

Regulation of the Executive Board of the Thai Maritime Enforcement Command Center

on Operations of the Thai Maritime Enforcement Command Center,
Area Maritime Enforcement Command Center, and
Provincial Maritime Enforcement Command Center,
B.E 2563 (2020)

To expedite systematic and efficient operations of the Thai Maritime Enforcement Command Center (Thai-MECC), Area Thai Maritime Enforcement Command Center (Area Thai-MECC), and Provincial Thai Maritime Enforcement Command Center (Provincial Thai-MECC), by virtue of Section 23 (6) of the National Maritime Interests Protection Act, B.E. 2562 (2019), the Executive Board of the Thai Maritime Enforcement Command Center hereby issues a regulation as follow:

Clause 1 This Regulation is called the "Regulation of the Executive Board of the Thai Maritime Enforcement Command Center on Operations of the Thai Maritime Enforcement Command Center, Area Thai Maritime Enforcement Command Center, and Provincial Thai Maritime Enforcement Command Center, B.E. 2563 (2020)".

Clause 2 This Regulation shall come into force on the date following its publication in the National Gazette onward.

Clause 3 To expedite analysis of threats to the national maritime interests for systematic administration and operation of government agencies under the Thai-MECC in compliance with the powers and duties vested in them under Section 27, the Thai-MECC, Area Thai-MECC, and Provincial Thai-MECC shall take the following key components into consideration in the implementation of their operations:

3.1 The National Strategies, B.E. 2561-2580 (2019-2037).

3.2 Thailand's maritime security situations under the National Maritime Security Plan.

3.3 Strategic approaches to the acquisition of maritime interests.

Clause 4 The rotation cycle of the Thai-MECC, Area Thai-MECC, and Provincial Thai-MECC manpower shall be as follows:

4.1 Rotation cycle of competent officials under the Thai-MECC administrative structure. Pursuant to its manpower administration, Thai-MECC requires that its personnel who come from six government agencies (the Royal Thai Navy, Thai Marine Police Division, Marine Department, Department of Fisheries, Customs Department, and Department of Maritime and Coastal Resources) and other government agencies shall take turns performing duties for the Thai-MECC for a period of 1-2 years per rotation or as prescribed by the Executive Board of the Thai-MECC.

Details of their operations are prescribed in the Thai-MECC directive Re: Organization of the Internal Division Structure and Manpower of Thai-MECC.

4.2 Vehicle rotation. The six government agencies under the command of Thai-MECC shall provide vehicles and competent officials to work at Thai-MECC for no more than one year at a time, the details of which are as follows:

4.2.1 six government agencies under the command of Thai-MECC shall provide different types of ships and/or aircrafts and/or Unmanned Aerial Vehicles (UAV) as deemed appropriate or as requested by the Thai-MECC;

4.2.2 Thai-MECC shall be responsible for per diem allowance expenses, fuel costs, and other expenses incurred from the use of said vehicles in the operations, including emergency maintenance and repair costs of ships and/or aircrafts and/or UAVs.

4.3 Integrated operations between the six government agencies under the command of Thai-MECC shall be carried out as prescribed in the Regulation of the Executive Board of Thai-MECC on Integrated Operations Between Government Agencies, B.E. 2563 (2020).

Clause 5 The performance of Thai-MECC's powers and duties shall be in accordance with Section 27 paragraph one, paragraph two, and paragraph three of the National Maritime Interests Protection Act, B.E. 2562 (2019).

Clause 6 To support systematic administration and operations of the government agencies under the command of Thai-MECC in compliance with the powers and duties stipulated in Section 27, there shall be three "severity levels of threats to the national maritime interests" as follows:

6.1 Warning level of threats to the national maritime interests means the situations in which there is a possibility of occurrence of maritime threats or impacts on national maritime interests or security. All units involved in the protection of the national maritime interests shall have appropriate, minimum-level preventive measures for different types of ships, piers, pier operations, docks, cargo ports, passenger ports, wharfs, fish market operations, and the areas or sites prescribed and notified by the Director-General of Thai-MECC in place at all times. For cases under Section 27 paragraph one, government agencies in charge of such locations or activities shall have to petition for a return to normal maritime activities by virtue of Section 28 (4) of the National Maritime Interests Protection Act, B.E. 2562 (2019).

6.2 Monitoring level of threats to the national maritime interests mean the situations in which there is a higher possibility that maritime threats will occur or will have severe impacts on the national maritime interests or security. All relevant

relevant agencies in the protection of national maritime interests shall impose additional preventive measures, as deemed appropriate, for a certain period of time, following higher risk for the occurrence of situations that may have safety impacts.

6.3 Special monitoring level of threats to the national maritime interests means the situations in which there is the highest possibility or certainty of a critical maritime threat or impact on national maritime interests or security. All relevant agencies in the protection of national maritime interests shall impose more specific preventive safety measures, for a limited period of time, when there is a high possibility of situations that may have impact on safety or threats, even though the exact targets of such threats cannot be identified. It is a time when the risk of occurrence of situations that may have impact on safety is high or imminent.

Clause 7 Protection of national maritime interests shall cover the entire maritime zones that Thailand enjoys the use of or has the rights or liberty to use or to use in the future or is responsible for under the international laws or treaties or any other reasons. It is the zones where Thailand is supposed to directly or indirectly benefit from all aspects of maritime activities or other interests.

Clause 8 The operational approaches of Thai-MECC are:

By virtue of Section 17 paragraph six, the Deputy Director-General, Assistant Director-General, and Secretary-General of Thai-MECC shall have the power to command Thai-MECC government officials, employees and wage-earners. They shall also have other duties and powers as prescribed in the Thai-MECC Directive No. 1/2562 Re: Description of Duties, Assignment of Powers to Act on Behalf of the Director-General of Thai-MECC, and Submission of Documents.

Thai-MECC is a special form of government agency with the duties, powers and responsibilities relating to the protection of the national maritime interests. It is under the direct command of the Prime Minister. The operational and administrative procedures, structural organization, departmentation, duties and powers of its work units and manpower shall be as prescribed by the Cabinet. Thai-MECC operations can be classified by their characteristics into three categories: Protection of the national maritime interests under Section 27 paragraph one, Section 27 paragraph two, and Section 27 paragraph three. The main objective of Thai-MECC is to unify the operations of government agencies responsible for the protection of maritime security and suppression of maritime threats under a single command post. Key components of Thai-MECC operations are: 1) Development of Maritime Situational Awareness (MSA) mechanism; 2) Dissemination of knowledge to the public; 3) Organization and management of vessel traffic services; and 4) Employment of government agencies'

manpower to perform duties and exercise powers under the National Maritime Interests Protection Act, B.E. 2562 (2019).

8.1 Protection of the national maritime interests under Section 27 paragraph one.

8.1.1 Thai-MECC shall operate as follows:

8.1.1.1 coordinate and support the national maritime interest protection operations in accordance with the powers and duties assigned by law to specific government agencies as;

8.1.1.2 coordinate and support the national maritime interest protection operations of the Area Thai-MECC, Provincial Thai-MECC and related government agencies;

8.1.1.3 monitor, examine, assess trends and issue warnings on maritime situations that may pose a threat to the national maritime interests; prepare plans for integrated operations between relevant government agencies in response to the escalation of threats to the national maritime interests from monitoring to special monitoring levels;

8.1.1.4 prepare competent officials and vehicles of the six government agencies under its command for timely and efficient suppression and prevention of the warning severity level of threats to the national maritime interests from escalating to the monitoring level or the occurrence of any incident or situation that have or may impact on the national maritime interests;

8.1.1.5 collect, propose plans, prepare operational and implementation guidelines that comply with the National Strategies and the National Maritime Security Plan and submit them to the Cabinet for consideration and approval;

8.1.1.6 plan, develop, and implement the command chain system as well as communications and information technology systems to enable Thai-MECC to communicate, connect or share information with government agencies or domestic and international agencies;

8.1.1.7 disseminate news and information to raise public awareness on the importance of national maritime interests, sovereign right, jurisdiction and the right to utilize resources in different maritime zones as well as their duties to protect the national maritime interests. Promote public engagement in the prevention and solving of problems with impacts on national maritime interests;

8.1.1.8 direct and supervise piers, pier operations, docks, cargo ports, passenger ports, wharfs, fish market operations, and areas or places prescribed by the Director-General of Thai-MECC. Government agencies in charge of such places or operations shall have to petition for the exercising of such powers;

8.1.1.9 establish concrete and continuous maritime knowledge management system;

8.1.1.10 prepare guidelines for integrated operations with other government agencies, direct government agencies in the regulating, supervision, prevention, suppression, management, rectification or mitigation of problems, incidents, public dangers or unlawful acts that have or may have impacts on national maritime interests or maritime activities under Section 27 paragraph two or paragraph three;

8.1.1.11 enhance the capacity of Thai-MECC competent officials in the management or solving of problems that have or may have impacts on the national maritime interests or security;

8.1.1.12 organize integrated preparedness training for government agencies to enhance expertise at the administrator and practitioner levels;

8.1.1.13 enhance government officers' and competent officials' knowledge for the understanding of the laws on maritime activities as well as the knowledge, skills and expertise in investigation process;

8.1.1.14 improve efficiency of Port In Port Out (PIPO) Control Center's inspection teams, evaluate work performance of PIPO Center's Flying Inspection Teams (FIT);

8.1.1.15 perform any other tasks prescribed by law to be the duties and powers of Thai-MECC or any tasks assigned by the Cabinet.

8.1.2 Area Thai-MECC shall operate as follows:

8.1.2.1 monitor, examine, assess trends, and issue warnings on maritime situations that may pose a threat to the national maritime interests in the Area Thai-MECC's responsible areas for unity of integrated operations between relevant government agencies in response to the escalation of threats to the national maritime interests from warning to monitoring levels;

8.1.2.2 employ competent officials and vehicles of government agencies operating under the command of the Area Thai-MECC for timely and efficient suppression and prevention of the warning severity level of threats to the national maritime interests from escalating to the monitoring level, or the occurrence of any incident or situation that have or may have impacts on the national maritime interests;

8.1.2.3 collect, propose plans, prepare operational and implementation guidelines that comply with the Area Thai-MECC's and the Provincial Thai-MECC's policies, strategies or the National Maritime Security Plan and submit them to the Cabinet for consideration and approval;

8.1.2.4 implement plans and operate the command chain system as well as the communications and information technology systems to enable Thai-MECC to communicate, connect or share specific information that are necessary for its operations with government agencies under the command of the Area Thai-MECC and international agencies;

8.1.2.5 disseminate news and information to raise public awareness in its responsible areas on the importance of national maritime interests, sovereign right, jurisdiction and the right to utilize resources in different maritime zones as well as their duties to protect the national maritime interests; promote public engagement in its responsible areas in the prevention and solving of problems with impacts on the national maritime interests;

8.1.2.6 direct and supervise piers, pier operations, docks, cargo ports, passenger ports, wharfs, fish market operations, and areas or places in its responsible areas or as prescribed by the Director-General of Thai-MECC. Government agencies in charge of such places or operations in the Area Thai-MECC's responsible areas shall have to petition for the exercising of such powers;

8.1.2.7 support and establish concrete and continuous maritime knowledge management system in the Area Thai-MECC's responsible areas;

8.1.2.8 support Thai-MECC in enhancing the capacity of Area Thai-MECC's and Provincial Thai-MECC's competent officials in the management or solving of problems that have or may have impacts on national maritime interests or security;

8.1.2.9 support and join Thai-MECC and Provincial Thai-MECC in integrated preparedness training for government agencies to enhance their expertise at the administrator and practitioner levels;

8.1.2.10 support and join Thai-MECC and Provincial Thai-MECC in enhancing government officers' and competent officials' knowledge for the understanding of the laws on maritime activities as well as the knowledge, skills and expertise in investigation process;

8.1.2.11 coordinate, supervise and administer the national maritime interest protection operations of Provincial Thai-MECC in accordance with the powers and duties assigned by law to specific government agencies;

8.1.2.12 coordinate and support the national maritime interest protection operations of the Provincial Thai-MECC and related government agencies;

8.1.2.13 perform any other operations in accordance with the powers and duties assigned by law to the Area Thai-MECC or as assigned by the Cabinet.

8.1.3 Provincial Thai-MECC shall operate as follows:

8.1.3.1 coordinate and support general national maritime interest protection operations in the Provincial Thai-MECC's responsible areas in accordance with the powers and duties assigned by law to specific government agencies;

8.1.3.2 coordinate and support the national maritime interest protection operations of the Thai-MECC and Area Thai-MECC;

8.1.3.3 monitor, examine, assess trends, and issue warnings on maritime situations that may pose a threat to the national maritime interests in the Provincial Thai-MECC's responsible areas. Collect, propose plans and coordinate operations of government agencies under the command of Provincial Thai-MECC for unity of integrated operations between relevant government agencies, in response to the escalation of threats to the national maritime interests from the monitoring to the special monitoring levels;

8.1.3.4 employ competent officials and vehicles of government agencies operating under the command of Provincial Thai-MECC for timely and efficient suppression and prevention of the warning severity level of threats to the national maritime interests from escalating to the monitoring level, or the occurrence of any incident or situation that have or may have impacts on the national maritime interests;

8.1.3.5 collect, propose plans, prepare operational and implementation guidelines that comply with the Provincial Thai-MECC's policies, strategies or the National Maritime Security Plan and submit them to the Area Thai-MECC;

8.1.3.6 implement plans, manage the command chain system as well as the communications and information technology systems to enable communication, connection or sharing of specific information, that are necessary for its operations, between the Thai-MECC, Area Thai-MECC, Provincial Thai MECC, government agencies and international agencies;

8.1.3.7 disseminate news and information to raise public awareness in the Provincial Thai-MECC's responsible areas on the importance of the national maritime interests, sovereign right, jurisdiction and the right to utilize resources in different maritime zones as well as their duties to protect the national maritime

interests; promotes public engagement in the prevention and solving of problems with impacts on the national maritime interests in the Provincial Thai-MECC's responsible areas;

8.1.3.8 direct and supervise piers, pier operations, docks, cargo ports, passenger ports, wharfs, fish market operations, and areas or places in the Provincial Thai-MECC's responsible areas or as prescribed by the Director-General of Thai-MECC. Government agencies in charge of such places or operations in the Provincial Thai-MECC's responsible areas shall have to petition for the exercising of such powers;

8.1.3.9 support and establish concrete and continuous maritime knowledge management system in the Provincial Thai-MECC's responsible areas;

8.1.3.10 support Thai-MECC and Area Thai-MECC in enhancing the capacity of Provincial Thai-MECC competent officials in the management or solving of problems that have or may have impacts on national maritime interests or security;

8.1.3.11 support and join Thai-MECC and Area Thai-MECC in integrated preparedness training for government agencies to enhance their expertise at the administrator and practitioner levels;

8.1.3.12 support and join Thai-MECC and Area Thai-MECC in enhancing government officers' and competent officials' knowledge for the understanding of the laws on maritime activities;

8.1.3.13 perform any other operations in accordance with the powers and duties assigned by law to the Provincial Thai-MECC or as assigned by the Cabinet.

8.2 Protection of the national maritime interests under Section 27 paragraph two.

8.2.1 Thai-MECC shall operate as prescribed in 8.1.1 but at elevated levels as follows:

8.2.1.1 regulate, supervise, administer, and integrate problem management or problem-solving operations as well as enhance the capacity of government agencies in the prevention, suppression or rectification of problems, incidents or unlawful acts that have or may have impacts on national maritime interests or maritime activities;

8.2.1.2 control and direct government agencies in the regulating, supervision, prevention, suppression, management, rectification or mitigation of problems, incidents, public dangers or unlawful acts that have or may have impacts on national maritime interests or maritime activities under Section 27 paragraph two;

8.2.1.3 monitor, check, assess trends and situations that may pose a threat to the national maritime interests and report them to the National Maritime Interests Protection Committee (NMIPC) and the Cabinet for consideration;

8.2.1.4 propose plans, operational and implementation guidelines that comply with the policies, National Strategies or National Maritime Security Plan and report them to the Cabinet for consideration.

8.2.2 Area Thai-MECC shall operate as prescribed in 8.1.2 but at elevated levels as follows:

8.2.2.1 support Thai-MECC in the regulating, supervision and administration of the operations government agencies in connection to the protection of the national maritime interests;

8.2.2.2 support Thai-MECC's control and command over government agencies in the regulating, supervision, prevention, suppression, management, rectification or mitigation of problems, incidents, public dangers or unlawful acts that have or may have impacts on national maritime interests or maritime activities under Section 27 paragraph two;

8.2.2.3 support Thai-MECC in the monitoring, examination and assessment of trends of situations that may pose a threat to the national maritime interests.

8.2.3 Provincial Thai-MECC shall operate as prescribed in 8.1.3 but at elevated levels as follows:

8.2.3.1 support Thai-MECC's and Area Thai-MECC's command, planning and administration of the operations of government agencies in the protection of national maritime interests;

8.2.3.2 support Thai-MECC's and Area Thai-MECC's control and command over government agencies in the regulating, supervision, prevention, suppression, management, rectification or mitigation of problems, incidents, public dangers or unlawful acts that have or may have impacts on national maritime interests or maritime activities under Section 27 paragraph two;

8.2.3.3 support Thai-MECC and Area Thai-MECC in the monitoring, examination, and assessment of trends of situations that may pose a threat to the national maritime interests.

8.3 Protection of the national maritime interests under Section 27 paragraph three:

8.3.1 Thai-MECC shall continue to operate under Clauses 8.1 and 8.2 as follows:

8.3.1.1 control and direct government agencies in the regulating, supervision, prevention, suppression, management, rectification or

mitigation of problems, incidents, public dangers or unlawful acts that have or may have impacts on national maritime interests or maritime activities under Section 27 paragraph three. In the prevention and mitigation of public dangers, Thai-MECC shall have the powers to issue notification of emergency or urgency zones for the prevention and mitigation of public dangers on a temporary basis for a prescribed period of time. Such notification shall be issued in accordance with the rules, procedures, and conditions prescribed by the Thai-MECC with the approval of the Ministry of Finance. Relevant government agencies shall be requested to allocate budgets for public danger prevention and mitigation as deemed necessary and appropriate, and report the outcome of such operations to the Cabinet for acknowledgement after the Prime Minister has issued an announcement of irregular circumstance termination;

8.3.1.2 In the prevention and mitigation of public dangers, emergency or urgency zones for the prevention and mitigation of public dangers may be announced on a temporary basis for a prescribed period of time under the rules, procedures, and conditions prescribed in the Notification of the Thai-MECC Re: Rules, Procedures and Conditions for the Announcement of Public Danger Prevention and Mitigation Zones;

8.3.1.3 Thai-MECC's operations in connection to the National Protection Plan and the National Public Danger Prevention and Mitigation Plan shall be implemented as prescribed in the Notification of the Thai-MECC Re: Rules, Procedures and Conditions for the Announcement of Public Danger Prevention and Mitigation Zones.

8.3.2 Area Thai-MECC shall continue to operate under Clauses 8.1 and 8.2 as follows:

8.3.2.1 support Thai-MECC's control and command over government agencies in the regulating, supervision, prevention, suppression, management, rectification or mitigation of problems that have or may have impacts on national maritime interests or maritime activities in the prescribed areas and timeframes. After the Prime Minister has issued an announcement of irregular circumstance termination, the operational outcome shall be reported to the Cabinet for acknowledgement;

8.3.2.2 support Thai-MECC in the prevention and mitigation of public dangers. Thai-MECC can announce emergency or urgency zones for the prevention and mitigation of public dangers on a temporary basis for a prescribed period of time under the rules, procedures, and conditions prescribed in the Notification of the Thai-MECC Re: Rules, Procedures and Conditions for the Announcement of Public Danger Prevention and Mitigation Zones;

8.3.2.3 support Thai-MECC's operations relating to the National Protection Plan and the National Public Danger Prevention and Mitigation Plan

under the Notification of the Thai-MECC Re: Rules, Procedures and Conditions for the Announcement of Public Danger Prevention and Mitigation Zones.

8.3.3 Provincial Thai-MECC shall continue to operate under Clauses 8.1 and 8.2 as follows:

8.3.3.1 support Thai-MECC's and Area Thai-MECC's control and command over government agencies in the regulating, supervision, prevention, suppression, management, rectification or mitigation of problems that have or may have impacts on national maritime interests in the prescribed areas and timeframe. The outcome of such operations shall be reported to the Cabinet for acknowledgement after the Prime Minister has issued an announcement of irregular circumstance termination;

8.3.3.2 support Thai-MECC's and Area Thai-MECC's operations in connection to the prevention and mitigation of public dangers. Provincial Thai-MECC can announce emergency or urgency zones for the prevention and mitigation of public dangers on a temporary basis for a prescribed period of time under the rules, procedures, and conditions prescribed in the Notification of the Thai-MECC Re: Rules, Procedures and Conditions for the Announcement of Public Danger Prevention and Mitigation Zones;

8.3.3.3 support Thai-MECC's and Area Thai-MECC's operations in connection to the National Protection Plan and the National Public Danger Prevention and Mitigation Plan under the Notification of the Thai-MECC Re: Rules, Procedures and Conditions for the Announcement of Public Danger Prevention and Mitigation Zones.

Clause 9 Chairman of the Executive Board of the Thai Maritime Enforcement Command Center shall have charge and control of the execution of this Regulation.

Issued on 21 February 2020

Admiral Luechai Ruddit Ruddit

Chairman of the Executive Board of the
Thai Maritime Enforcement Command Center