

## Regulation

### On Compensation to Honest Citizens for Damages Caused by the Thai Maritime Enforcement Command Center's Exercising of Power, B.E. 2563 (2020)

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To provide appropriate compensation to honest citizens for damages caused by the Thai Maritime Enforcement Command Center exercising of power in the performance of duties of its government officers and public officers,

By virtue of Section 39 of the National Maritime Interests Protection Act, B.E. 2562 (2019), the Cabinet hereby issues a regulation as follows:

Clause 1 This Regulation is called the "Regulation on Compensation to Honest Citizens for Damage Caused by the Thai Maritime Enforcement Command Center's Exercising of Power, B.E. 2563 (2020)".

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

Clause 3 In this Regulation,  
"injured person" means an honest individual who sustains damages to his or her life or body or mind and property as a result of an act of a government officer or public officer in the performance of his or her powers and duties in accordance with the laws on the protection of national maritime interests;

"severe disability" means the loss of an organ or the functioning of an organ or part of a body or a normal state of mind that results in diminishing work performance to the extent that the person is unable to perform normal work in accordance with the rules and criteria prescribed by the Damage Compensation Consideration Committee.

Clause 4 Payment of damage compensation to injured persons and costs of the implementation of different tasks under this Regulation shall come from the Thai Maritime Enforcement Command Center budgets.

Clause 5 Damage compensation shall be paid to injured persons at the following rates:

- (1) death – 500,000 baht per person;
- (2) severe disability – not exceeding 500,000 baht per person;
- (3) remedial payment for medical treatment and rehabilitation referral in order to restore the injured person's physical fitness, mental fitness and follow-up visits – the actual amounts;
- (4) loss of work benefits due to the inability to perform normal work – 400 baht per day, the total amount of compensation must not exceed 300,000 baht;

(5) injury not covered in (3) and (4) – assistance money not exceeding 20,000 baht per person;

(6) Property damage – the actual costs of damage not exceeding 10,000 baht per person.

In granting compensation under paragraph one the fact that an injured person has already received compensation or other forms of assistance for the same incident from other government agencies shall be taken into consideration.

Clause 6 Injured persons, their heirs or estate executors or eligible receivers of damage compensation shall file a written petition, in the application form attached to this Regulation, together with relevant documents or evidences, to the Thai Maritime Enforcement Command Center, the Area Thai Maritime Enforcement Command Center or the Provincial Thai Maritime Enforcement Command Center in the applicant's domicile or the location where the damage occurred.

Clause 7 In the interest of the damage compensation payment under Clause 5, there shall be a committee called the "Damage Compensation Consideration Committee" consisting of the Secretary-General of the Thai-MECC as Chairman and representatives of the Ministry of Finance, the Bureau of Budget, the Royal Thai Navy, the Royal Thai Police, the Office of the Attorney General and no more than three qualified persons, who are appointed from experts in the fields of medicine, as Committee members to consider payment of compensation under this Regulation.

The Secretary-General of the Thai-MECC shall appoint Thai-MECC's government officials to act as the Committee's secretary and assistant secretary as deemed necessary.

The Damage Compensation Consideration Committee is empowered to appoint sub-committees to assist with its operations.

Clause 8 The Director-General shall have charge and control of the execution of this Regulation.

Issued on 16 December 2020.

General Prayut Chan-ocha

Prime Minister

## Damage Compensation Application Form

Written at.....

Date..... Month..... Year.....

To.....

I, (Name – Surname)....., Age.....yrs Address No. ....

Village No. .... Lane..... Street.....

Khwaeng/Sub-district..... Khet/District.....

Province..... Postcode..... Tel. ....

National ID Card No. ....

Apply as ☐ Eligible receiver of compensation ☐ Heir/Estate executor ☐ Attorney-in-fact

Eligible receiver of compensation (Name-Surname) ..... Age.....yrs

Address No. .... Village No. .... Lane..... Street.....

Khwaeng/Sub-district..... Khet/District..... Province..... Postcode.....

Tel. .... National ID Card No. ....

am a person who sustain damage from the performance of duties, the details of which are as follows:

1. Day/Month/Year/Time/Place of Incident

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2. Details of the damage

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3. Relevant documents or evidences:

3.1 Copy of the national ID card/government officer card (eligible receiver of compensation/heir/estate executor/attorney-in-fact);

3.2 Medical certificate issued by the attending hospital;

3.3 Documents/photographs/list of other damages;

3.4 Copy of proof of evidence for being a legal heir/estate executor;

3.5 Power of attorney;

3.6 Other documents or evidences as prescribed by the Damage Compensation

Consideration Committee.

Informed for consideration of damage compensation payment to the applicant.

Signed..... Applicant

(.....)