



CIVIL DEFENCE ACT

1979

CIVIL DEFENCE B.E. 2522 (1979)

The Majesty the King by instructions and approval of the legislative Parliament acting as the National Parliament enacted this Act as follows :

Section 1: This Act may be cited as the Civil Defence Act 1979

Section 2: This Act will be effective as from the date next to the promulgation date in the Royal Gazette.

Section 3: Revoke

1. Air Defence Act B.E. 2482 (1939)
2. Air Defence Act (No. 2) B.E. 2487 (1944)

Section 4: According to this Act ;

“Civil Defence” means Operations by Civil Defence Authorities for the Purposes of Protection against and relief of damage that is caused by public disasters, air threat or sabotage, even the operations made before the disaster, during the disaster or after the disaster including where necessary the evacuation of people and of Government facilities.

“Public Disaster” means disaster from Fire, Storm, Flood and other disasters from natural or man-made causes that destroy the lives of people and cause damage to the property of the people and of the State.

"Air Threat" means threats created from Air Attack.

"Sabotage" means any actions made for the purpose of destruction to the properties of the people or the state or public utilities or actions of offensive, deterrence, delay to any operational system including any harmful action towards persons which will create a political, economical and social disturbance and damage to the stability of the state as a whole.

"Volunteer Unit" means Civil Defence Volunteers.

"Civil Defence Authorities" means Civil Defence Director and persons nominated by the Minister to have competent authorities defined in this Act.

"Minister" means Minister acting for this Act.

Section 5: The Ministry of Interior acts for this Act and having authorities to nominate Civil Defence Authorities by means of announcement in the Royal Gazette, Ministerial Regulation, defined regulations and procedures for operations in compliance with the Act.

The Ministerial Regulations as announced in the Royal Gazette will be effective.

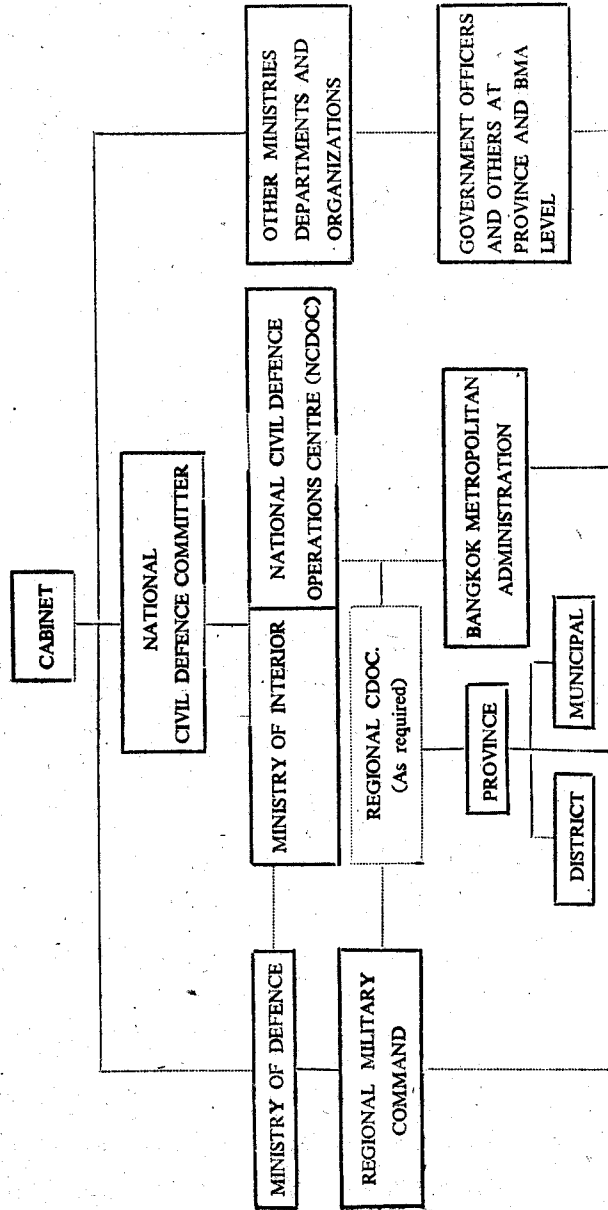
Clause 1

National Civil Defence Committee

Section 6: The National Civil Defence Committee consist of the Minister as the Chairman, Under-Secretary of State for Interior as the Vice-Chairman,

- Under-Secretary of state for Defence or representative.
- Under-Secretary of State for Agriculture representative.
- Under-Secretary of state for Public Health or representative.
- Under-Secretary of States for Communications or representative.
- Director of the Budget Bureau or representative.
- Secretary-General of the National Security Council or representative.
- Bangkok Governar or representative
- Director-General of Police Department or representative.
- Director-General of Meteorological Department or representative.
- Other intellectuals not more than 5 persons nominated by cabinet or the Directors.
- Director-General of Local Administration Dept. being as the Secretary of Committee by his own position.

NATIONAL CIVIL DEFENCE ORGANIZATION



KEY

CDOC — CIVIL DEFENCE OPERATION CENTRE
 — COMMAND
 — COMMUNICATION

Section 7 : The National Civil Defence Committee has the following authority :

1. Determine Civil Defence Policy.
2. Make principle plan for Civil Defence.
3. Determine Methods of Inspection, follow up, evaluation according to the Civil Defence plan including Civil Training.
4. Make Procedures for Retaliation, Compensation and other expenses in the matter of Civil Defence.
5. Consider and Determine other activities concerning Civil Defence.

Section 8 : Principle Plan in Civil Defence must have any activities or many activities reliable on cases and necessities ;

1. Public Relations
2. Supply of Personnel
3. Set up Threat Warning System
4. Construct Shelters
5. Avail areas for evacuation
6. Camouflage and lighting Control
7. Security, Peace Control and Traffic
8. Protection and Destruction - weapons, bomb, radio activity chemical material being dangerous.
9. Relief victims and funeral action.
10. Transport of victim.

11. Caring and public health
12. To give a helping hand to Victims
13. Construction
14. Public Utilities
15. Communications, Radio Circle Control and Radio Transmittance
16. Other necessities

Section 9: The Directors nominated by The Cabinet is in The 3-year term.

In the Case of the Director nominated by the Cabinet terminated before, the completion of term or in the case of the Cabinet's nomination of additional Director while the term is not being completed such a director being as a Replacement or Additional Director as long as the rest of the term of the nominated Directors. The Directors completed their terms will be renominated.

Section 10: Except the completion of term in section 9, will be terminated:

1. Death
2. Retirement
3. Bankruptcy
4. Unability Person
5. Imprisonment

Except in the case of carelessness

Section 11: In the meeting of the National Civil Defence Committee, if the Chairman unattended/unavailable in the meeting, the Vice-Chairman will act as the chairman of the meeting, if the chairman/Vice-Chairman unattended/unavailable, the meeting will choose a Director to be the Chairman.

Section 12: The Meeting of the Committee composes of at least half of the total directors will be a legal meeting.

Section 13: The Majority is a mean of Decision Making, one director having one vote, if the votes are equal the vote of the chairman is a decision.

Section 14: The National Civil Defence Committee may set up a Sub-Committee for any operations as authorized.

Section 15: The National Civil Defence Committee & the Sub-Committee have authorities to call any persons for questioning or giving classification to any activities or submitting any documents/materials for the interest of the Civil Defence.

Clause 2

Civil Defence Secretariat

Section 16 :

The Director General of DOLA is as Secretary-General - Civil Defence by position and DOLA is acting for Civil Defence Secretariat.

Section 17 :

C.D.S. has the following authorities :

1. Acting as Command Div. of the Directors for Civil Defence of Thailand
2. Perform General Services for the National Civil Defence Committee.
3. Study, Research & Analyse technical terms including dissemination of Civil Defence Knowledge.
4. Make Principal Plan for Civil Defence & review/improve such a plan every 3 year term and proposed to the National Civil Defence committee.
5. Avail training - Civil Defence,
6. Coordinate, Follow up & evaluate including supporting operations according to Civil Defence Plan.
7. Other operations as authorized by the Nation Civil Defence Committee.

Clause 3

Director - Civil Defence

Section 18 :

The Minister is the Director - Civil Defence of Thailand having authority to protect civil defence in the whole country, setting up operational units for civil defence & line of Command for Director - Civil Defence, Civil Defence Authorities & Personnel in the whole country.

Under - Secretary of State for interior is as Vice - Director - National Civil Defence having authorities as authorized by the Director - Civil Defence and in the case of the Director unoperational/unavailable, the Vice Director will act for.

Section 19 :

The Director - National Civil Defence has authorities to define any area to be "Region" (Pak) as necessary for Civil Defence & nominating a Director - Civil Defence Region.

The Director - Civil Defence Region has authorities in protecting civil defence as authorized by the Director - National Civil Defence, nominating Civil Defence Personnel, Civil Defence Directive Div., and line of Command for Director/Personnel - Regional Civil Defence.

Section 20 :

Bangkok Governor is the Bangkok Director Civil Defence having authorities in protecting Civil Defence, nominating Personnel, Unit & line of Command in BKK.

Section 21 :

Provincial Governor is the Director - Changwat Civil Defence having

authorities in protecting civil defence in changwat, nominating personnel, Unit & Line of Command in Changwat.

Section 22 :

Nai Amphoe is the Director - Amphoe Civil Defence having authorities in protecting Civil Defence in Amphoe except namucipal area, nominating, line of command and being as supporting unit to the changwat Director and also having protective & control measures in civil defence in the area of Tambon Municipality.

Section 23 :

The Lord Mayor is the Director - Municipal Civil Defence having authorities in protecting civil defence in the municipal area, nominating Personnel, Line of Command and being as support unit to the Changwat Director. For the Tambon Municipality, the Mayor must support the Amphoe Director,

Section 24 :

Palad Muang Pattaya is the Director - Muang Pattaya civil defence having authorities in protecting civil defence in Pattaya area, nominating Personnel, Line of Command & being as supporting unit to the Changwat Director.

Section 25 :

The Director - National Civil Defence nominates a Special Director for specifically air threat/sabotage in any area, Such a Director has authorities as authorized by the Director - National Civil Defence.

Clause 4

Civil Defence Volunteers

Section 26 :

Set up volunteers Units in all areas in BKK and all Amphoes in Thailand for assisting Civil Defence.

Section 27 :

Recruitment, Qualification, Termination, Uniform, Marks, I.D. Card, Right & Discipline of Volunteers Members, Administration, Command, Unit Management, Training & Course must be in compliance with Regulations & Procedures of the Ministry of Interior.

Section 28 :

Volunteers Members have duties as follows :

1. Operate according to the order if the Director - Civil Defence and authorized persons.
2. Operate according to Regulations & Procedures of the Min. of Interior regarding Coluntarity Civil Defence.

Clause 5

Civil Defence

Division I

Civil Defence Preparations

Section 29 :

The Director - Civil Defence in their responsible areas has made specific civil defence plan and consider to review or improve sush a plan every year in accordance with the principal plan as

made by the National Civil Defence Committee defined in Section 7 and when approved, all concerned must comply with.

Specific plan or New Improved Plan as mentioned above for the Plan of BKK, must be proposed for approval from the Director - National Civil Defence. As for the Plan of Amphoe, Municipality & Muang Pattaya must approved by the Changwat Director.

Section 30 :

For the Civil Defence Preparations the Directors in their responsible areas have the following authorities :

1. Survey installations, material, instruments, tools & vehicle of Civil Offices, Government Units, State Enterprises & Private Sectors as necessary.
2. Avail materials, instruments, tools, vehicles & public shelters as necessary.
3. Avail Training & Exercise
4. Other preparations as necessary

Section 31 :

Ministries, Bureau, Dept & Local Administration Offices, State Units & Govt. Enterprises having civil defence duties as authorized by the Cabinet.

Division 2

Civil Protection & Relief

Section 32 :

In the case of public Disaster, Air Threat/Sabotage occurred or

nearly to occur. The Directors in their responsible areas Civil Defence Authorities authorized having duties as follows :

1. Order Civilian Officials, Volunteers Members & any persons in any area to operate any measure of prevention & relief danger/damage, except persons exempted by the Ministers' announcement.
2. Order to use installations, materials, instruments & tools of Civilian Offices Stage Units Govt. Enterprises & Private Sectors as available in such an area.
3. Order to use vehicle of Civilian Offices, State Units, Govt. Enterprises & Private Sectors available in such an area or enter into.
4. Order to use all communications systems in such an area.
5. Order or make Building/Installation Camouflage including camouflages/Lighting control.
6. No admittance specified area/installations.
7. Manage & control assistance to victims wholly and rapidly

Section 33 :

In emergency, when public disasters, air threat or sabotage occurred and having no any preventive measure or immediate control. The competent authorities will take any action and order any person to assist as necessary in order to prevent temporarily such a threat.

Section 34 :

In the case of public disaster, air threat/Sabotage occurred or danger from the threat will be nearly affected and the Directors in their responsible areas prove that status of construction,

material/properties may be obstacle to any preventive measures will be affected. They have the following :

1. Modify/Destroy Construction, Material/Properties.
2. Move material/Properties

But the actions must be specifically necessary for only preventing such a threat.

Section 35 :

In the case of public disasters, air threat/Sabotage occurred, the Director in the area attached to the incident area will give civil defence support & for this matter they have authorities to order as defined in Section 32 in their own responsible areas for civil defence support.

Section 36 :

The Director in their responsible areas survey such a damage & lists of victims for the purposes of assistance to victims and when the victims request any certified documents for assistance/services, the Director will issue such a document in accordance with the Regulations of Min. Of Interior set forth.

Section 37 :

Operating their duties in Air Threat Preventions & Relief will not create any right of request the cost of damage/compensation.

Section 38 :

The distribution of Chemical materials/instruments in Air Threat Prevention & Relief to the people only specific things that The Minister has announced in the Royal Gazette must have been

authorized by the Competent Authorities nominated by the Minister and must be complied with Principles, Procedures & Conditions defined in the Ministerial Regulations.

The mentioned first phase will not be effective in the case of official distribution.

Section 39 :

For the purposes of Air Threat Prevention & Relief or Sabotage which will be created to the State or the people. The Director - National Civil Defence has authorities to order to move the people & Govt offices out of the dangerous areas/areas which will be obstacle to Military Operations into the safety areas or areas arranged for the people's move.

Section 40 :

The Director - National Civil Defence considers that any areas will be dangerous/unsuitable for residence, will announce such an area to be a restricted area - no admittance for the people until the danger/unappropriateness has been cleared.

Section 41 :

In the case of emergency/necessity, if waiting orders from the Director - National Civil Defence for the purposes of the people's move in Section 39 or Restricted Area in Section 40 could not be operated in time. The Directors Civil Defence in their responsible areas will order to have operations as defined in Section 39 & 40 and they must report the operations to the Director - National Civil Defence immediately.

Section 42 :

In the matter of the Fire Prevention and Control, the Law of the Fire Prevention & Control will be complied with Except not being defined in this Law, this Act will be enforceable.

Clause 6**Miscellaneous**

Section 43 :

The Civilian Authorities concerning Civil Defence & Fire Prevention responsible for their duties according to this Act will also be Competant Authorities according to the Criminal Law.

Section 44 :

Persons who are responsible for their duties or ordered to operate their duties or ordered to assist Civil Defence will be received Assistance as defined in the Law for Victims Relief, due to their operations to the Government Activities, the National Operations or Civic Actions.

Section 45 :

In the case of Employees (Private Sector) ordered to operate their duties according to Provisions defined in Section 32 (1), Section 33 & Section 35, if the operational period being not over 30 days per year. The Employer could not stop their wages, decreasing wage, termination, impose as penalty or obstruct Employees ; working and the operations of such an employee will not be an absence of work.

Section 46 :

The Marks and I.D. Cards indicating as Civil Defence Authorities will be shown while they are operating their duties and also having Marks for specifically operational areas, Location of the Unit or Vehicle.

The Marks and Necessary Documents as mentioned in the first phase will be complied with the Ministerial Regulations.

Section 47 :

No Civil Defence Authorities will disclose any Secret Matters for their personal interest or to outsiders which will be effected to any persons or to their normal work.

Section 48 :

Provisions as defined in Section 30, Section 32, Section 33, Section 34, Section 35, Section 39 and Section 41 will not be enforceable to Military Personnel/Properties.

Clause 7**Penalty**

Section 49 :

Any persons who violate or not complied with the Orders of the Civil Defence Committee or Civil Defence Sub - Committee An Section 15 must be imposed as penalty of imprisonment not over one month or fined not over one thousand Bath or both.

Section 50 :

Any persons who violate or not complied with the Orders of Section 32 (1) or (6) or Section 33 must be imprisoned not more than one month or fined not more than one thousand Bath or both.

Section 51 :

Any personnel actively in operating Communications Instruments violate or not complied with the orders of Section 32 (4) will be imprisoned not more than 6 months or fined not more than 2 thousand Baht or both.

Section 52 :

Any persons who obstruct any operations/orders in Section 32 (1), (2), (3), (4), or (5) or obstructing to operate in Section 34 will be imprisoned not more than 2 years or fined not more than 2 thousand Baht or both.

Section 53 .

Any persons who violate Section 38 will be imprisoned not more than 3 months or fined not more than 6 thousand Baht or both.

Section 54 :

When having an order to move the people & Governments' offices out of the dangerous areas in Section 39 or having an announcement of restricted areas in Section 40. Any persons who violate or not complied with such an order or announcement will be imprisoned not more than one month or fined not more than one thousand baht or both.

Section 55 :

When having an order to move the people & the Governments' offices out of the obstacle areas deterring to the Military Operations in Section 39. Any persons who violate or not complied with such an order will be imprisoned not more than 6 months or fined not more than 2 thousand Baht or both.

Section 56 :

Any persons who modify, move or destroy Marks for Operational areas Location of Unit or Vehicle in Section 46 or illegal of Marks to other Locations/Vehicles will be imprisoned not more than one year or fined not more than 4 thousand Baht or both.

Section 57 :

Any persons who violate Section 47 will be imprisoned not more than 6 months or fined not more than 2 thousand Baht or both.

Section 58 :

Any persons who are indicating themselves as Civil Defence Authorities with Civil Defence Marks will be imprisoned not more than 6 months or fined not more than 2 thousand Baht or both.

Section 59 :

Any persons who pretend themselves to be Civil Defence Authorities or the use of Names of Civil Defence Unit for their own advantages or others will be imprisoned not more than one year or fined not more than 4 thousand Baht or both.

TRANSITORY PROVISIONS

Section 60 :

When this Act becomes effective, Civil Defence Secretariat must make Principal Civil Defence Plan proposed to the National Civil Defence Committee for considering to have the Principal Civil Defence Plan immediately.

During the period of unavailability of the Principal Civil Defence Plan, the Directors for Civil Defence in their responsible areas

will make their own specific plan and setting up an operational unit for temporary civil defence.

Section 61 :

During the Transitional Period, the Ministry or Interior will not issue any Regulations/Procedures regarding Civil Defence Volunteers in Section 27. The Procedures of the Prime Minister office regarding the National Protection Volunteers being effective in the date of issuance of this Act will be enforceable to Volunteers Members & Volunteers Units as being not contradict to this Act.

Sompop Hotrakit

Deputy Prime Minister

Remarks : Excerpte from the Royal Gazette Book No. 96, Section 39 dated 22 March 2522. (1979)

พิมพ์ที่โรงพิมพ์ส่วนท้องถิ่น กรมการปกครอง ถนนพหลโยธิน กรุงเทพมหานคร
 โทร. ๒๗๕๑๐๓-๖ ร.ค.บรรณสิทธิ์ สลับแสง ผู้พิมพ์ผู้โฆษณา พ.ศ.๒๕๒๙
