within sixty days from the date of receipt of the report. unless there is a reason If it is necessary to prevent the disciplinary proceedings from being completed within the specified period, the period may be extended not more than two times, each time not exceeding sixty days. and let the commanding officers have the power Ordering disciplinary action to order that police official to suspend official duties from the date of the order, if the result of disciplinary action appears that such person has been absent for more than fifteen consecutive days without justifiable grounds, punishment shall be ordered as soon as possible. which shall be effective from the date of the official rest day.

Section 93 Transfer of police officers to serve in government agencies or other agencies can be done when the person voluntarily and the government agency or agency wants to accept the transfer of that person by the government or the requesting agency to make an agreement with the Royal Thai Police.

Section 94 The authority under Section 72 shall make an instatement order in the cases as following:

(1) the transfer of civil servants who are not police officials or the transfer of employees of administrative organizations; The local government came to be packed as police officials. except political official civil servants who are on probation performing official duties and employees of local administrative organizations who are in the process of working trials can be done when the subject voluntarily and the Royal Thai Police wants to accept the transfer of that person by giving the office The Royal Thai Police shall make an agreement with the person having the power to order the instatement of the former government agency or agency. determination of position, rank and salary rate and counting official time It shall be in accordance with the rules and procedures prescribed in the Police Commission Rules.

(2) re-enlisting as a police officer

(a) a police officer who has been discharged from government service by the Council of Ministers to perform any duty, the time between which shall be counted for the calculation of gratuity and pension as per the law on full service time; Regarding Government Pensions If that person requests to return to government service within the period approved by the Council of Ministers but not more than four years from the date of discharge from government service to perform such work to the National Police Agency accept that person. Returning to government service, in accordance with the rules and procedures specified in the Police Commission.

(b) police officers Retired from government service and not in the case of leaving government service During the probationary period If applying for government service and the National Police Agency wants to accept that person into government service and have a vacant rate The Royal Thai Police shall carry out the recruitment and appointment in accordance with the rules and procedures prescribed in the Police Commission.

(c) civil servants who are not police officials or employees of local government organizations who have retired from government service or have already left their job but not including political officials' civil servants retired from government service during the probation period and employees of local government organizations who leave their jobs During the trial If applying for government service as a police officer and when the office of

The Royal Thai Police deems it appropriate to accept that person back into government service as a police official. Determination of positions, ranks and salary rates and the counting of official time shall be in accordance with the rules and procedures prescribed in the Police Commission.

Section 95. The Commissioner of the Royal Thai Police shall order the salary increase of police officers at Level Sor. 8, Level Sor. 7 and Level Sor. 6 that are not within the authority of the Commissioner under Section 66 (5). From the Police Commission already.

An order to raise the salary of police officers from level Sor.5 down is in accordance with the criteria. specified in the Police Commission regulations.

Considering the salary increase of police officers to take into account the quality and quantity of work Efficiency and effectiveness of the work performed, ability and perseverance in performing duties. as well as maintaining discipline and conducting oneself appropriate to being a police officer according to the reports of the commanding officers in hierarchical order, in accordance with the rules and procedures prescribed in the Police Commission.

Salary increase is a special case of more than two steps. must be approved by the Police Commission specifically for each individual.

Section 96 When a police official dies as a result of performing official duties, the Police Commissioner may, as a special case, consider increasing his salary for the benefit of pension calculation.

Section 97 Supervisors are obligated to develop their subordinates to increase their knowledge, skills, attitudes, morals and ethics. including evaluating the performance of subordinates to use consideration of the appointment and salary increase, in accordance with the rules, procedures and periods specified in the Police Commission.

#### Chapter 4

salary, position allowance and other extra money

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Section 98 The rate of salaries of police officers shall be in accordance with the schedule annexed to this Act.

The rate of emoluments and acceptance of emoluments of police officers shall be in accordance with the schedule annexed to this Act, provided that emoluments are not considered salaries.

Police officers of any position will receive the position allowances attached to this Act at what rate. shall be in accordance with the Royal Decree.

In case to adjust the salary of police officers in line with economic conditions changing If such salary adjustment is an equal percentage increase for all rates and not more than ten percent of the applicable rate and when the expenditure budget has been approved by the National Assembly for that purpose an adjustment can be made by enacting a Royal Decree and it shall be deemed that the salary rate account annexed to the Royal Decree The aforementioned salary rates are annexed to this Act. all such rates If any rate has a fraction of less than ten baht to adjust the salary figure of such rate increase to ten baht and shall not be considered a different percentage adjustment.

Salary rate adjustment of police officials to fit into the rank and rank, rank and rank, rank and rank or rank and rank, as the case may be, according to the police salary rate list under paragraph one and paragraph four. It shall be in accordance with the rules and procedures prescribed by the Police Commission. Police officers are defined in the relevant rules or cabinet resolutions.

Section 99 Police officials shall receive salaries as follows:

(1) Police officers with the rank of Police General who holds the position of National Police Commissioner to receive the highest salary of the Sor. 9 level

(2) Police officers with the rank of Police General. To receive salary level Sor. 8

(3) Police officers with the rank of Police Lieutenant Colonel. to receive salary level Sor.7

(4) Police officers with the rank of Police Major General. To receive salary level Sor. 6

(5) Police officers with the rank of Police Colonel. Salary rate of a police colonel (special) to receive salary level Sor. 5

(6) Police officers with the rank of Police Colonel. To receive salary level Sor. 4

(7) Police officers with the rank of Police Lieutenant Colonel. To receive salary level Sor. 3

(8) Police officers with the rank of Police Major. To receive salary level Sor. 2

(9) Police officials with the ranks of Police Captain, Police Lieutenant and Police Sub-Lieutenant. To receive salary level Sor. 1



(10) police officers with the rank of police sword To receive salary level 3

(11) Police officers with the rank of Police Sergeant. Salary rate of a police sergeant (special) to receive a grade 2 salary

(12) Police officials with the rank of Police Sergeant, Police Sergeant, Police Sergeant and Police Sergeant. To receive salary level 1

(13) Police officers at the rank of reserve police general. receive a salary of Por. 1

The police officials under paragraph one shall receive the minimum salaries of that level. Salary is higher or lower than the minimum or higher than the upper limit of the degree. in accordance with the criteria and methods as specified in the Police Commission.

Police officers under (2) to (13) may receive a salary higher than the specified level. in the first paragraph enacted as a royal decree The aforementioned Royal Decree also prescribes the rules, procedures and conditions for receiving such higher salary and the acceptance of position allowances.

Section 100 The provisions of Section 98 and Section 99 shall not apply to unranked police officers. What is the rate of salaries and emoluments that a police officer without any rank receives? shall be in accordance with the Royal Decree issued under Section 8, paragraph two, by comparing with civil servants in similar positions or at the same level.

Section 101 In case of reason and necessity as a remedy for police officers receive a salary or position allowance that is appropriate and fair. be healed by receiving salaries or emoluments as deemed appropriate on a case by case basis, in accordance with the rules and procedures prescribed by the Council of Ministers

Section 102 Police officers may receive a temporary increase in cost of living according to economic conditions, in accordance with the amount, rules and procedures prescribed in the Royal Decree.

Section 103 Police officers may receive a monthly surplus. additional money or assistance as specified by the Cabinet

Section 104 Police officers may receive additional pay for their positions abroad. or positions with special grounds as prescribed in the Police Commission regulations with the approval of the Ministry of Finance.

## Chapter 5

Acting and for on behalf

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Section 105 In the case where the position of a police officer in any government agency or agency In the National Police Agency is empty. or a person holding any position is unable to perform official duties The following superintendents shall order the police officers who deem fit to act in place of that position:

(1) Prime Minister for the position of National Police Commander.

(2) Commissioner of the National Police For positions ranging from Deputy Commissioner of the National Police national police inspector or equivalent position down.

(3) Commander or equivalent position. For positions ranging from commander or rank equivalent to coming down in that government department.

(4) commander or equivalent position for positions ranging from superintendent or position equivalent to coming down in that government department.

In the case where no police officer is appointed to act instead and there is a person holding a subordinate position of that position The person holding a deputy position shall be the Acting. If there is no person holding a deputy position or but unable to perform official duties and there is an assistant of such position to the person holding the position of assistant Acting as a substitute in that position If there are several subordinate positions or assistants to seniors as specified in the Police Commission Act as the Acting Officer If there is neither a deputy or an assistant, or there is but he is unable to perform his duties Let the commissioned police officers The senior person as specified in the Police Commission regulation in that government agency or agency is the Acting Officer.

For the benefit of the government Police officers who have been appointed to the positions under Section 77 (2), (3), (4), (5) and (6) in retrospect. performing duties or exercising power in the same position that was performed before the Royal Command was announced, the appointment of the King shall be valid.

Section 106 In addition to what is provided in this Act The power to order, grant permission, approve the performance of official affairs. and other actions that the Commissioner of the Royal Thai Police shall perform or proceeding with any law, rule, regulation or order or resolution of the Cabinet on any matter in the affairs of each headquarters The commander of each such headquarters shall act on behalf of the official national police chief.

In performing duties on behalf of the Commissioner of the Royal Thai Police under paragraph one Commander will assign the deputy commander may act on his behalf.

The Commissioner-General of the Royal Thai Police shall have the duty to supervise and monitor the performance of the Commander-in-Chief under paragraph one and shall have the power to recommend and revise the performance of the Commander-in-Chief under paragraph one.

In case of necessity to protect the interest of the government or to suppress the damage that may occur. from the exercise of the commander's power under paragraph one the national police chief will suspend the use of power. of such commander temporarily and may exercise such power by himself, in accordance with the rules and conditions prescribed by the National Police Policy.

Section 107 For the benefit of the administration of the Royal Thai Police The power to order, grant permission, approve the performance of official affairs. or any other actions that the Commissioner of the Royal Thai Police or Heads of government agencies or heads of departments must comply. or carry out any law, rule, regulation, order or resolution of the Cabinet if the law, rule, regulation, order or resolution of the Cabinet In that regard, the matter of delegation of power is not otherwise specified. or did not prohibit the delegation of power Commissioner of the Royal Thai Police or head of a government agency or head of an agency may delegate powers to the incumbent deputy or assistant or a person holding the position of head of a government agency or head of an agency, respectively, or a person holding an equivalent position or a commissioned police officer in that government agency or agency may perform official duties on his or her behalf.

The power of attorney under paragraph one shall be made in writing and the attorney shall have the duty to advise, supervise, and monitor the performance of duties of the attorney-in-fact. and in the event that the attorney performs official duties in any case unreasonably to have the power to amend the official performance of such attorney-in-fact.

When the power of attorney paragraph one to make to the attorney-in-fact has the duty to accept such power and cannot delegate that power to any other person holding a position. Unless it has been approved by the attorney on a case by case basis.

Section 108 The person acting for the government under Section 105 shall have the same duties and powers as the person he replaces.

In cases of laws, rules, regulations, notifications, orders or resolutions of the Cabinet appoint any person to be a committee member or have any duties and powers The Acting Officer shall have duties and Authority to be a director or have the same duties and powers as the person holding that position while acting for the government

An order to act on his behalf shall be effective from the time the appointed person takes office and the person holding a deputy position or assistant position shall vacate the position of acting on behalf of the appointed person. provided that it shall not affect any action that such person has performed during his/her term of office.

Section 109 In case there is a law, rule, regulation, announcement, order or resolution of the Cabinet Assign any duties or powers to the Permanent Secretary. exercising such powers or performing duties for Government agencies or agencies of the Royal Thai Police shall be regarded as the duties and powers of the commander national police

## Chapter 6

### Discipline and Self-Discipline

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Section 110 Police officers must obey and obey the law. government regulations cabinet resolution and the code of conduct of the police as specified in the Police Commission rules and must maintain discipline as stipulated in this section strictly.

The Police Commission rule under paragraph one shall come into force after the expiration of sixty days from the date of its publication. in the Royal Gazette.

Section 111 Police officials must act as a practice or must not act as the following prohibitions;

(1) Must perform official duties with honesty, integrity and fairness. in accordance with the law, rules and regulations of the government cabinet resolution police code of conduct and government policies without causing damage to the government.

(2) Must comply with orders of superiors made in official duties lawfully and Government regulations in matters that do not involve having a legal opinion or proof without violating.

or avoid but if it is seen that following the order will cause damage to the government service or will not be treated government benefits Will present a written opinion immediately for the supervisor to review the request order and when an opinion has been presented If the superior insists on following the original order, the subordinate must act follow.

(3) must maintain rules of respect according to chain of command, rank and position.

(4) must devote one's time to official service cannot abandon or abandon his official duties.

(5) to perform official duties in a manner that does not constitute an act bypassing the superiors above him, except the commander above is the one who orders the action or receives a temporary special permission.

(6) Must maintain official secrets.

(7) Must be polite. maintain unity and must help each other in the performance of official duties between civil servants and co-workers

(8) Must welcome, provide services, provide convenience, fairness and assistance as appropriate for the people contacting government officials or in performing official duties in connection with his duties without delay and with modesty.

(9) Must perform official duties with determination and diligence for good results or progress.

to government officials, attentive and cautious in protecting the interests of the government and must not be negligent in official duties.

(10) must not take any action that causes the division of unity between police officers and do not do anything that is bullying each other.

(11) Must not make false reports to the superior. Reporting with the concealment of statements that should be reported It is also considered a false report.

(12) must not use verbal actions or conduct oneself in an inappropriate manner

(13) Must not commit an act that is known as an evil behavior.

(14) must not act in any way in a manner that is an official coercion of a superior to break the rules and regulations of police discipline.

(15) must not commit or omit any act that may cause damage to the government or cause disrupting police order.

(16) must not act or allow others to act to seek benefits that may cause to impair fairness in performing official duties or damaging the dignity of subordinates their official positions.

(17) must not be a managing director or manager or holding any other positions with job descriptions similar in a partnership or company.

(18) Acting or refusing to act as prescribed in the Police Commission Regulation or acting in violation of discipline under this Act.

Any police officer who fails to comply with paragraph one That person is a disciplinary offender.

Section 112. Serious disciplinary offenses include the following acts:

(1) wrongfully performing or refraining from performing official duties in order to benefit oneself or others; which should not be possible or causes damage to others.

(2) Sexual harassment or harassment as specified by the Police Commission.

(3) Abandon or abandon official duties without reasonable cause caused damage to the government seriously or abandon official duties for more than fifteen days at the same time without justifiable cause or with circumstances showing intentional non-compliance with government regulations

(4) insults, humiliates, oppresses, insults or harms people who contact government officials or during performing official duties.

(5) committing a criminal offense to the extent of being punished Imprisonment or a sentence that is heavier than imprisonment by judgment until the end imprisonment or heavier punishment than imprisonment except for an offense committed by negligence or misdemeanor.

(6) committing an act known as being a person of serious misconduct.

(7) act in violation of section 26 paragraph three or fail to comply with section 51; second paragraph.

(8) failure to comply with the criteria for making an intentional appointment to assist a person or to cause damage to any person under section 87 paragraph four or to act under section 87 paragraph five.

(9) commits or omits any act, including an offense under section 111, which cause serious damage to government officials.

(10) Acts or does not act as prescribed in the Police Commission rules.

Section 113 the superintendent shall have the duty to strengthen and develop the discipline of his subordinates and prevent subordinates from committing disciplinary action and take disciplinary action against subordinates in which there is a reasonable case to accuse of a disciplinary breach.

Methods for strengthening and developing subordinates to have discipline and prevent subordinates from disciplinary action shall be in accordance with the regulations stipulated in the Police Commission regulation.

When it appears that there is a reasonable ground to accuse a government official Any surveyor commits a disciplinary breach, the commanding officer immediately take disciplinary action as provided in Chapter 7.

Any superintendent who neglects to comply with this section and Chapter 7 or performs such duties dishonestly, it shall be deemed that such person commits a disciplinary breach.

Section 114 When there is an unavoidable necessity for the benefit of maintaining discipline and suppress civil servants to patrol insurgents or to compel civil servants to Investigators who deserted duty to return do their duty Commanders may use weapons or can be forced and if it has been done acting in good faith as appropriate as a result, superiors or aides are not liable both civilly and criminally.

When there is such an event The supervisor must report to the supervisor above him in hierarchical order until the Commander the National Survey as soon as possible.

Section 115 Disciplinary sanctions are as follows:

- (1) Probate
- (2) Penalties
- (3) Quarantine
- (4) Imprison
- (5) Cut salary
- (6) Dismissal
- (7) Expel

Probation is punishment for the offender. committing an offense which deserves to be punished in any place but there is a reason to be merciful. So just show that person's fault to appear.

Penalties include civil work, being on guard duty apart from regular duties or public work which must not exceed six hours per day.

The punishment for detention is to be detained in a place that is appropriate to be determined.

Detention punishment includes imprisonment in an organized place to control only one person or several people together as will be ordered

The punishment of detention or detention may also be for civil work or other government work. but must not exceed six hours a day.

Section 116 Punishment of a police official shall be made in the form of an order specified in the statement. also ordered that the person punished committing a disciplinary breach in any case and in any section.

How to issue a penalty order to be in accordance with the rules of the Police Commission.

## Chapter 7

### Disciplinary action

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Section 117 When there is an allegation or there is a suspicion that a government official any surveyor committing a disciplinary breach the superintendent shall have the duty to consider preliminary circumstances and evidence as to whether there is a reasonable ground to accuse that person committing a disciplinary breach, in case of necessity or deem appropriate may conduct an investigation of the facts first in the investigation, one or more persons will be assigned to conduct the investigation. You can conduct an investigation.

In conducting the investigation under paragraph one must give the accused an opportunity to clarify the facts by you can set a time for clarification. If it is found that there is no reasonable cause to accuse the disciplinary breach, the matter can be ordered to be terminated. In the case where there is a reasonable ground to allege that a disciplinary breach has been committed, further action shall be taken under section 118 or section 119 as the case may be immediately

Section 118 When a government official the police were accused of disciplinary action and action was taken according to section 117, if it is heard that misconduct Let the commander consider ordering under section 124 as soon as possible. In the event of an investigation, the results of the investigation shall be used in consideration of ordering.



Section 119 When a government official the police were accused of committing who commits a serious breach of discipline, shall be appointed the committee shall conduct an investigation. The investigation must inform the allegations and summarize evidence support the allegation to the extent available to the accused; The name of the witness may be specified or not, in order to the accused clarified and presented to ascertain the allegation, when proceeding, if it is heard that the accused has committed a disciplinary breach further action shall be taken under section 124 or section 125, as the case may be committing a disciplinary offense, ordering to terminate the matter.

The authorized person under section 105 or other supervising officials as prescribed in stipulated in the Police Commission regulation shall appoint the Investigation Committee under paragraph one.

In cases where police officials of different ranks are accused of committing gross disciplinary offense together let the authority for the accused Higher-ranking officers order the appointment of the Investigation Committee.

In case the supervisor has appointed a committee conduct an investigation of the accused under section 137 Although the order to appoint the Investigation Committee does not specify required to be investigated for serious disciplinary offenses but the result of the investigation revealed that the accused committed serious disciplinary action let the commander command according to the results of the investigation without having to appoint an investigation committee or carry out conducting a new investigation, but the allegation must be informed and a summary of evidence supporting the allegation as available to the accused shall be informed by specify or not identify witnesses. and must give the accused an opportunity to clarify and present can investigate the allegations as well.

Section 120 Rules, procedures and time periods relating to investigations, investigations and Proceeding under section 117, section 119, section 126 paragraph one, and section 127 Paragraph one shall be in accordance with rule of the Police Commission.

In the consideration of the superintendent authorized under Section 118, Section 124 or Section 125 Consider completing the order within sixty days from the date of receipt of the request complete amount, except If there is an unavoidable necessity, it shall seek approval from the superior under section 105 to extend the period no more than two more times of each time shall not exceed thirty days that considered not completed the superintendent shall consider giving orders on his behalf within thirty days from the date of the due date as well as giving disciplinary action to that supervisor without having to take action investigating or interrogation.

In case of an apparent offense as specified in rules the Police Commission disciplinary action will be taken without having to investigate.

During the investigation, the cause of investigation will be used as a pretext for any action. cannot affect the rights of the person under investigation Unless the commander orders to suspend or order to leave government service first, according to the recommendation of the Investigation Committee.

Section 121 In taking disciplinary action against a police official, if the matter allegedly, the matter is under investigation. perform duties and authority Powers of the Defense Committee and the National Anti-Corruption Commission or the Public Sector Anti-Corruption Commission. It is not a reason to slow down the operation. disciplinary action and let the commander disciplinary action and punishment disciplinary action can be taken without waiting for the results of the National Anti-Corruption Commission or the Anti-Corruption Commission in the public sector.

In the event that the commander receives the number of investigations by the Anti-Corruption Commission National Anti-Corruption Commission or the Public Sector Anti-Corruption Commission that the case has a prima facie offense in disciplinary matters, the superiors shall consider disciplinary action against subordinate officials. survey that person according to the prevention committee and the National Anti-Corruption Commission or the Public Sector Anti-Corruption Commission has passed a resolution without having to set up a disciplinary inquiry committee and if the action The aforementioned disciplinary offense is the case where a lawsuit has been filed. It is also a criminal case for the same offence. Later, the court ordered in the final judgment that the defendant's actions not a criminal offense or if the accused did not commit an offense, an investigation committee shall be appointed to consider and review the disciplinary action taken has already been processed by taking the said judgment into account consideration as well If the result of the consideration is consistent with the result of the judgment, the order shall be corrected and corrected. There is an order to accept civil servants The surveyor returned to government service. but if that person has previously been discharged from official service, remedy and compensation as fair to the case.

Section 122 In taking disciplinary action against a police official, if it appears that the case has a criminal cause and has been conducted. criminal prosecution This is not a reason to delay the operation disciplinary action, even if it is Criminal proceedings on the same or related matters.

In case that there has been the disciplinary action was taken against the police officials and later the court ordered the final verdict is different from the results of the proceedings. Disciplinary action is taken if as a result of the judgment that the defendant commits an offense and disciplinary action taken. If the proceedings have been carried out lighter than the outcome of the judgment, the superior to reconsider the disciplinary action to be consistent with the results of the to render such judgment by giving the judgment was taken into consideration to order the punishment. But if it is a case where disciplinary action is taken by order of dismissal or expelled and the court ordered the final court judged that the action of the defendant was not a criminal offense or that the defendant was not committing an offense, the supervisor shall review the operation disciplinary action taken already implemented again by taking the said judgment into account as well. If the result of consideration is consistent with the result of the judgment, amend the order to be correct and have an order to accept subordinate civil servants. The surveyor returned to government service but if that person has been discharged from official service before then provide remedy and compensation according to fairness to the case.

Section 123 When it is necessary to detain a government official allegedly for the benefit of in the investigation, for example, whether to escape or to act to harm or intimidate victims or witnesses to the commander has the power to detain civil servants. The survey is currently underway. to carry out investigations to the extent necessary for the investigation, but must not exceeding the detention power of the detention ordering person and not exceeding fifteen days.

In the case of civil servants When a surveyor under paragraph one is punished by detention or detention, the number of days under detention shall be deducted out of the period of detention or detention as well and in the event of punishment be considered detained was punishment for that offense.

Section 124 Any police official who commits misconduct to the commander probation, detention, imprisonment, or deduction of salary as appropriate to the case appropriate to the offence. If there is a reasonable cause to reduce the reduction. However, for the punishment of probation to be used only in the case of in the event of a minor disciplinary breach or a reasonable cause to reduce which is not yet subject to penalties.

If the supervisor sees that the offender Violators of discipline should be punished higher than their authority. power to order punishment, report to their superiors who have authority to consider take action to punish as appropriate to the case.

In the case of a minor disciplinary breach and there is a reasonable cause to refrain from punishment will refrain from parole. It can be a book or a warning.

Punishment under this section the commander will have power to punish subordinates in a prison and the penalty rate to be in accordance with the rules of the Police Commission.

Section 125. Any police official who commits has committed a serious breach of discipline, the authority under section 105 Penalty, dismissal or dismissal according to the severity of the case If there is a reasonable cause, the reduction will be included consideration of punishment but it is forbidden to reduce the punishment below the dismissal.

In considering the punishment order of the authority under Section 105 (2), (3) and (4), the authority The aforesaid set up a committee to recommend the punishment in any place. by the said committee at least must consist of every deputy head of that agency in accordance with the criteria specified in the Police Commission and recommendations must be considered within thirty days from the date of receipt of the proposal. The number of investigations from supervisors

The superintendent shall punish according to the recommendation of the committee under paragraph two. then report to the Police Commission knows.

The punished person is discharged under this section. be entitled to receive gratuity and pension as if that person had resigned from government.

Section 126 disciplinary action against government officials Who has surveyed to report the operation disciplinary action against supervisors' position above the leader and National Police Commissioner.

In the case that the superintendent receiving the report under paragraph one considers that the termination of the matter, the suspension of punishment, or if the punishment is incorrect or inappropriate, the power to impose a penalty increase the penalty as a penalty or heavier penalties reduce the penalty to a penalty or a lighter penalty rate abstain from parole is it a book or admonition or forgave correct or appropriate punishment as appropriate to the case, as well as correct change the text in the context can also make the original order correct and appropriate as well and in the event that it should be done in order to support the consideration of truth and justice, the power to take action or order to take action as appropriate to the case by ordering a punishment or increasing the punishment to be a more severe punishment, it must not exceed his power under Section 124 and the increase in the penalty when combined with the original penalty shall not exceed that power, If it is beyond his authority, he shall report to his or her superiors accordingly prioritized for consideration and action

as appropriate to the case. serious disciplinary action then reports to the Commander-in-Chief National survey to consider the implementation.

In the case where the superintendent orders a punishment under section 124 to terminate the matter or ordered to refrain from penalizing the police officers who has gone, but the Commander The National Police considers the case to be an act of or upon receipt of the report that the superior under paragraph two considers the case to be an act of If a serious breach of discipline is given the Commander-in-Chief of the Royal Thai Police has the power to take action under Section 119, but in the case where an appointment is made. the inquiry committee under section 119, proceed under section 125.

When there is a case of increasing the punishment, reducing the punishment, waiving the punishment, or pardoning the punishment, the ordering person shall issue a new order to cancel as well as the original penalty order together with specifying the method of conducting Proceeding for the person punished according to the order those who ordered the original order to be punished increasing or returning to its original position, as the case may be, in accordance with the rules and procedures prescribed in the Police Commission.

Section 127 taking serious disciplinary action or ordering a government official when the police officer has retired from government service on any matter, report to the Police Commissioner for information, but in the event that the Police Commissioner has it is appropriate that the Police Commission will order to change and revise the operation. take action or let the commander can take any action correctly.

The reporting under paragraph one shall be in accordance with the rules and procedures prescribed by the Police Commission.

Section 128 Investigators and members of the inquiry committee shall be officials under the Criminal Code and the investigating committee has the power to has the same powers as an inquiry official under the Criminal Procedure Code just as much about Tue Powers and Duties of the Investigation Committee and especially to have power to call the ministry bureaus, departments, government agencies, state enterprises, other government agencies, partnerships, companies or any persons come to give a statement or clarify the facts Submit relevant documents and evidence send representatives or persons under the affiliation come to clarify or give a statement information about the matter under investigation.

Section 129. A police official who is discharged from official service other than due to death has a case of was accused in writing before leaving the service that while serving in government service do or omit to take any action which is a serious disciplinary offense If it is an accusation against the supervisor of that person or to the person in charge Investigate or investigate according to laws or government regulations. or accusation of that person's commander or if there is a case of criminal prosecution or having to find a criminal case before leaving government service that

While serving in the service, he committed a criminal offense that was not an offense committed through negligence that was not related to bureaucracy or misdemeanor. The disciplinary authority has the power to investigate or consider disciplinary action and to continue ordering the punishment as provided in this chapter as if that person has not yet been discharged from government service provided that the penalty must be imposed within three years from the date that person is discharged from government service.

In the case under paragraph one if it is an accusation or a criminal prosecution or a criminal prosecution, after when a police official has retired from government service, the disciplinary authority shall have the power to investigate or consider taking disciplinary action and can further order the punishment as provided in this chapter as if that person had not retired from government service by starting to conduct an investigation within one year from the date that person is discharged from government service, and must impose a penalty within three years from the date that person is discharged from government service for the case of an apparent offence according to section 120 paragraph three, a punishment order must be imposed within three years from the date that person is discharged from government service.

In the event that the Administrative Court the final judgment to revoke the punishment order or the Police Merit Systems Protection Board has a resolution the punishment order under paragraph one or paragraph two shall be revoked because of the process disciplinary action is not liked according to the law, the person with the authority to take disciplinary action. Disciplinary actions must be completed within two years from the date of there is a final judgment or a decision of the Police Merit Systems Protection Board, depending on the case.

In conducting disciplinary action under paragraph one, paragraph two and paragraph three, if the result of the investigation considers, it appeared that the person committed. If the disciplinary offense is not serious, the punishment shall be refrained.

Section 130 In the case where the National Anti-Corruption Commission or The Public Sector Anti-Corruption Commission resolved to point out the culpability of any police officer who has been discharged from government service. survey that person to make it possible according to the rules and conditions specified stipulated in the organic law on prevention and suppression corruption or the law on measures of the management to prevent and suppress corruption, as the case may be.

Disciplinary action under paragraph one If it appears that the person commits misconduct let me refrain from punishing.

Section 131 Any police official who is accused of has committed a serious breach of discipline until being appointed investigation committee or must find that the act committing a criminal offense or being prosecuted for a criminal offense unless it is wrong committed through negligence or a misdemeanor, the authority under section 105 or other superiors

as prescribed in the regulations, the Police Commission is empowered to order suspension or discharge from work, in order to await the outcome of disciplinary inquiry. If subsequently, the outcome of disciplinary inquiry shows that that person did not commit misconduct, or committed misconduct but the punishment is not to the extent of dismissal or expulsion, and there is no case of discharge from work by other grounds, it is required that such authorized person order the reinstatement in the original position or the equivalent position for which such person is qualified, consistently with the specific qualification of such position.

When the order of suspension or deposition has been issued against any police officer as prescribed in Paragraph one, and if subsequently, it appears that such police officer is accused of committing gross disciplinary misconduct in other occasions, the authorized person under Section 105 or other supervising officers as prescribed in the regulations, the Police Commission is empowered to conduct investigation or make decision under Section 117, to appoint the investigation committee under Section 119, and to further take disciplinary actions as prescribed in this part.

In the case where the person under the order of discharge from work is reinstated or discharge from government service for any reason other than the punishment, such person shall have the status of active police officer at all time during the discharge from work.

When the disciplinary action taken against the police officer under the suspension or discharge from work has been completed, the authorized person under Section 105 shall castigate the punishment by the severity of misconduct. Any mitigating circumstance may be taken into account for punishment reduction. The order of punishment shall be retrospectively effective up to the date of suspension or discharge from work.

The allowance, monthly pays and grants, as well as the payment of such pays for the person under suspension or discharge from work shall be subject to the respective provisions of laws or regulations. The requirements and procedures relating to the suspension, discharge from work and duration thereof, as well as actions taken in response to the investigation outcome shall be subject to the provisions prescribed in the Police Commission Regulations.

The provision under Section 129 shall apply mutatis mutandis to the police officer who is under the discharge from work order, however, the effective date shall start from the date of discharge from work for any case other than that imposing the discharge from work.

Section 132 Any police officer who is transferred under Section 94 (1) has committed misconduct prior to the effective transfer date, the supervisor of such police officer shall, mutatis mutandis, take disciplinary action under this chapter. In the case where the matter is pending investigation, consideration or inquiry conducted by the previous supervisor prior to the transfer date, such investigation, consideration or inquiry shall continue until completion, and the matter shall be then referred to the supervisor of such police officer for further actions to be taken under the provisions of this chapter mutatis mutandis. Nevertheless, a disciplinary punishment order shall be in accordance with the misconduct and punishment under the laws on civil service or law on local personnel administration of the transferred officer, as the case may be.

## Chapter 8

### Retirement from Government Service

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Section 133 A police officer retires from government service upon:

- (1) death;
- (2) retirement from government service under the law on official gratuities and pensions;
- (3) resignation from government service with grant to resign, or a resignation which becomes effective under Section 135;
- (4) discharge under Section 75, Section 131, Section 134, Section 136, Section 137, Section 138 or Section 139; or
- (5) dismissal or expulsion.

The date of retirement from government service under (4) and (5) shall be as prescribed by the Police Commission Regulations.

The discharge from government service of the police officer who enters the military service under the law on military service shall be subject to such law.

Section 134 In the case where any person who is instated as police officer, if after it appears that such police officer lacks of qualification or is under a prohibition under Section 71, or lacks of qualifications specified for the position under Section 69 prior to the instatement, the order of discharge from government service shall be issued by the authorized person under Section 105, however, the order will not affect any action taken by such person under his/her duties and power, and the receipt of salary or any other benefit obtained from the government prior to the discharge order. If the instatement is made in good faith, it shall be deemed as discharge to receive compensatory gratuities and pensions under the law on official gratuities and pensions.



Section 135 A police officer who wishes to resign from government service shall submit a letter of resignation to the immediate supervisor, in order to enable the authorized person under Section 105 or other supervising officers prescribed in the Police Commission Regulations, to consider and approve the resignation.

In the case where a police officer wishes to resign from government service in order to assume a position prescribed under the Constitution, political position, or to apply for candidacy in an election of members of the Parliament, members of the Senate, members of local assemblies or local administrators, the resignation shall become effective as from the date of resignation requested by such person.

Apart from the case stated in Paragraph two, in the case where the authorized person under Section 105 or other supervising officers prescribed in the Police Commission Regulations finds it necessary for the interests of the government service, the resignation may be withheld for no longer than ninety days as from the requested date of resignation. In such case, if the person requesting resignation does not withdraw the resignation prior to the expiration of the withholding period, it shall be deemed that the resignation takes effect upon the expiration of the withholding period.

In the case where the authorized person under Section 105 or other supervising officer prescribed in the Police Commission Regulations does not withhold under Paragraph three, the resignation shall take effect as from the requested date of resignation.

Rules and procedures pertaining to resignation, consideration of permission for resignation, and the withholding the resignation from government service shall be as prescribed by the Police Commission Regulations.

Section 136 The authorized person under Section 105 has the power to discharge a police officer from government service to receive compensatory gratuities and pensions under the law on official gratuities and pensions. Apart from the circumstances prescribed in other provisions of law under this Act or in the law on official gratuities and pensions, the discharge of government service to receive compensatory gratuities and pensions can apply to the following cases:

- (1) when a police officer suffers from an illness and is unable to perform official duties with regularity;
- (2) when a police officer applies for an assignment as desired by official authorities;
- (3) when a police officer lacks the general qualifications under section 71 (1) or (4), or is disqualified or under a prohibition as prescribed in the Police Commission Rules.
- (4) when a police officer is unable to perform official functions efficiently and at a level of effectiveness satisfactory to the official authorities, as required by the criteria and procedures in the Police Commission Rule.

Section 137 In the case where any police officer is accused of, or it is questionable that he/she reduced in competence with respect to the performance of official duties, defective in official duties, or conducts oneself inappropriately to the official responsibilities, and the supervising officer from the level of superintendent or equivalent views that such case is well-grounded, where the continued service of such person would be detrimental to the government service, such authorized person shall appoint an inquiry committee without delay. At the inquiry, the accused person shall be notified of charges and summary of existing witnesses (the names of witnesses may be identified or not identified) and evidence supporting the accusation, and he/she shall be provided with opportunity to give statement and rebut. Once the inquiry is complete and the committee or the person appointing the committee deems appropriate that such accused person be discharged, the person appointing the committee shall submit the outcome to the authorized person under Section 105 for further consideration to order the discharge from government service to receive compensatory gratuities and pensions.

In the case where the supervisor has appointed the committee conducting inquiry against the accused person under Section 119 on the matter to be inquired into under Paragraph one, and the inquiry committee under Section 119 has completed the inquiry, the authorized person under Paragraph one may consider such case docket for further action to be taken, without appointing the inquiry committee under Paragraph one.

Rules and procedures pertaining to the inquiry and consideration shall be as prescribed by the Police Commission Rule.

Section 138 When a police officer is accused of a gross disciplinary misconduct and the outcome of the inquiry does not make a sufficiently clear finding for the imposition of a punishment of dismissal or expulsion, but there is such dishonor or skepticisms in the case under inquiry that allowing continued service will be detrimental to the government service, the authorized person under 105 shall order the discharge from government service to receive compensatory gratuities and pensions.

Section 139 When a police officer serves a term of imprisonment pursuant to a final sentence of imprisonment for an offence committed negligently or a minor offence or serve a term of imprisonment by court order which does not call for a dismissal or expulsion, however the continued service will be detrimental to the government service, the authorized person under 105 shall order the discharge from government service to receive compensatory gratuities and pensions.

Section 140 A retirement from government service of a police officer holding a position of the Police Commissioner-General, the Police Inspector-General and Deputy Police Commissioner-General or equivalent shall be presented to the King for a Royal Command of removal from the position, except where the retirement was as a result of death, attainment of pensionable age or retirement from government service under punishment.

Upon the retirement from government service of a police officer holding a position from commander or equivalent, excluding the positions as stated in Paragraph one, the matter shall be presented to the King for acknowledgement by the Prime Minister, except where the retirement was as a result of death, attainment of pensionable age or retirement from government service under punishment.

## Chapter 9

### Appeals

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Section 141 Any police officer who is subject to a punishment order or discharged from government service under this Act has the right to appeal, as follows:

(1) In the case of the imposition of probation, penalty work, mandatory guard service, detention or salary cut, the appeal shall be submitted to the supervising officer of the supervisor who orders the punishment; except for the case that the Police Commissioner-General orders the punishment, the appeal shall be submitted to the Police Commission.

(2) In the case of the imposition of dismissal or expulsion or discharge from government service, the appeal shall be submitted to the Police Merit System Protection Commission.

The appeal under (1) and (2) shall be submitted within thirty days of knowledge of the order.

The consideration of appeal under (1) shall be complete within one hundred and twenty days from the date of receipt of appeal, unless there is any extenuating circumstance, as prescribed in the Police Commission Regulation, which makes the consideration incomplete within such period of time. In such case, up to two extensions of consideration period can be granted, and each extension shall not exceed a period of sixty days, provided that such extenuating circumstance must be recorded. However, the appeal and consideration of appeal under (1) shall be as provided in the Police Commission Rule.

The consideration of appeal under (2) shall be complete within one hundred and twenty days from the date of receipt of appeal, unless there is any extenuating circumstance causing the consideration incomplete within such period of time. In such case, up to two extensions of consideration period can be granted, and each extension shall not exceed a period of sixty days, provided that such extenuating circumstance must be recorded. However, the appeal and consideration of appeal under (2) shall be as provided in the Police Merit System Protection Rule. In this regard, the interim relief for remedy or mitigation of suffering, prior to the issuance of ruling made by the Police Merit System Protection Commission, may be established.

In the case that the Police Commission in paragraph three or the Police Merit Systems Protection Board in paragraph four still not considered according to the due time, the appellant shall bring the case to the Administrative Court within ninety days from the date of expiration of such period.

The Police Commission under Paragraph three or the Police Merit System Protection Commission under Paragraph four shall not create any process or any means causing delay to the appeal consideration.

Section 142 When the Police Merit System Protection Commission (PMSPC) has carried out the appeal consideration, the supervisor ordering the punishment shall carry out the implementation of the ruling within thirty days from the date of the PMSPC ruling.

In the case where the appellant disagrees with the ruling of the PMSPC, a plaint shall be filed at the Supreme Administrative Court within ninety days from the date of knowledge of the ruling of PMSPC or the date on which the PMSPC ruling is deemed to be known.

Any supervisor who does not comply with Paragraph one shall be deemed to have intentionally committed a wrongful neglect to perform official duties in order to cause detriment to other persons.

Section 143 In the performance of duties under this Act, members of the PMSPC shall be competent officials under the Criminal Code and shall have the following powers:

(1) to order the supervising officer ordering the punishment or ordering discharge from government service, which was the cause of the appeal, to send the case file on inquiry and punishment to the PMSPC within the prescribed period of time;

(2) to order a new or additional inquiry to be conducted, or send police officers under the supervision to give statement, in which case a time period for new or additional inquiry may also be prescribed for the new or additional inquiry;

(3) to issue summons to government officials, employees or wage earners of a ministry, department, government agency, state enterprise and other state agency or local administrative organization or any relevant person to give statement or submit relevant documents or evidence;

(4) to enter buildings or any premises related to the performance of duties by the PMSPC, at a time between dawn and dusk, or during the operational hours of such premises;

(5) to carry out a new or additional inquiry.

Section 144 In an appeal consideration, the PMSPC shall have the power to refuse to hear or to dismiss the appeal, or to make a ruling to amend or repeal the punishment order and award remedy for damage to the appellant, including to expedite the remedy, or to take any other actions for the interest of justice, as prescribed in the PMSPC Regulation.

With regard to the ruling requiring an amendment or other actions taken under paragraph one, the PMSPC may not impose a heavier punishment.

Section 145 The objection to the members of the PMSPC, including grounds and methods of objection, consideration of objection and withdrawal of members, shall be subject to the PMSPC Rule.

Section 146 In the case where the Administrative Court has final judgment, or the person authorized to consider the case under the law has the final ruling to withdraw or amend the order on any subject, it is the duty of the supervisor, the authorized person or the Police Commission, as the case may be, to make an appropriate order for remedy and amendment, or actions to be taken as deems appropriate for the case, in order to enforce such judgment or ruling.

## Chapter 10

### Complaints

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Section 147 In the case where any police officer views that his/her supervisor abuses their power to wrongfully treat or not to treat such police officer correctly under the regulations or laws, or has a cause for grievance caused by wrongful treatment of the supervisor; or the Police Commission Rule is enacted inconsistent or contradictory to this Act, or causes unfairness, such police officer may lodge a complaint with his/her supervisor or the PMSPC, as the case may be, for the remedy. Save for the case entitling to the appeals under Chapter 9 (Appeals), the right to appeal shall be as prescribed in such Chapter.

Section 148 A complaint due to a cause originating from a supervisor shall be lodged with the respective higher level of supervising officers.

A complaint due to a cause originating from a head of police bureau level shall be lodged with the PMSPC.

A complaint on the matter of the unfairness resulted by the enforcement of the Police Commission Rule, or the inconsistency or contradiction to this Act, shall be lodged with the PMSPC.

The duration of complaint process, complaint lodging and consideration of complaints under Paragraphs one, two and three shall be as prescribed in the PMSPC Rule.

Section 149 In considering the complaint, the supervisor who considers the complaint and the PMSPC shall have the power to refuse to hear or to dismiss the appeal, or to make a ruling to amend or repeal the order and award remedy for damage to the complainant, or to take any other actions for the interest of justice, as prescribed in the PMSPC Regulation.

When the supervisor considering the complaint or the PMSPC has a ruling on the complaint by any means, the responsible person shall take actions to implement the ruling.

In the case where any complainant disagrees with the ruling of the supervisor empowered to consider the complaint, he/she is entitled to file an appeal with the PMSPC within thirty days from the date of acknowledgement of the ruling, and the provision of Paragraph four of Section 148 shall apply, in this case, *mutatis mutandis*.

The ruling of the PMSPC shall be final.

## Chapter 11

### Protection of the Merit System

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Section 150 In the case where the PMSPC finds that a ministerial regulation, the Police Commission Rule, regulation, principle, requirement, notification, resolution or order issued under this Act and intended for general application is inconsistent with the merit system under Section 60, the PMSPC shall notify the authorized person issuing such ministerial regulation, the Police Commission Rule, regulation, principle, requirement, notification, resolution or order for an amendment or a repeal to be made as appropriate to the case.

## Section 12

### Police Uniforms

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Section 151 The components, types and categories of police uniforms and of non-rank police officer, as well as how, when or under which conditions the uniforms are worn, shall be prescribed by Ministerial Regulation.

Section 152 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 153 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 154 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 155 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.

## Chapter 9

### Fund for Criminal Investigation and Inquiry, Crime Prevention and Suppression

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Section 156 A fund within the Royal Thai Police called “Fund for Criminal Investigation and Inquiry, Crime Prevention and Suppression”, whose objective is to support the criminal investigation and inquiry work, crime prevention and suppression, shall be set up.

Section 157 The Fund consists of:

- (1) property transferred under Section 176;
- (2) subsidy from the Government;

(3) monies and property received from state agencies, state-owned enterprises, local governments or foundations, except for the subsidy under paragraph two of Section 7;

(4) fruits of the monies 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 collected under the law on road traffic, to the extent that such portion of the proceeds is required to be remitted as State revenue, and the administrative fines imposed by police officers under the laws, be remitted to the Fund without having to remit such portion of proceeds 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 as State revenue.

Section 158 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 159 There shall be an executive board, consisting of the Commissioner General as President, the Police Inspector-General, a representative of the Comptroller General's Department, a representative of the Office of the Attorney General, a representative of the Bureau of the Budget 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 160 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, crime prevention and suppression; 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 Government accounting standards and the Government accounting policies required by the Ministry of Finance;

(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 161. The executive board shall prepare and submit the financial budget and account to an auditor for the purpose of auditing within ninety 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 Royal Thai Police and the Ministry of Finance.

#### Transitory Provisions

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Section 162 The government agencies established under Royal Decree on the Organization of Government Agencies of the Royal Thai Police, B.E. 2552 (2009) and its amendments, as well as the ministerial regulations dividing government agencies as divisions or other agencies in the Royal Thai Police B.E. 2552 and its amendments, shall be government agencies under this Act until such time that a new Royal Decree or new ministerial regulation is issued under Section 11, however, such issuance shall not over one year from the date of coming into force of this Act.

Section 163 Upon a completion of the period of one year from the date of coming into force of this Act, the Railway Police Division shall be rescinded, and the budget of the State Railway of Thailand, on the part received from the annual government statement of expenditure allocated for salaries, remuneration and other expenses of the police officers in the Railway Police Division, shall be transferred to the Royal Thai Police.

The Royal Thai Police shall allocate, in accordance with Section 12, the personnel from the Railway Police Division under Paragraph one.

Section 164 All duties and power of the police officer in the Railway Police Division, relating to the investigation or inquiry into any cases pending the rescinding of the Railway Police Division, shall be referred to the police officers in police stations or divisions as determined by the Police Commissioner-General, and it deems that the investigation or inquiry carried out and to be carried out is conducted by the competent inquiry officers.

Section 165 Within two years from the date of coming into force of this Act, the Chairman of the Public Sector Development Commission shall invite the Police Commissioner-General and the heads of agencies responsible for operations under the laws governing natural resources and environment, including the laws governing forestry, national forest, national parks, wildlife conservation and protection, maritime zones and marine and coastal resources management, fishery, environmental quality promotion and conservation, ground water resources, chain saws and other natural resources and environment laws, to jointly discuss and consider on the responsibility for protection and suppression, investigation and inquiry into crimes against those laws, wholly or partly, as to be agreed, by taking into account of efficiency and integration of operations and mitigation of tasks of the Royal Thai Police. In this regard, the Public Sector Development Commission shall report the progress to the Prime Minister in every three months.

Once the resolution has reached, the Royal Decree rescinding or amending the Natural Resources and Environmental Crime Division of the Royal Thai Police shall be coherently promulgated. In the case of the rescinding of such division, the provision of Paragraph two of Section 163 shall apply *mutatis mutandis*. In such Royal Decree, it shall determine the steps of task transfer, transfer and receipt of transfer of personnel of relevant agencies, as well as the duties and power of carrying out pending cases or matters, by applying the provision of Paragraph three of Section 6 *mutatis mutandis*.

Upon the lapse of the period of time stated in Paragraph one or Paragraph two, if the discussion has not yet been final, the Natural Resources and Environmental Crime Division shall be rescinded and the personnel thereof shall be further allocated in accordance with Section 12 and the Minister-in-charge under Paragraph one shall entrust the respective official to be responsible for the protection and suppression, investigation and inquiry of crimes relating to all of the said laws and promulgate a Royal Decree determining the steps of task transfer, transfer and receipt of transfer of personnel of relevant agencies, as well as the duties and power of carrying out pending cases or matters and other matters relating to or required for the task transfer.

Section 166 Within five years from the date of coming into force of this Act, the Board of Royal Thai Police shall consider and revise the duties and power of the Royal Thai Police or the police officers, on the part which is required by the laws that the Royal Thai Police or the police officer having duties to grant permission or registration. If it has considered and found that it is necessary to entrust the Royal Thai Police or police officers to have duties and power under such laws, it shall inform the Cabinet and the Parliament of the rationale and necessities thereof for further consideration.

In the case that the Board of Royal Thai Police fails to take action or has not completed the action within the period of time as prescribed in Paragraph one, the duties and power of the Royal Thai Police or police officers granting permission or registration as stated in Paragraph one shall terminate, unless the Cabinet and the Parliament resolve that the Royal Thai Police or police officers still have the duties and power under such laws.

The transfer of duties and power under the laws, as prescribed in Paragraph one and Paragraph two, to any agency shall be subject to the determination of the Cabinet and shall be enacted in the form of Royal Decree.

Section 167 With regard to the period of time as stated in Section 165, in the case of unavoidable necessity, the Cabinet, under the recommendation of the Board of Royal Thai Police, may grant a one-year extension, but not exceeding three extensions.

Section 168 The personnel administration as prescribed in Paragraph four of Section 12, especially for the part relating to police stations and metropolitan and provincial police divisions, at the first period not exceeding two years from the date on which this Act comes into force, shall mean specifically the fundamental personnel administration which the Police Commission requires as minimum scale of police stations and metropolitan and provincial police divisions and the determination shall be complete within two hundred and forty days from the date on which this Act comes into force. Within such two-year period, the Police Commission shall revise the personnel administration scheme of police stations and metropolitan and provincial police divisions, to be appropriate for mandates and budgets to be allocated; and the Royal Thai Police shall take actions as prescribed in Paragraph four of Section 12 within a period of three years from the date on which that period of two years is complete.

Section 169 Any person who was a police officer under the National Police Act, B.E. 2547 (2004) and its amendments on the day before the date of coming into force of this Act shall continue to be a police officer under this Act.

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

Section 170 Any person who has a police rank or an acting police rank as prescribed in the National Police Act, B.E. 2547 and its amendments or 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 171 The terms in Section 8 (2) shall not affect the police officers holding their position and rank on the day before the date of coming into force of the Royal Decree under Paragraph two of Section 8, and upon the effectiveness of such Royal Decree, those police officers is entitled to use only the rank remaining on the date of coming into force of such Royal Decree.

Section 172 At the initial stage, during the recruiting process of the ex officio members of the Board of National Police Policy under Section 14(4), the Board of Royal Thai Police, including the Chairman and members under section 14 (1) (2) (3) and (5) shall perform their duties, as the Board of Royal Thai Police in the interim.

The recruitment of the ex officio members shall be completed within one hundred and twenty days from the date of coming into force of this Act.

Once the actions under Paragraph two have been taken and the recruitment of members of the ex officio members of the Board of National Police Policy under Section 14(4) has completed, the Secretary of the Board of Royal Thai Police shall submit the outcome of action taken for acknowledgement and consideration of the Board of Royal Thai Police. If the Board of Royal Thai Police views that there is any matter should be revised or improved so as to be in line with this Act or to be more appropriate, the Board of Royal Thai Police shall have the resolution thereof or take actions immediately under its duties and power.

Section 173 At the initial stage, during the recruiting process of the ex officio members of the Board of National Police Policy under Section 22b(4), the Police Commission, consisting of Chairman and members under section 22 (1) (2) and (3), shall perform their duties of the Police Commission in the interim, to the necessary extent.

The recruitment of the ex officio members shall be completed within one hundred and eighty days from the date of coming into force of this Act.

Once the actions under Paragraph two have been taken and the recruitment of the ex officio members under Section 22 (4) has completed, the Secretary of the Police Commission shall submit the outcome of action taken, as prescribed in Paragraph one, for acknowledgement and consideration of the Police Commission. If the Board of Royal Thai Police views that there is any matter should be revised or improved so as to be in line with this Act or to be more appropriate, the Police Commission shall have the resolution thereof or take actions immediately under its duties and power.

Section 174 The Police Commission shall complete the determination of positions of police officers by their work line and level of position in accordance with this Act within one hundred and eighty day from the date of the appointment the ex officio members under this Act. Once the Police Commission has completed the determination of positions, it shall be deemed that the person who holds such position or used to hold such position before the date of coming into force of this Act be in that work line before the date of coming into force of this Act.

With regard to the unranked police officers under Section 8 (2), the Police Commission shall carry out and determine the position of non-rank police officers to the completion within one year.

Any police officer who holds the position and works in the line of investigation, inquiry or other work lines in the group of protection and suppression before the date of coming into force of this Act shall be deemed that such police officer is the police officer in the work line of investigation and inquiry or protection and suppression, as the case may be, under this Act, until the process under Paragraph four has been carried out.

Subject to the terms of Paragraph three, the Royal Thai Police shall have the police officers of each position enter into their work line under Paragraph one and complete the process within one year from the process under Paragraph one has completed, provided that their original position, specific qualification for position and personnel rate of each work line shall take into account.

The Police Commission shall complete the determination of the criteria and method to assess the satisfaction under Paragraph two of Section 82 within one year from the date of coming into force of this Act.

Section 175 When the recruitment of the ex officio members under Section 173 has completed, the recruitment of the ex officio members of the Police Complaint Commission under Section 53 shall further be carried out and completed and announced in the Royal Gazette within two hundred and forty days from the date of coming into force of this Act.

Section 176 All the matters, property, right, duty, liability, obligation and budget of the Criminal Investigation and Inquiry Fund, under the Royal Thai Police Act B.E. 2547 and its amendment, which existed before the date of coming into force of this Act, shall be transferred to the Fund for Criminal Investigation and Inquiry and Crime Prevention and Suppression under this Act.

Section 177 A police officer who serves the government service before the date of coming into force of this Act shall receive salary, position allowance, cost of living subsidy or any other remuneration which has been received before the date of coming into force of this Act, except for the person who receives the salary which is lower than the minimum rate of the level, the salary of such person shall be adjusted to the minimum rate of the level from the date of coming into force of this Act.

Section 178 At the initial stage, within one hundred and eighty days from the date of coming into force of this Act, the recruitment or appointment of police officers to hold positions shall be carried out under the criteria, procedure and conditions which are effective before the date of coming into force of this Act.

Section 179 During the time of 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 existing Royal Decrees, Ministerial Regulations, Regulations of Civil Service Commission, Rules, Prescriptions, Notifications, Resolutions or the applicable cases shall apply to the extent of not being contradictory nor inconsistent to this Act.

Section 180 As regards any police officer 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 officer 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 the National Police Act, B.E. 2547 and its amendments which are effective at that time; 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 officer 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.

Section 181 With regards to the appeals and grievances under the National Police Act B.E. 2547 and its amendments which were submitted before the date of coming into force of this Act and are in the jurisdiction of the consideration of the Police Commission, the Police Commission shall further consider the same to the completion.

With regards to the appeals and grievances under the National Police Act B.E. 2547 and its amendments which were submitted on or after the date of coming into force of this Act, the PMSPC shall further consider and carried out the same.

During the lead time of the appointment of the PMSPC, the Police Commission shall work as the PMSPC under this Act in the interim, until the appointment of the PMSPC under this Act, except for all the duties and power of the PMSPC relating to the decision of appeals or grievances originated by the rules, regulations, orders or resolutions of the Police Commission, where the person is entitled to submit appeal or grievance to the Administrative Court.

The appointment of the PMSPC shall be complete within one hundred and eighty days from the date of coming into force of this Act.

Countersigned by

General Prayuth Chanocha

Prime Minister

Remarks: - The reasons for the promulgation of this Act are as follows. Whereas Section 258 (d), justice procedure (4) of the Constitution of the Kingdom of Thailand prescribes that the national reform on justice procedure shall be implemented in order to ensure that this law will be enforced efficiently, by revising and amending the laws relating to duties, power and mandates of police officers to be more suitable; and revising and amending the laws relating to the police personnel administration to be more efficient and to guarantee that the police officers will obtain appropriate remuneration and be treated equally on their promotion and postings; as well as to ensure that the decision on their rewards will be made explicitly in line with the merit system. Upon the decision made on promotions and postings, their seniority, knowledge and capability shall be taken into account, so that those police officers can perform their duties professionally and independently, without being influenced by others; and can do their work efficiently and be proud of their own efficiency. It is therefore expedient to revise the law governing National Police by removing non-material mandates out of the Royal Thai Police so that the Royal Thai Police can carry out its duties which are the key mandates and serve the public efficiently and speedily; by revising the provisions relating to human resources of police personnel for efficiency by determining work lines so that the police officers of each work line can be promoted within their work line and by their expertise in their work line; by determining explicit procedures of appointment and promotion, by considering seniority, educational background and public satisfaction for services provided; by setting up the Police Morality System Protection Commission (PMSPC) in order to consider and make decision on appeals, complaints and determine the concrete merit system, so as to establish the last resort of police officers for relieving their grievance caused by supervisors; by setting up a committee considering complaints against police officers, in order to be a mechanism for people who lodge complaints on police officers' misconduct, which will relieve the public grievance caused by the acts committed by police officer and encourage the community to participate in the police activities; and by establishing the Fund for Criminal Investigation and Inquiry and Crime Prevention and Suppression, as financial source for police officers in performing their duties. Accordingly, the enactment of this Act is required.