

NATIONAL INTELLIGENCE ACT

BHUMIBOL ADULYADEJ, REX.

Given on the 20th of August B.E. 2528 (1985),

Being the 40th Year of the Present Reign

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:

Whereas it is deemed expedient to have the law on national intelligence;

Be it, therefore, enacted by the King, by and with the advice and consent of the National Legislative Assembly, as follows:

Section 1. This Act is called the "National Intelligence Act, B.E. 2528 (1985)".

Section 2. This Act shall come into force as from the day following the date of its publication in the Government Gazette.

Section 3. In this Act:

“Intelligence operation” means operation destined to obtain information on the purpose, power, capability and movement including methods of foreign nations or terrorist organisations likely commit an act affecting national security. All this is for the government to take into consideration in deciding national policy;

“Counter-intelligence” means operation destined to counter an act committed by foreign nations or terrorist organisations whose aim is to obtain national secrets, or to undermine national security by means of espionage, subversion, sabotage and terrorism;

“Communications intelligence operation” means the use of techniques and processes related to communication devices to intercept and to receive communications through radio signals, in order to obtain information on movements of foreign nations or terrorist organisations likely to affect national security.

“Civil security safeguard” means provision of advice, assistance, direction and supervision to civil administration, local administration and state enterprise in order to protect

* Translated by Artra Khunthongjan under contract for the Office of the Council of State of Thailand's Law for ASEAN project. Initial Version – pending review and approval by the Office of the Council of State.

staff members, places, documents and other objects belonging to the administration against an act of espionage, subversion, sabotage and terrorism.

Section 4. There shall be a National Intelligence Agency having the powers and duties as follows;

- (1) to perform duties related to activities on intelligence operations, counter-intelligence, communications intelligence operations and civil security safeguard;
- (2) to monitor domestic and foreign situations which affect national security, and report to the Prime Minister and the National Security Council;
- (3) to diffuse intelligence which affects national security to relevant state agencies or state enterprises as appropriate;
- (4) to study, research and develop activities on intelligence operations, counter-intelligence and civil security safeguard in order to increase efficiency in the performance of duties;
- (5) to collaborate, as a hub, activities on intelligence operations, counter-intelligence and civil security safeguard with other intelligence agencies in the nation;
- (6) to collaborate, as the main agency, activities on intelligence operations and counter-intelligence with intelligence agencies of foreign nations in the matters related to national security.
- (7) to put forward policy and measures, including suggestion and advice on intelligence operations, counter-intelligence and civil security safeguard to the Prime Minister and the National Security Council;
- (8) to perform any other task which the Prime Minister, the Council of Ministers and the National Security Council assign.

Section 5. In the case where another state intelligence agency has already collected and reported intelligence to the head officer in charge of that intelligence agency, such intelligence agency shall submit a copy of the report of the intelligence to the National Intelligence Agency, all this, according to the rules set up by the Director of the National Intelligence Agency with the approval of the Prime Minister.

Section 6. There shall be a Director of the National Intelligence Agency having the duty of general control and supervision of the administration of the National Intelligence Agency, directly responsible and dependent upon the Prime Minister, and taking the position of the head officer of civil servants in the National Intelligence Agency.

There shall be a Deputy-Director of the National Intelligence Agency, and there may be an Assistant-Director of the National Intelligence Agency who assists in directing and performing official duties.

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The Director of the National Intelligence Agency, the Deputy-Directory of the National Intelligence Agency and the Assistant-Director of the National Intelligence Agency shall be ordinary civil servant.

Section 7. The Prime Minister shall be in charge of the implementation of this Act.

Countersigned by:

General Prem Tinsulanonda
Prime Minister

Office of the Council of State

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