

**EMERGENCY DECREE ON FISHERIES
B.E. 2558 (2015)**

BHUMIBOL ADULYADEJ, REX
Given on the 13th Day of November B.E. 2558;
Being the 70th Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:
Whereas it is expedient to revise the laws on fisheries;
By virtue of the provision under Section 21 of the Constitution of the Kingdom of Thailand (Interim) B.E. 2557, be it, therefore, enacted by the King, as follows:

Section 1. This Emergency Decree is called “the Emergency Decree on Fisheries B.E. 2558 (2015)”

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

Section 3. The Fisheries Act (B.E. 2558) shall be repealed.

Section 4. The provisions of this Emergency Decree aim to reorganize fisheries in Thailand and in waters at large with a view to preventing unlawful fishing in order to preserve aquatic animal resources as a sustainable source of food for humankind and preserve the environment in an appropriate state along the line of internationally recognized approaches, criteria and standards, as well as to protect the welfare of seamen and prevent all forms of illegal labour in the fishery sector, with due regard to the following objectives:

* Translated by Legal Opinion and Translation Section, Foreign Law Bureau, and reviewed by Prof. Phijaisakdi Horayangkura 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.

(1) achieving good governance in the management of fisheries and conservation of aquatic animal resources, and ensuring that complete and accurate data thereof shall be collected;

(2) protecting special interests of artisanal fisheries and local fisheries communities;

(3) fulfilling of Thailand's international obligations with regard to the conservation and management of aquatic animal resources;

(4) to providing effective means to prevent, deter and eliminate unlawful fishing, as well as illegal labour practices in the fisheries sector.

(5) using the best available scientific evidence to ensure achievement of long-term economic, social and environmental sustainability, in line with the ecosystem based approach and precautionary approach, to maintain fisheries resources or restore them at the level that can produce the maximum sustainable yield;

(6) preventing and eliminating overfishing and overcapacity fishing and ensuring that the level of fishing effort shall not undermine the sustainability of aquatic animal resources;

(7) implementing measures provided in this Emergency Decree systematically;

(8) enhancing cooperation with other states, private sectors, as well as international organisations, to achieve the objectives under this Emergency Decree;

(9) protecting welfare of labour working in the fisheries sector;

(10) forming effective tracking, control and surveillance of fishing activities;

(11) providing of an effective traceability system which allows examination on origins of aquatic animals or product of aquatic animals from fishing operations to consumers;

(12) imposing proportional and suitable administrative sanctions and criminal penalties to prevent offense.

Section 5. In this Emergency Decree:

“Aquatic Animals” mean animals normally inhabiting water, amphibians, animals inhabiting inundated areas, animals partially inhabiting water, and animals having one part of their life cycles in water during the water-borne part of their life cycles. These also include aquatic animals' eggs, sperms, marine algae, carcasses or any part of those aquatic animals, as well as aquatic plants as specified and notified by the Minister as well as residuals or any part of such aquatic plants.

“Aquatic Product” means a product resulting from an aquatic animal-processing

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procedure or a product whereby aquatic animals are used as raw materials.

“Aquatic Animal Processing” means any act undertaken to transform aquatic animals for use or consumption purposes, but does not include the mere packaging of aquatic animal without any transformation of the aquatic animal or transformation of the aquatic animal for immediate consumption of a consumer.

“Fisheries” means fishing operations, aquaculture, the keeping of aquatic animals, or processing of aquatic animal, including any act in support of a fishing operation.

“Fishing” means to search, lure, catch, take or harvest fish or any act aiming at luring, catching, taking or harvesting of fish at a fishing ground.

“Fishing Ground” means a tract of land with still or running water, and any beach constituting public domain of State, including a forest and a ground which is naturally inundated, notwithstanding that it constitutes a public domain of State or a tract of land privately owned, as well as seas.

“Seas” mean coastal seas, offshore seas, seas outside Thai waters and seas lying in the territory of another coastal state.

“Thai Waters” mean inland waters, coastal seas and off-shore seas.

“Inland Waters” mean fishing grounds lying within the Kingdom, excluding seas.

“Coastal Seas” means the seas lying within the Kingdom extending up to three nautical miles from the coastline. Except in case of necessity for the benefit of aquatic resource management, a Ministerial Regulation may be issued to determine the expanse of coastal seas in any area to cover a distance starting from the coastline shorter or further than three nautical miles but such adjustment shall not result in a distance off the coastline of less than one point five nautical miles nor of further than twelve nautical miles. In such case, a map delineating the areas prescribed thereby shall be attached to such Ministerial Regulation.

“Coastline” means a line where the sea meets land along seashore and the outer limits of an island, specified as having a water depth line at zero meter on the navigation map of the Hydrographic Department, or the outer limits of reclaimed areas.

“Offshore Seas” mean the seas lying in the Kingdom beyond the coastal seas up to either the extreme bounds of the exclusive economic zones pursuant to the Notification on the exclusive economic zones of the Kingdom of Thailand or the extreme bounds of the continental shelves under the sovereign right of the Kingdom of Thailand in accordance with international law, whichever is farther.

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“Seas outside Thai waters” mean the high seas lying beyond the offshore seas and include the seas lying within the territory of another coastal state.

“Seas lying within the territory of a coastal state” mean the seas subject to the jurisdiction of a coastal state or where the coastal state has exploitation rights as provided under international law.

“Coastal State” means a country, excluding Thailand, with boundaries immediately adjacent to the sea.

“Freshwater Fishing” means fishing operations in fishing grounds lying in inland waters.

“Artisanal Fishing” means fishing operations in coastal seas in which a fishing vessel is used or in which a fishing gear is used without a fishing vessel, excluding commercial fishing.

“Commercial Fishing” means fishing operations using a fishing vessel of a size from ten gross tonnage or more or a fishing vessel installed with an engine with unit of horse powers as prescribed by the Minister.

“Aquaculture” means the culture of aquatic animals or aquatic animal species breeding by means of natural methods, artificial insemination methods or by any other method on an aquaculture ground in any stage of the life cycle of such aquatic animal.

“Aquaculture Ground” means a pond, enclosure, cage or an area used for aquaculture of any other description notwithstanding that it is located on a tract of land owned privately or in public domain of State or in any fishing ground that the digger, the builder, the creator, the owner or the possessor thereof aims to use directly for aquaculture purposes.

“Caretaking of Aquatic Animals” means post-capture caretaking of quality of aquatic animals prior to aquatic animal processing.

“Fishing Gear” means any machine, tool, equipment, component, weapon, pole, and stake used in a fishing operation.

“Fishing Vessel” means a vessel of any size used or intended for use for the purposes of commercial exploitation of aquatic animal resources, including support ships, fish processing vessels, vessels engaged in transshipment and carrier vessels equipped for the transportation of fishery products, except container vessels.

“Thai Fishing Vessel” means a fishing vessel registered as a Thai vessel pursuant to the law on Thai vessels.

“Point of Reference” means a relative quantity of the fishing capacity and the natural capacity of aquatic animal production determined by a scientific process that take

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into account the quantities, sizes, birth and mortality rates, as well as life span of aquatic animals for the purposes of determining the maximum sustainable yield.

“Unlawful Fishing” means illegal fishing, unreported fishing and unregulated fishing.

“Illegal Fishing” means:

(1) a fishing operation without legal authorization or that is against Thai laws or the laws of a coastal state;

(2) a fishing operation that is not in compliance with measures developed by a relevant international organisation for the purposes of fisheries conservation and management or a fishing operation that is against relevant international laws.

“Unreported Fishing” means:

(1) a fishing operation that is not notified of or reported, or incompletely reported as required by criteria or procedures provided by law or ministerial regulations, notifications or rules issued pursuant to the law; or a fishing operation the particulars of which are falsely reported;

(2) a fishing operation in an area under the responsibility of an international organisation to which such fishing operation is neither notified of nor reported, or incompletely reported as per the criteria and procedures of such organisation, or a fishing operation the particulars of which are falsely reported.

“Unregulated Fishing” means:

(1) a fishing operation in a zone under the responsibility of an international organisation undertaken by the use any fishing vessel, be it with a designated nationality or a stateless vessel, in a manner that is not in compliance with or is in violation of fisheries conservation or management measures developed by such international organisation;

(2) a fishing operation in a fishing ground in which no applicable fisheries conservation and management measures have been put in place, the manner of fishing of which is not in line with state obligation for the conservation of aquatic animal resource sources pursuant to the principles of international law.

“International Organisation” means a international organisation jointly established by countries in each region for the purposes of fisheries conservation and management.

“Stateless Vessel” means a vessel that is not registered under the laws , or a vessel with at least two designated nationalities, or a vessel that changes flag during navigation.

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“Vessel Registrar” means a vessel registrar pursuant to the law on Thai vessels.

“Owner of a vessel” means a person having the ownership or the right of possession of a fishing vessel.

“Master of a vessel” means a person having command or charge of a fishing vessel.

“Seaman” means a crew member or any person who is assigned with a position on board of a fishing vessel, excluding the master thereof.

“Importation” means bringing or sending into the Kingdom.

“Exportation” means taking or sending out of the Kingdom.

“Transit” means bringing or sending through the Kingdom.

“Fishing Port” means any place for the berthing of a fishing vessel or for the transshipment or landing of aquatic animals or aquatic animal products from a fishing vessel, regardless of whether such a place is situated onshore or offshore.

“Fish Market Enterprise” means an authorized fish market enterprise, or a fish pier designated as an authorized fish market enterprise pursuant to the law on fish market enterprises.

“Transshipment of Aquatic Animals” means the unloading of aquatic animals or aquatic animal products in all or in part from a fishing vessel onto another vessel.

“Observer” means a person having the knowledge and independence required for performing duties on board of a fishing vessel.

“Licensee” means a person granted a license or a permit that authorizes him/her to undertake an action pursuant to this Emergency Decree.

“Competent Official” means an official appointed by the Minister to perform actions in accordance with this Emergency Decree.

“Committee” means the National Fisheries Policy Committee.

“Director-General” means the Director-General of the Department of Fisheries.

“Minister” means the minister having charge and control of the execution of this Emergency Decree.

Section 6. The Minister of Agriculture and Cooperatives shall have charge and control of the execution of this Emergency Decree, and shall have the power to issue Ministerial Regulations fixing the rates of duties and fees not exceeding those stipulated in the schedule annexed hereto, reducing or exempting duties and fees, as well as determining matters for the execution of this Emergency Decree.

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Any of such Ministerial Regulations shall enter into force upon its publication in the Government Gazette.

Section 7. Requests for permission, filings for registration, grants of permission, acceptances of registration, issuances of licenses, renewals of licenses and the transfer of licenses pursuant to this Emergency Decree shall be in accordance with the criteria, procedures and conditions provided by Ministerial Regulation. Any such Ministerial Regulation may fix duties and fee rates not exceeding those stipulated in the schedule annexed to this Emergency Decree.

A Ministerial Regulation for the determination of duties or fees issued pursuant to paragraph one may impose different rates, taking into consideration the types, kinds, sizes or numbers of fishing vessels, or fishing gears, or the types, kinds, sizes, nature or forms of aquaculture operations or fishing operations.

CHAPTER I GENERAL PROVISIONS

Section 8. For the purposes of compliance with obligations to which Thailand is committed to be bound by international organisations and conventions related to fisheries conservation and management to which Thailand is a state party, any offense under this Emergency Decree or the laws of a coastal state or in accordance with criteria or measures based on relevant international laws, or the criteria or measures of relevant international organisations related to fisheries conservation and management, whether having been committed in Thai waters or outside Thai waters, and whether having used a Thai fishing vessel, a non-Thai fishing vessel, or a stateless vessel, shall be regarded as an offense within the Kingdom, and shall be subject to a punishment provided in this Emergency Decree. In this connection, Thai courts shall have the power to try and adjudicate any of such cases, and competent officials, inquiry officials and public prosecutors shall have the power to undertake as the law has provided.

If any such offense occurs outside Thai waters and does not involve a Thai fishing vessel or a Thai national, proceedings pursuant to the provision under paragraph one shall be implemented after a notification has been made by a foreign state in which such offense has been committed or by a relevant international organisations related to such offense.

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It shall be the duty of the Director-General to collaborate with officers of a foreign state or those of international organisations in undertaking to penalise against offenders under this Emergency Decree.

Section 9. For the purposes of fisheries management, the Department of Fisheries shall undertake compilation and process all the data collected from the granting of permission, the issuance of licenses, registration or as reported pursuant to this Emergency Decree: and shall prepare and submit up-to-date fisheries statistics to the Committee on a monthly basis or over a shorter period of time as prescribed by the Committee.

Where it is necessary for the purposes of verifying and collecting fisheries statistics, the Director-General shall have the power to determine a period of time and data to be collected and the areas designated for the purposes of data collection. A notification in this regard shall be displayed at the offices of the sub-district headman and local administrative organs concerned.

When any of such notifications pursuant to paragraph two has been issued, the Competent Official shall have the power to enter premises used for the practice of fisheries or premises related to fisheries during their respective working hours in the areas and during the period of time prescribed in such notification. In this regard, persons practicing fisheries or persons concerned shall truthfully reply to the questions posed.

Section 10. No person shall use a stateless vessel in their fishing operations.

Section 11. A factory operator under the law on factories who engages in a business relating to aquatic animals is prohibited from employing a person in violation of the law on labour protection or an alien who does not hold a licence under the law on working of aliens.

In the case where a Competent Official has found a violation under paragraph one, if the number of persons employed unlawfully found at the factory is not more than five, the Competent Official shall forthwith report to the Director-General, and the Director-General shall order the suspension of the factory operations for a period of ten to thirty days.

In the case where a competent official has found a violation under paragraph one, if the number of persons employed unlawfully found at the factory is more than five, the competent official shall forthwith report to the Director-General, and the Director-

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General shall notify the Permanent Secretary of the Ministry of Industry to order the closure of the factory pursuant to the law on factories.

In the case where the Competent Official finds that a factory operator whose license has been suspended under paragraph two has committed another violation under paragraph one within a period of three years as from the order of suspension, the Competent Official shall forthwith report to the Director-General, and the Director-General shall notify the Permanent Secretary of the Ministry of Industry to order the closure of the factory pursuant to the law on factories.

A factory operator who has received a factory closure order under paragraph three or paragraph four shall be prohibited from operating a factory to engage in a business relating to aquatic animals and the licensor under the law on factories shall not issue a license for the operation of a business relating to aquatic animals to such person.

An order of factory closure under this section shall have the effect of license revocation for Category 3 factories under the law on factories.

CHAPTER II FISHERIES MANAGEMENT

Section 12. The provisions of this Chapter aim to set for policies and oversee of fisheries management by way of promoting the participation of all stakeholders in the management and conservation of aquatic animal resources, as well as to establish a system of good governance in order to ensure sustainable use as determined by the examination of best scientific evidence and balanced by economic, social and environmental considerations, in line with the ecosystem based approach and precautionary approach, and also to ensure that fisheries resources are maintained or restored to a level that can produce the maximum sustainable yield, as well as to prevent and eliminate overfishing and overcapacity in order to ensure that the level of fishing effort does not undermine the sustainability of fisheries resources

PART 1 THE NATIONAL FISHERIES POLICY COMMITTEE

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Section 13. A committee shall be established, called “The National Fisheries Policy Committee”, comprising Prime Minister as chairperson, Minister of Agriculture and Cooperatives as vice-chairperson, Permanent Secretary of the Ministry of Foreign Affairs, Permanent Secretary of the Ministry of Agriculture and Cooperatives, Permanent Secretary of the Ministry of Transport, Permanent Secretary of the Ministry of Natural Resources and the Environment, Permanent Secretary of the Ministry of Labour, Commander-in-Chief of the Royal Thai Navy, Commissioner General of the Royal Thai Police, Director-General of the Department of Provincial Administration, President of the National Farmers’ Council, President of the Thai Chamber of Commerce, President of the Federation of Thai Industries as committee members and not more than ten qualified persons appointed by the Minister as committee members.

The Director-General shall serve as a committee member and secretary.

Section 14. Qualified members pursuant to section 13 shall be appointed from the following persons:

(1) representatives from associations in each of the following fields: coastal fisheries, offshore fisheries, fisheries outside Thai waters, freshwater fisheries, aquaculture and aquatic animal processing;

(2) not more than two persons having knowledge or experience in the field of natural resources and the environment;

(3) not more than two fisheries academics.

Section 15. A person appointed as a qualified member must not have been imprisoned by a final court judgment on account of an offense pursuant to the law on fisheries.

Section 16. A qualified member shall hold office for a term of two years. During the time in which a qualified member vacates his or her office for any reason and no other qualified member has been appointed in his or her place, the Committee shall comprise only the remaining Committee Members.

A qualified member vacating office upon the expiration of term may be reappointed, but may not hold office for more than two consecutive terms.

Section 17. In addition to vacating office on the expiration of term, a qualified member shall vacate office upon:

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- (1) death;
- (2) resignation;
- (3) being removed as a representative of the association for which he or she is appointed, or being under prohibition pursuant to section 15;
- (4) being dismissed by the Minister due to negligence in the performance of duties, disgraceful behavior, or incapacity;
- (5) being bankrupt;
- (6) being an incompetent or quasi-incompetent person;
- (7) being sentenced by a final court judgment to imprisonment.

Section 18. Meeting and conduct of meetings shall be as prescribed by the Committee.

Section 19. The Committee shall have the authorities to set fisheries policies and supervise fisheries management as follows:

- (1) determining policies for the development of fisheries in Thai waters in line with aquatic animal resource stocks and the fishing capability based primarily on the points of reference;
- (2) determining policies for the promotion, development and resolution of problems pertaining to fisheries outside of Thai waters;
- (3) determining aquaculture development policies of the country;
- (4) determining policies for the development of the related fisheries industries of the country;
- (5) determining control measures in order to achieve the policies under (1), (2), (3) and (4);
- (6) determining the total allowable catch for fishing operations within Thai waters;
- (7) determining approaches to and targets for the fisheries development of the country in line with the conservation of aquatic animal resources and the environment;
- (8) determining approaches to the management of aquatic animal resources to maintain appropriate conditions and sustainable fishing;
- (9) preparing an annual performance report for submission to the Council of Ministers and dissemination to the general public;
- (10) implementing any other matters prescribed by law as being within the duties and authority of the Committee or as assigned by the Council of the Ministers.

Policies prepared pursuant to (1), (2), (3) and (4) shall be submitted to the Council of Ministers for deliberation and approval. Upon the approval thereof by the Council

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of Ministers, all state agencies shall implement and oversee the implementation of such policy.

Section 20. The Committee shall have the power to appoint *ad hoc* committees or sub-committees to carry out duties as assigned by the Committee.

Ad hoc committee and sub-committees meetings shall be conducted as prescribed by the Committee.

Section 21. Policies issued pursuant to Section 19(1), (2), (3), (4), (5), (6) and (7) shall at least aim to achieve the following outcomes:

(1) to conserve, preserve and prevent the extinction of aquatic animals, and to enable the exploitation of aquatic animal resources in a sustainable manner, which will culminate in the achievement of a balance of ecological system and biodiversity;

(2) to prevent any support of Unlawful fishing, including personnel, fuel, fishing gear or any other material.

(3) to develop measures for the supervision and control of fishing operations in line with the international law and standards;

(4) to develop an approach to the development of fishing cooperation with other states and various international organisations in order to conserve aquatic animal resources and manage threats to aquatic animal resources, aquatic animals' migration or aquatic animals' habitats, pursuant to precautionary principles;

(5) to develop measures for the prevention of fishing operations which disturb or obstruct the natural process whereby sufficient time for reproduction and adequate restoration of reproductive capacity are to be attained; this is so designed in order to achieve fishing operations in line with the maximum natural reproductive capacity, and the ability to achieve sustainable exploitation;

(6) to develop measures requiring all state agencies concerned to undertake steps to revise the laws, criteria, procedures and conditions to be in line with the progress and developments involving rules regulating fishing operations set forth by international organisations.

(7) to develop an approach requiring persons practicing fisheries and other occupations related to fisheries participate in the conservation and protection of fisheries resources and aquatic animal resources so that they are in an appropriate state and enable sustainable fishing operations.

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Section 22. Approaches to the management of aquatic animal resources pursuant to Section 19(8) shall at least cover the following matters:

- (1) an approach to the promotion of measures for conservation and management of sustainable fishing;
- (2) an approach to the safeguard and protection of rights, as well as the development and promotion of occupations and livelihood of Thai fishermen;
- (3) an approach to the prevention of excessive exploitation of aquatic animal resources;
- (4) an approach to the prevention of Unlawful fishing operations;
- (5) an approach to cooperation with international organisations, other nations as well as coastal states in dissemination and exchange of statistical information on the catching of aquatic animals and any other data relating to fishing operations;

Section 23. In compliance with the policies pursuant to section 19, the Department of Fisheries shall take actions to develop and submit a Fisheries Management Plan in line with such a policy to the Committee for deliberation. This plan shall subsequently be submitted to the Council of Ministers for approval and thereon implemented by agencies concerned.

Section 24. The Fisheries Management Plan pursuant to Section 23 shall at least cover operational approaches to the following matters:

- (1) an approach to the issuance of fishing licenses in line with the fishing capacity and the maximum sustainable yield, using points of reference as the basis for determination;
- (2) an approach to the restoration of aquatic animal resources to their normal natural state;
- (3) an approach to the reduction in the fishing vessels engaged in commercial fishing operations;
- (4) an approach to the elimination of Unlawful fishing operations;
- (5) an approach to the resolution of conflicts of interests between artisanal and commercial fishing operations;
- (6) an approach to the prevention of the catching of aquatic animals of premature sizes;
- (7) an approach to the development of information related to fisheries;
- (8) an approach to the enhancement of fisheries management.

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Section 25. In order to promote participation and provide support to local fishing communities in the management, maintenance, conservation, restoration and sustainable utilization of aquatic animal resources within fishing grounds in freshwater fishing zones or coastal seas, the Department of Fisheries shall undertake to provide assistance or support in the following matters:

(1) support participation on the part of local fishing communities in making of the policy pursuant to section 19(1);

(2) support for setting up association and arrange for the registration of local fishing community organ pursuant to the rules prescribed by the Director-General;

(3) provide advice to local fishing communities related to the management, maintenance, conservation, restoration and utilization of aquatic animal resources, as well as provide assistance and support to the implementation of communities' work, projects or activities in such matters;

(4) disseminate knowledge or information on the management, maintenance, conservation, restoration and utilization of aquatic animal resources.

PART 2

PROVINCIAL FISHERIES COMMITTEE

Section 26. There shall be a provincial fisheries committee in each of the provinces prescribed by the Minister. Any of such provincial fisheries committee shall comprise the Provincial Governor as Chairperson, a representative of the Ministry of Natural Resources and the Environment, a representative of the Marine Department, the Provincial Chief Public Prosecutor in the capacity of the Head of the Provincial Chief Public Prosecutor's Office, the Provincial Commerce Officer, District Chiefs in districts where fisheries operations are undertaken, the Chief Executive of the Provincial Administrative Organisation, the President of the Provincial Farmers' Council as *ex officio* committee members, and not more than thirteen qualified persons appointed by the Provincial Governor as committee members.

The Provincial Fisheries Officer shall serve as a committee member and secretary.

In any province having areas contiguous with seashore or the Mekong River, a representative of the Royal Thai Navy shall be added as an *ex officio* member.

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Section 27. Qualified members pursuant to Section 26 shall be appointed from among the following persons:

(1) representatives of local fishing community organs in the fields of coastal fisheries, offshore fisheries, freshwater fisheries, aquaculture or aquatic animal processing which have been registered pursuant to Section 25(2) as deemed appropriate after due consideration of the fair and comprehensive distribution of the stakeholders;

(2) not more than three persons having knowledge or operational experience in the field of fisheries or in the fields of natural resources and the environment.

Section 28. The Provincial Fisheries Committee shall have the following authorities:

(1) compile recommendations and propose approaches to the promotion of the fishing occupation, the management, maintenance, conservation, restoration and sustainable utilization of aquatic animal resources by local fishing community organisations in their responsible area and submitting them to the Committee for deliberation in the preparation of policies pursuant to Section 19(1);

(2) deliberate upon and make suggestions regarding approaches to the development of or the resolution of problems related to fisheries, or the management, maintenance, conservation, restoration and sustainable utilization thereof in fishing grounds in the responsible area to the Minister, the Committee or the Director-General;

(3) issue notifications pursuant to section 56, Section 71, and Section 77 which are to be published in the Government Gazette;

(4) take any other action as assigned by the Minister or the Committee.

In the case of an emergency or exigency necessitating the issuance of a notification under Section 56 and Section 71, the Provincial Fisheries Committee shall have the power to issue notifications that take effect temporarily over a period of time not exceeding sixty days. In this respect, the Minister shall complete deliberation thereupon to the full fruition thereof within sixty days as from the date on which such notification comes into force.

Where the Minister cannot complete the deliberation upon any such matter to full fruition within the specified timeframe pursuant to paragraph two, any such notification shall continue to take effect until the moment at which an order disapproving thereof is issued by the Minister.

Where there is not a Provincial Fisheries Committee in any province, the authorities of the Provincial Fisheries Committee shall lie in the Provincial Fisheries Officer or

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a person assigned by the Director-General. In exercising such authorities, the Provincial Fisheries Officer shall consult with the Provincial Governor and agencies concerned, and shall take into account the opinions of members of the public concerned.

Section 29. The provisions of Section 15, Section 16, Section 17, Section 18 and the provisions on the appointment of sub-committees and the conduct of sub-committee meetings pursuant to Section 20 shall apply to the Provincial Fisheries Committee *mutatis mutandis*.

CHAPTER 3 FISHING OPERATION IN THAI WATERS

Section 30. The provisions of this Chapter are aimed at the management, control and supervision of fishing operations, and the resolution of the conflict of interests between artisanal and commercial fishing. When exercising authorities regarding control and supervision of fishing operation under this Chapter, the parties concerned shall take into account the natural reproduction capacity as determined by best scientific methods in order to identify the points of reference which will allow fisheries undertakings to take place in a sustainable manner and enable the people to have access to an appropriate source of food.

Section 31. Any person wishing to undertake freshwater fishing in public domain of the State, by using a fishing gear prescribed by the Director-General must obtain a license issued by a Competent Official.

The provision under paragraph one shall not apply to fisheries in aquaculture grounds.

Section 32. Any person wishing to engage in artisanal fishing by using a fishing vessel or fishing gear of a size or description prescribed by the Director-General must obtain an artisanal fishing license issued by the Director-General or a person assigned by the Director-General, except where the fishing vessel or fishing gear is of the type prescribed by the Director-General.

The issuance of a license pursuant to paragraph one shall be solely executed for each fishing vessel. The number and type of fishing gears authorized for the purposes of fishing operation shall also be specified on the license.

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Section 33. A person engaging in artisanal fishing shall comply with the rules and procedures for fishing prescribed by the Director-General.

For the purposes of monitoring, the Director-General may determine that a person engaging in artisanal fishing shall prepare a fishing logbook, which shall at least comprise information on the types and quantities of aquatic animals caught and the area(s) in which fishing grounds are located.

Any person engaging in artisanal fishing shall keep a fishing logbook under paragraph two and readily present it to the competent official upon the return of their fishing vessel to a port of entry.

Section 34. An artisanal fishing license holder shall not engage in a fishing operation in offshore seas.

Section 35. Any person wishing to engage in a fishing operation without using a fishing vessel, but uses a fishing gear of the type and size prescribed by the Director-General, must obtain a license from the Director-General or a person designated by the Director-General and comply with the rules, procedures and conditions prescribed by the Director-General or as stipulated in the license.

Section 36. Any person wishing to engage in commercial fishing must obtain a commercial fishing license issued by the Director-General or a person designated by the Director-General.

The issuance of a license pursuant to paragraph one shall be executed specifically for a particular fishing vessel. The number and type of fishing gears authorized for the purposes of fishing operation, areas in which fishing operations are to be undertaken, the maximum allowable catch of aquatic animals allowed for fishing operations or the period in which fishing operations are allowed shall also be specified on the license in alignment with the fishing capacity and the maximum sustainable yield of aquatic animals for the purposes of sustainable fisheries stipulated in the Fisheries Management Plan.

Section 37. A commercial fishing licensee must provide an occupational safety and hygiene, as well as well-being for seamen as prescribed by Ministerial Regulation.

Section 38. A commercial fishing licensee shall not engage in a fishing operation in coastal seas.

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Section 39. Any person requesting a license pursuant to Section 32, Section 35 and Section 36 shall not be under any of the following prohibitions:

(1) being sentenced by a final court judgment due to a commission of any offence under Section 114, and a period of five years has not yet lapsed since the final judgment day;

(2) being a person whose fishing license is being suspended;

(3) being a person subject to an order of the Director-General issued pursuant to Section 113(1) or (5) and a period of two years has not yet lapsed since the day of the order;

(4) being a person subject to an order of the Director-General issued pursuant to Section 113(2) and the prohibition period has not yet expired;

(5) being a person whose fishing license has been revoked and a period of five years has not yet lapsed since the revocation to the day of the license application;

(6) a foreign state or international organisation has given written notice that a suspension of such person's fishing license has not yet expired or that fishing license has been revoked by the competent authority of such state or international organisation;

(7) being a person whose fishing license has been revoked twice within a period of five years.

Section 40. A license pursuant to Section 31, Section 32, Section 35 and Section 36 shall be valid for two years as from the date of issuance.

Section 41. A licensee pursuant to Section 31, Section 32, Section 35 and Section 36 shall affix and display the license on the fishing vessel or carry a substitute card to be used in lieu of the license issued by the Department of Fisheries for inspection.

It shall be the duty of the Department of Fisheries to issue a substitute card to be used in lieu of a license to a licensee. Such substitute card shall be made of a water-proof material with particular details of the license as appropriate.

Section 42. No fishing licensee pursuant to Section 31, Section 32, Section 35 and Section 36 shall modify any fishing gear such that its characteristics are different from those specified in the license.

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Section 43. No commercial fishing licensee shall engage in a fishing operation different from that specified in the license or as periodically prescribed by the Director-General. Such prescription shall allow at least a fifteen-day preparation period in advance.

Section 44. A fishing license may not be transferred with the exception of a transfer thereof to one's parents, spouse or descendants.

Section 45. In the case where evidence based on a point of reference shows that the maximum aquatic animal reproductive capacity is not adequate for the attainment of sustainable fishing operations, the Minister shall issue a notification suspending the issuance of fishing licenses temporarily. With regard to the fishing licenses already issued, a meeting shall be held between the Department of Fisheries, agencies concerned and fishing licensees for the purposes of deliberating upon a reduction of the total allowable catch as necessary in a manner that does not cause those already issued with fishing licenses to sustain excessive difficulties. In the case where no conclusion is reached, the Minister shall have the power to reduce the total allowable catch as deemed fit or determine other measures for persons undertaking fishing to comply with within a timeframe prescribed.

Where necessary, a proposition may also be made to the Committee for a determination of the appropriate maximum number of fishing vessels, as well as operational measures for the handling of fishing vessels in excess of the appropriate number thus prescribed.

Section 46. No state official under the law on Thai vessels and the law on navigation in Thai waters shall register or issue a use of vessel license for fishing purposes in the following cases:

(1) vessels used for fishing purposes have exceeded the number prescribed by the Committee;

(2) a vessel on a list of fishing vessels used in Unlawful fishing as notified by the Director-General;

(3) a vessel that has been registered as a fishing vessel in a foreign state and has a history of Unlawful fishing.

When determining whether a foreign fishing vessel has a history of Unlawful fishing, the competent authority under the law on Thai vessels and law on navigation in Thai waters shall seek verification from the relevant competent authority of the foreign state.

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CHAPTER 4
FISHING OPERATION OUTSIDE THAI WATERS

Section 47. The provisions of this Chapter aim to secure fulfillment of Thailand's international obligations with regard to the conservation and management of aquatic resources, cooperation with other states and private agencies, as well as international organisations, with a view to achieving the objectives under this Emergency Decree.

Section 48. Any person wishing to use a Thai vessel for the purposes of fishing outside Thai waters shall submit an application for a license to fish outside Thai waters to the Director-General or a person designated by the Director-General.

The issuance of a license pursuant to paragraph one shall be executed specifically for a particular fishing vessel. The number and types of fishing gears authorized for the purposes of fishing operation shall also be specified on the license. If an applicant wishes to engage in a fishing operation in an area under the jurisdiction of coastal state, the Director-General or a person designated by the Director-General may accord authorization therefor only when the applicant is able to present proof of a right to engage in fishing operations in the waters of any such coastal state, and when there is clear evidence that the applicant for the license is in a position to comply with the laws, criteria and measures of the coastal state or the international organisation concerned.

The provisions of Section 39 shall apply to a license application under this section *mutatis mutandis*.

Section 49. In the case where the holder of a license for fishing outside Thai waters engages in a fishing operation in an area under the jurisdiction of a coastal state or in an area under the control and responsibility of an international organisation, apart from having to comply with this Emergency Decree, the licensee shall comply with the laws, rules and standards of conservation and fisheries management of any such coastal state or international organisation.

Section 50. A holder of a license to engage in fishing outside Thai waters shall have an observer stationed on board the fishing vessel in accordance with the rules prescribed by the coastal state or the international organisation having jurisdiction over the intended area of fishing operation, or as prescribed by the Director-General.

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An observer shall not be a person already assigned to do any other duty on board of the fishing vessel, and shall have other qualifications as prescribed by the Director-General. The criteria and procedures of training, as well as the registration of observers shall be as prescribed by the Director-General.

Section 51. An observer shall have the following duties:

- (1) observe the catching of aquatic animals, the selecting and processing thereof, as well as other activities concerned therewith, and record data found in the observations;
- (2) compile and record biological information and collect specimen of the aquatic animals caught and any other data useful for the purposes of traceability;
- (3) prepare a summary report of actions taken pursuant to (1) and (2), to be submitted to the competent official upon berthing of the fishing vessel at a fishing port or when the observer returns to the coast in accordance with the procedures and timeframe prescribed by the Director-General.

Section 52. A holder of a license for fishing outside Thai waters shall not engage in a fishing operation in Thai waters unless he or she also holds a license pursuant to Section 36.

Section 53. The provisions under Section 37, Section 40, Section 41 and Section 42 shall also apply to fishing operations outside Thai waters *mutatis mutandis*.

Section 54. The owner of a Thai fishing vessel or the owner of a non-Thai fishing vessel with a master or a seaman or a passenger who is a Thai national utilizing or giving his or her consent to another to utilize his or her fishing vessel to undertake a fishing operation outside Thai waters which causes a violation of the law of a foreign state, and any of such master, seaman or passenger on board is stranded abroad, shall be held responsible for all necessary advance expenses which the State has paid for the repatriation of any of such person to the Kingdom within thirty days as from the date on which he or she receives a written notice from the Department of Fisheries.

In the case where the owner of the fishing vessel fails to reimburse the expenses within the period prescribed pursuant to paragraph one, the Department of Fisheries shall have the power to confiscate such fishing vessel and have it sold by auction. After the sum of money to be reimbursed is deducted together with interest at seven and a half per cent per year payable as from the date on which the sum becomes due until the

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payment is made using the sum received through any such auction, the remainder shall be returned to the owner of the vessel.

CHAPTER 5 CONSERVATION AND MANAGEMENT MEASURES

Section 55. The provisions under this chapter aim for conservation and management designed to achieve a natural balance and the preservation of aquatic animal resources and the ecosystem in a sustainable manner based on a precautionary approach which persons engaging in fishing operations must not violate and comply with the provisions under this chapter.

Section 56. No person shall catch aquatic animals in an aquatic species sanctuary as prescribed by the Minister or by the provincial fisheries committee subject to the approval of the Minister, except for the purposes of academic advancement or for the purposes of the nurturing of aquatic animal breeds for which permission in writing has been granted by the Director-General or a person assigned by the Director-General.

There shall be attached to a notification determining any aquatic species sanctuary pursuant to paragraph one a map delineating the areas prescribed thereby.

Section 57. No person shall catch aquatic animals or take on board of a fishing vessel aquatic animals of a size that is smaller than that prescribed by the Minister.

Section 58. No person shall engage in the following acts:

(1) releasing, pouring, disposing of, discharging or causing the passage of hazardous matters as prescribed by the Minister into a fishing ground;

(2) acting in whichever way to cause the intoxication of aquatic animals in a fishing ground;

(3) releasing, pouring, disposing of, discharging or causing the passage of any particular thing into a fishing ground in a manner harmful to aquatic animals;

(4) causing a fishing ground to be polluted such that it becomes harmful to aquatic animals.

The provisions under paragraph one shall not apply to unavoidable necessary acts for the sake of military service.

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Section 59. Any person intentionally or through negligence causes a fishing ground to be polluted in a manner that may harm aquatic animals shall bear all the expenses incurred in rescuing or preventing the loss of aquatic animals' lives, and in restoring the fishing ground back to its natural state as prescribed by the Director-General.

Section 60. No person shall use electrical currents for fishing purposes or explosives in a fishing ground. Exemptions to the prohibition on the use of explosives in fishing grounds may be granted for the benefit of public administration for which permission in writing must have been obtained from the Director-General, in which case preventive undertakings must have been implemented to preempt undue damage to the aquatic animals concerned.

The provision under paragraph one shall not apply to the use of explosives for the sake of military service.

Section 61. No person shall have in possession aquatic animals or aquatic animal products for commercial purposes knowing that these aquatic animals or aquatic animal products are acquired through offense under Section 58, Section 60, or acquired by a fishing operation which is a serious violation under Section 114, or from a fishing vessel used in Unlawful fishing as per the list of fishing vessels prohibited from entering the Kingdom pursuant to Section 94, or as publicly listed under Section 116.

Section 62. No person shall make alterations to a fishing ground that is public domain of State such that it is different from what it originally is unless permission in writing has been obtained from the Competent Official.

Section 63. No person shall install, place or build a damn, weir, dyke, fence, built structure, tool fitted with nets or any other fishing tool or carry out any action in a fishing ground, and thereby blocking the passage of aquatic animals or preempting the natural growth of aquatic animals, unless permission in writing has been obtained from the Competent Official.

The provisions under paragraph one shall not apply to undertakings implemented for the purposes of public disaster prevention or for official purposes relating to irrigation.

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Section 64. No person shall have in possession aquatic animals or aquatic products that may cause harm to the human body or to other aquatic animals, aquatic animals' environment, private property, public domain property, or aquatic products that may be harmful to human health in accordance with the types, kinds, features, numbers or sizes prescribed in the Ministerial Regulations.

Any person having aquatic animals or aquatic products under paragraph one in possession shall hand over such aquatic animals or aquatic products to the Competent Official within the period prescribed by the Minister and the Competent Official shall have any such aquatic animal or aquatic product destroyed promptly.

The provisions under paragraph one and paragraph two shall not apply to possession of aquatic animals or aquatic products by a public-sector entity for academic purposes.

Section 65. For the purposes of protecting rare aquatic animal species or preventing danger caused by an epidemic disease, the Minister shall have the power to prohibit the importation, exportation, bringing in transit, culturing or possession of any kind of aquatic animal.

No person shall import, export, bring in transit, breed or have in possession aquatic animals under paragraph one unless a license is obtained from the Director-General or a person designated by the Director-General.

Section 66. No person shall catch aquatic mammals, rare aquatic animals or aquatic animals near extinction as prescribed by the Minister or take any such aquatic animal on board of a fishing vessel, except where it is necessary to do so in order to save the life thereof.

Section 67. No person shall use or have in possession for the purposes of using any of the following fishing gears:

(1) a set bag net, a *Rua Sai Man* bag net or *Kan Su Ruan Sai Man* bag net, a *Li* bamboo trap, or any other tool having a similar character and a similar method;

(2) a foldable trap or an elongated collapsible trap (*Ai Ngo*) with alternating left and right inlets on the sides for the purposes of trapping aquatic animals;

(3) a trawl net with the size of the meshes round the bottom part smaller than the size prescribed by Notification of the Director-General;

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(4) a push net attached to a motor vessel with the exception of a push net for the catching of krill.

The provisions under paragraph one shall not apply to fishing gears which utilize the form, vessel size, fishing procedure, fishing area and conditions prescribed by the Director-General for the benefit of artisanal fisheries.

Section 68. Any person using a push net for the catching of krill fitted to a motor fishing vessel shall comply with the conditions prescribed by the Minister regarding the forms of nets, vessel sizes, operation methods in fishing, fishing areas or fishing period.

Section 69. No person shall use a surrounding net with the size of the net meshes smaller than two point five centimeters to engage in a fishing operation at night.

Section 70. No person shall engage in a fishing operation during a season of aquatic animals' ovulation and egg-spawning, larvae rearing or during any other period of time necessary for the protection of aquatic animals as prescribed by the Minister.

Section 71. The Minister or the provincial fisheries committee shall have the power to issue notifications regarding the following:

(1) fishing gears according to their forms, fishing methods, fishing areas, the size of fishing vessels used in fishing operation and other conditions that are prohibited from fishing operations in fishing grounds;

(2) requirements to be complied with in relation to by catches;

(3) an area necessitating the use of a fishing gear that requires pegging down, pitching, tying, stretching, pulling, sinking or any other method to keep any such tool fixed during a fishing session.

A notifications pursuant to paragraph one shall not apply to any action undertaken for the purposes of research or aquatic animal resource conservation by a public agency for which permission has been granted in writing by the Director-General or a person designated by the Director-General. In a case in which any such notification is issued for enforcement in a particular area, there shall be attached to any such notification a map delineating the area prescribed thereby.

Upon the approval of the Minister, the determination by the provincial fisheries committee shall apply to the areas under its responsibility and only to freshwater fisheries and coastal seas areas.

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For the purposes of this section, the Minister shall have the power to issue notifications determining areas under the responsibility of the provincial fisheries committees in coastal sea areas.

Section 72. Where the issuance of any notification pursuant to Section 71 involves overlapping areas in two or more provinces due to the geographical components or the natural ecosystem in that specific area, or for the purposes of achieving a systematic aquatic animal resource management system, the provincial fisheries committee shall propose to the Minister for the latter to exercise the power to determine any such matter in lieu of the provincial fisheries committee, and notify the provincial fisheries concerned thereof.

CHAPTER 6 AQUACULTURE PROMOTION

Section 73. The provisions of this Chapter aim at promoting aquaculture as an alternative source of aquatic animal products in accordance with the overall objective of achieving long-term economic, social and environmental sustainability and conservation of balance of ecosystem, whilst also ensuring the confidence in consuming aquatic animals harvesting from aquaculture with proper quality and hygienic standards.

Section 74. In order to preserve quality and protect consumers to be safe in consumption of aquatic animals, an aquaculturist shall properly comply with the agricultural commodity standards prescribed by the Agricultural Commodity Standards Committee in accordance with the law on agricultural commodity standards.

It shall be a duty of the Department of Fisheries to promote, develop and provide guidance with respect to aquaculture in order to achieved standards pursuant to paragraph one without compromising the state of the ecological environment and the abundance of aquatic animal resources, as well as to also issue a certificate certifying compliance to such standards of aquaculture to an aquaculturist who has carried out his or her operation according to the said standard upon requested.

Section 75. Any person wishing to request the certifying of aquaculture standard attainment prescribed under section 74, or request that the Department of Fisheries

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to inspect and certify kinds, features, quality or origin of any aquatic animal, or analyze specimens of soil, water, aquatic animals or factors of production in any specific individual's case, shall lodge a request therefor and pay expenses for the issuance of any such certificate or for a verification in accordance with the Regulations prescribed by the Director-General.

Section 76. For the purposes of supervising the quality of aquaculture and to prevent environmental consequences or danger to consumers or others' enterprises, a Ministerial Regulation may be issued to prescribe the kinds of aquatic animals or aquatic animals' features or types, forms, sizes or the objectives of aquaculture operations to be classified as those under aquaculture control.

Section 77. Subject to Section 79, no person shall undertake an aquaculture operation under control outside the areas prescribed by the Provincial Fisheries Committee as aquaculture zones.

Section 78. The Director-General shall have the power to prescribe that an aquaculturist undertaking an aquaculture operation under control in aquaculture zones pursuant to Section 77 shall comply with the following requirements:

- (1) an entrepreneur of aquaculture shall notify the aquaculture operation to the Competent Official as per the procedure prescribed;
- (2) determining the origins of aquatic animals prohibited for use in aquaculture;
- (3) determining the types, features, and quality of aquatic animals' feed prohibited in aquaculture;
- (4) determining kinds and quantities of any medicine, chemical or hazardous substance prohibited in aquaculture;
- (5) determining criteria and operational methods in the management of discharged water or solid waste from aquaculture farms;
- (6) determining rules and procedures for preventing leaks of water used in aquaculture from aquaculture grounds;
- (7) determining any other matter necessary for the prevention of impacts to the environment, or danger to consumers or to others' business.

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Section 79. No person shall undertake a form of aquaculture in a fishing ground that is a public domain of the State unless a license therefor is granted by the Competent Official.

The provision under Section 44 shall also apply to the transfer of any license under paragraph one *mutatis mutandis*.

CHAPTER 7

CONTROL, SURVEILLANCE, TRACEABILITY, AND INSPECTION

Section 80. The provisions of this Chapter aim to achieve effective control, surveillance and monitoring of fishing activities and the implementation of an effective traceability system which enables the identification of the source of an aquatic animal or aquatic animal product at any stage from fishing operations to ultimate consumers.

In addition to the provisions in Chapter 3, Chapter 4, Chapter 5 and Chapter 9, the control, surveillance, traceability and inspection of the lawfulness of fishing operations shall be as provided in this Chapter.

PART 1

CONTROL AND SURVEILLANCE

Section 81. Any person wishing to use a fishing vessel of a size prescribed by the Minister to engage in a commercial fishing operation must undertake the following actions:

(1) install a fishing vessel tracking system and maintained the functionality thereof at all times in accordance with the criteria and procedures prescribed by the Director-General;

(2) prepare a fishing logbook, which shall at least comprise data on the types and quantities of aquatic animals caught, points at which the vessels have been anchored, aquatic animal transshipment, sale or discard of the aquatic animals, all of which shall have to be certified as true and accurate by the master of the vessel; the data contained therein shall be reported to the Department of Fisheries at the time intervals and in accordance with the procedures prescribed by the Director-General;

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(3) report every port-in and port-out operation to the Port In-Port Out Control Centre in accordance with the rules and procedures prescribed by the Director-General; upon entry into a port for the purpose of transshipping or landing aquatic animals or aquatic animal products at a fishing port, a copy of the fishing logbook and other documents as prescribed by the Director-General shall also be submitted;

(4) affix a marking on the fishing vessel in accordance with the rules and procedures prescribed by the Director-General;

(5) return to the designated fishing port in accordance with criteria and within the time period prescribed by the Director-General.

Section 82. Prior to proceeding with the port-out procedure pursuant to section 81, the owner or the master of a vessel shall submit documents related to vessel registration, the vessel use permit, the fishing license, number, name list and seamen book, or evidence of permit under section 83 of the seamen going with the fishing vessel, as well as evidence related to the provision of appropriate systems for ensuring occupational safety, hygiene and well-being of seamen as prescribed in the Ministerial Regulation to the competent official at the Port In-Port Out Control Centre in accordance with the rules and procedures prescribed by the Director-General.

In the case where the owner or the master of a fishing vessel fails to submit the documents and evidence pursuant to paragraph one, or the provision of a system for ensuring occupational safety, hygiene and well-being of seamen does not comply with the requirements stated in the Ministerial Regulation, the Competent Official shall order the detention of the fishing vessel at the fishing port or order the return of the fishing vessel to the fishing port.

Section 83. A seaman must hold a seaman book issued under the law on navigation in Thai waters. In the case of a seaman who is not a Thai national, a permit to remain in the Kingdom under the law on immigration and a work permit under the law on working of aliens must also be obtained.

For the purposes of facilitation, the Director-General shall have the same powers as the Harbour Master under the law on navigation in Thai waters, with respect to the issuance of seaman book, the Commissioner General of the Royal Thai Police under the law on immigration, with respect to the issuance of a permit for temporary stay in the Kingdom for aliens working on fishing vessels, and the Registrar under the law on working of

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aliens, with respect to the permitting of aliens working on fishing vessels which engage in fishing operations at sea.

When granting a permit under paragraph three, the Director-General must comply with criteria, procedures and conditions prescribed by the Council of Ministers. Upon issuance of a seaman book or permit, the Marine Department, Royal Thai Police and Department of Employment must be notified accordingly. The foregoing provisions, however, does not prejudice the rights of a seaman to apply for a seaman book under the law on navigation in Thai waters or to apply for a permit under the law on immigration and law on working of aliens.

The Director-General shall have the power to issue a seaman book and evidence of permission to a seaman in accordance with the form prescribed by the Director-General. The seaman shall keep such evidence with himself or herself or at a safe place in the fishing vessel in which he or she is stationed.

The seaman book or permit issued under paragraph two shall only be valid for working on board the fishing vessel specified in the evidence of permission, in the vicinity of the fishing port, and only during the period specified therein.

Section 84. Any person wishing to use his or her own port as a fishing port shall register such port as a fishing port with the Department of Fisheries, except where such a port is already a part of a fish market enterprise.

Section 85. The owner of a fishing port pursuant to Section 84 or a fish market entrepreneur shall record data on every fishing vessel berthed at the port, or transshipment or landing of aquatic animals or aquatic animal product at the port and such records shall be kept for inspection by the Competent Official in accordance with the list of particulars, procedures and time period prescribed by the Director-General.

The owner of any of such fishing ports or fish market entrepreneur shall collect and submit such reports on porting-in and porting-out of vessels pursuant to Section 81 to the Port-In and Port-Out Control Centre in accordance with the procedures prescribed by the Director-General.

Section 86. Subject to Section 87, no fishing vessel engaged in commercial fishing shall transship or land aquatic animals or aquatic animal products at any port other than a fishing port under Section 84 or at a site that is a fish market enterprise, as designated by Notification of the Director General.

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The Notification of the Director-General under paragraph one may also specify the fishing vessel size that is allowed to transship or land aquatic animals or aquatic animal products at particular ports.

The owner of a fishing port or a fish market enterprise pursuant to paragraph one shall prepare a marine catch purchase document in accordance with the form and the list of particulars prescribed by the Director-General. A copy thereof shall be submitted to the Department of Fisheries in accordance with the timeframe and procedures prescribed by the Director-General.

Section 87. No transshipment of aquatic animals shall be made at sea with the exception of a transshipment onto a fishing vessel registered as a carrier for the transshipment of aquatic animals or a vessel for the storage of aquatic animals, in which case the owner or master of the fishing vessel must obtain permission from the a Competent Official by radio transmission or a similar means of communication as well as submit a transshipment report certified as true and accurate by the master of the vessel to the Competent Official after completion of transshipment.

Criteria and time period in application, permission and the submission of a transshipment report shall be as prescribed by the Director-General.

The provisions of Section 39 shall apply to the registration of a carrier for the transshipment of aquatic animals or as a vessel for the storage of aquatic animals under paragraph one *mutatis mutandis*.

For the purposes of preventing and combatting Unlawful fishing, the Director-General shall have the power to prohibit transshipments at sea which may be categorised by type or size of vessels, specified areas or time periods.

Section 88. Any person wishing to use a fishing vessel registered as a carrier for the transshipment of aquatic animals or as a vessel for the storage of aquatic animals to transship aquatic animals must take the following actions:

(1) having installed a fishing vessel tracking system and maintained the functionality thereof at all times in accordance with the rules and procedures prescribed by the Director-General;

(2) prepare a marine catch transshipment control document; the data contained therein shall be certified as true and accurate by the master of the carrier vessel and reported to the Department of Fisheries at the time and in accordance with procedures prescribed by the Director-General;

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(3) report every porting-in and porting-out to the Port In-Port Out Control Centre in accordance with the rules and procedures prescribed by the Director-General.

Section 89. In addition to compliance with this Emergency Decree, a fishing vessel registered as a carrier for the transshipment of aquatic animals or as a vessel for the storage of aquatic animals shall also comply with the laws, rules or regulations of a coastal state concerned when transshipping aquatic animals in a sea lying within the jurisdiction of such coastal state and it shall also comply with the rules or regulations of the relevant international organisation when transshipping aquatic animals on the high seas.

PART 2

EVIDENCE FOR THE PURPOSES OF TRACEABILITY

Section 90. For the purposes of traceability related to the lawfulness of aquatic animals or aquatic animal products obtained from fisheries activities, parties concerned shall collect and prepare evidence to be used for inspection in accordance with the following criteria:

(1) the owner of a vessel or the master of a fishing vessel shall prepare a fishing logbook, and submit a report to the Department of Fisheries as prescribed under Section 81(2);

(2) the owner or the master of a carrier for the transshipment of aquatic animals or the storage of aquatic animals shall prepare a marine catch transshipment control document, and submit a report to the Department of Fisheries as prescribed under Section 88(2);

(3) the owner or a fishing port or a fish market entrepreneur shall prepare a marine catch purchase control document for a buyer as per the form and particulars prescribed by the Director-General; a copy of such a document shall be submitted to the Department of Fisheries as prescribed pursuant to Section 86 paragraph three;

(4) a buyer of aquatic animals from a fishing port or from a fish market entrepreneur pursuant to (3) shall fill in data in a marine catch purchase control document pursuant to (3) when selling or delivering aquatic animals to another person;

(5) a producer of aquatic animals or a processor of aquatic animals shall prepare evidence for traceability purposes in accordance with the rules and procedures prescribed by the Director-General;

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(6) an importer, exporter or person who brings in transit aquatic animals and aquatic animal products shall present a catch certificate, or any other document to prove that the aquatic animals and aquatic animal products are obtained from a lawful fishing operation as provided in Section 92.

Section 91. For the purposes of establishing the source of aquatic animals and aquatic animal products obtained from aquaculture, the Director-General shall have the power to prescribe that an entrepreneur of aquaculture under control pursuant to Section 76 shall prepare a marine catch purchase control document for his or her buyers in accordance with the form and the list of particulars provided by the Director-General.

Each time a buyer of aquatic animals pursuant to paragraph one sells or delivers such aquatic animals to another person, relevant data shall be filled in the form under paragraph one, with the name of the buyer or the person the aquatic animals are delivered to specified.

Section 92. Subject to Section 96, no person shall import aquatic animals and aquatic animal products unless permission is obtained from a Competent Official.

Any person wishing to export or bring in transit aquatic animals and aquatic animal products shall first produce a catch certificate or any other document which proves that such aquatic animals and aquatic animal products are obtained from a legal fishing operation to the competent official for inspection.

The granting of permission pursuant to paragraph one shall be executed only when a catch certificate or any other document is presented proving that such aquatic animals and aquatic animal products are obtained from a lawful fishing operation.

The requesting and granting of permission pursuant to paragraph one shall be in accordance with the criteria, procedures and conditions prescribed by the Director-General.

The provision under paragraph one shall not apply to the bringing of aquatic animals caught by a Thai fishing vessel in a lawful fishing operation into the Kingdom. Any such case shall not be regarded as importation.

Section 93. Any exporter of aquatic animals and aquatic animal products wishing to request a catch certificate, or an aquatic animal product production or processing certificate, shall lodge such a request to the Department of Fisheries in accordance with the

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forms and procedures, and pay the fees for the issuance of any such certificate as prescribed by regulation issued by the Director-General.

Part 3

Inspection Measures

Section 94. No person shall bring a non-Thai fishing vessel that has undertaken Unlawful fishing into the Kingdom.

The Director-General shall have the power to publicly issue a list of non-Thai fishing vessels that have undertaken Unlawful fishing based on the lists of fishing vessels published by a foreign state or international organisation.

Section 95. A non-Thai fishing vessel wishing to import aquatic animals and aquatic animal products into the Kingdom shall notify the competent official by no less than forty-eight hours in advance prior to its arrival at a port of entry. Data in the notice and ports of entry shall be as designated by the Minister.

The competent official shall verify the data pursuant to paragraph one and notify the master of the vessel of the result within twenty-four hours after having been notified of the request for a berthing.

In the case where a non-Thai fishing vessel fails to comply with the rules under paragraph one, or where there is a cause for suspicion that the fishing vessel in question has undertaken Unlawful fishing or has been involved in Unlawful fishing, the competent official shall not allow the requested berthing except for reasons related to the safety of seamen or of the fishing vessel, or in light of a *force majeure* case.

Section 96. When a fishing vessel has been authorized to berth at a port pursuant to Section 95 and has completed berthing, a request for permission for the importation of aquatic animals or aquatic animal products shall be lodged. After permission therefor has been granted, aquatic animals or aquatic animal products may then be unloaded from the fishing vessel.

The Competent Official shall not permit any importation under paragraph one unless the owner of the vessel or the master of the vessel can prove that:

(1) the fishing vessel has been granted a fishing license or a license for activities related to fisheries issued by a flag state or a coastal state;

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(2) the fishing vessel can produce evidence to prove that it has not undertaken Unlawful fishing;

(3) the owner of the vessel or the master of the vessel certifies in writing that the flag state shall certify in due course that the aquatic animals caught in accordance with the regulations of the international organisations concerned.

In a case that the owner of the vessel or the master of the vessel cannot prove as per paragraph two, the Director-General shall have the power to order that the fishing vessel leave the Kingdom within a period of time prescribed and notify the flag state or any other country concerned and international organisations for acknowledgement. In the case where the fishing vessel does not leave the Kingdom within the period of time prescribed or when there exists clear evidence that the fishing vessel has undertaken Unlawful fishing, or in a case in which the fishing vessel is a stateless vessel, the Director-General shall have the power to order that the fishing vessel and all the properties on board any such vessel be confiscated and put up for sale by auction or destroyed. The proceeds of sale by auction shall, after deduction of expenses related to that sale and other expenses, be held by the Department of Fisheries until the owner of the vessel or master of the vessel is able to provide proof under paragraph two. If the owner of the vessel or master of the vessel is unable to provide such proof within one year of the sale by auction, the proceeds of sale shall vest in the state, unless otherwise ordered by the court.

The sale by auction as per paragraph three shall not involve any aquatic animals or aquatic animal products. In this regard, the Director-General shall have the power to order the destruction thereof or have appropriate arrangements made with a view to distributing them to impoverished or underprivileged members of the public without any charge.

In a case in which a fishing vessel is unable to produce evidence pursuant to paragraph two, but there is no clear evidence to prove that it has undertaken Unlawful fishing prior to its berthing at the port, the Competent Official may allow access to fuel and food provisions or maintenance services as necessary.

Section 97. The Minister may issue a notification to prescribe that a fishing vessel of a flag state which shares a border with the Kingdom of Thailand undertaking artisanal fishing does not have to comply with all or certain provisions under Section 95 and Section 96. In this regard, the Minister shall also have the power to determine a guideline for such vessels to comply with in order to prevent Unlawful fishing.

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CHAPTER 8

HYGIENE STANDARDS OF AQUATIC ANIMALS OR AQUATIC PRODUCTS

Section 98. It shall be a duty of the Department of Fisheries to develop hygiene standards relating to the catching, preserving, and processing of aquatic animals, and the storage, transportation or transshipment of aquatic animals and animal products, which are to be promoted among fisheries entrepreneurs so that they apply such standards in their business operations in order to obtain aquatic animals and aquatic animal products which a quality level with respect to hygiene standards and safety for consumers shall be assured. The determination of standards pursuant to paragraph one shall be in line with international standards.

For the purposes of promoting and encouraging fisheries entrepreneurs to conform to standards pursuant to paragraph one, the Director-General or a person assigned by the Director-General shall issue a certificate to an applicant who has attained such standards as requested.

A request for a certificate pursuant to paragraph three shall be as prescribed by the Director-General. In this regard, expenses for the issuance of any such certificate may also be collected as required.

Section 99. For the purposes of complying with Thailand's existing international obligations, the Minister may issue a notification prescribing that entrepreneurs undertaking all forms of fisheries business or a certain form of fisheries business, or producers of all kinds of aquatic animal products or certain kinds of aquatic animal products must conform to the standards pursuant to Section 98.

Where a fisheries entrepreneur or a producer of aquatic animal products covered in a notification pursuant to paragraph one fails to conform to the standards, the Competent Official shall have the power to order that such fisheries entrepreneur or producer of aquatic animal products rectify the matter or cease operation over a prescribed period of time as deemed fit.

Section 100. When it appears that a particular fishing ground is faced with a state of pollution or contamination involving toxins or any other matter potentially harmful to human beings or to aquatic animals to a degree exceeding the standards prescribed by

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the Director-General, the Director-General shall have the power to prohibit fisheries operation in such a fishing ground over a period of time prescribed.

CHAPTER 9 COMPETENT OFFICIALS

Section 101. The provisions of this Chapter aim to provide competent officials with sufficient powers for the implementation of this Emergency Decree, in particular with regard to the exercise of effective monitoring, control and surveillance functions, as well as to ensure that complete and accurate data concerning fisheries activities are collected.

Section 102. When performing duties pursuant to this Emergency Decree, the Competent Official shall have the following powers:

(1) issue a letter of summons to a licensee, company director, manager, person authorized to exercise managerial functions or the licensee's employee concerned, to give a statement or supply relevant documents or evidence for the deliberation of matters pursuant to this Emergency Decree;

(2) enter enterprise premises or place related to the functioning of the licensee's enterprise or place related to the importation, exportation, transit, sale, production or processing of aquatic animals or aquatic animal products during working hours in order to exercise inspection and control to ensure compliance with this Emergency Decree;

(3) enter enterprise premises or place related to the functioning of enterprises under control in accordance with Section 76 during their working hours in order to exercise inspection and control to ensure compliance with this Emergency Decree;

(4) control a fishing vessel, stop a fishing vessel or a fishing or transshipment operation, or order a fishing vessel master to berth the fishing vessel at a port, or to embark a fishing vessel, or enter any fishing ground in order to exercise inspection and control to ensure compliance with this Emergency Decree; where there is reasonable cause for suspicion that an offence under this Emergency Decree has been committed;

(5) conduct a search pursuant to the Criminal Procedure Code between sunrise and sunset or during the working hours where there is reasonable cause for suspicion that an offence under this Emergency Decree has been committed;

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(6) seize or attach any document or evidence related to the commission of an offense under this Emergency Decree for the purposes of an investigation or legal proceedings;

(7) collect specimens of aquatic animals or aquatic animal products or any matter for inspection or analysis in order to exercise inspection and control to ensure compliance with this Emergency Decree;

(8) seize or attach aquatic animals or aquatic animal products where there is reasonable cause for suspicion that they are aquatic animals or aquatic animal products the possession of which is subject to prohibition pursuant to Section 64 or Section 65;

(9) seize or attach medicines, chemicals or any other hazardous substances where there is a reasonable cause for suspicion that that they are medicine, chemicals or any other hazardous substance used or to be used in aquaculture in violation of the prohibitions pursuant to Section 78(4).

Where aquatic animals or aquatic animal products, medicines, chemicals or any hazardous substance seized or attached by the competent official pursuant to (8) or (9) are of conditions potentially harmful to the human body or to other aquatic animals or aquatic animals' environment or to private property or public domain property, the Director-General shall have the power to have these destroyed or handled otherwise as deemed appropriate.

After having entered the premises and inspected matters pursuant to (2) or (3) or having conducted a search pursuant to (5), if any such undertaking has not been completed, the Competent Official may continue conducting such an undertaking into nighttime or outside the working hours of such an enterprise.

The Director-General shall have the power to set forth operational regulations pursuant to (2), (3), (4), (5), (6), (7), (8) and (9) for compliance by Competent Officials.

During the performance of duties by a Competent Official pursuant to paragraph one and paragraph two, the licensee or persons concerned shall facilitate the Competent Official as appropriate.

Section 103. The Competent Official shall have the power to order any person having installed a fishing gear, built structure, or anything in a fishing ground without authorisation, or where authorised, failing to correctly implement the authorized installation or structure, or having implemented any such authorized installation or structure differently from the conditions prescribed in the permit, have any such installation or structure dismantled or rectified as per authorized within a stipulated period of time.

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Where the person receiving such order fails to comply with the order within the time period specified pursuant to paragraph one, the Competent Official shall have the power to make necessary arrangements for any such fishing gear, built structure or any such thing to be dismantled or destroyed. Expenses incurred in the course of any such undertaking shall be borne by the person receiving the order.

Section 104. Subject to international law, and in fulfillment of all obligations or agreements which the Kingdom of Thailand has concluded with international organisations at all levels, the Competent Official shall, upon the request of the government official of a relevant State having jurisdiction or of an international organisation having control over fishing operation in an area concerned, have the power and enjoy immunity in order to embark on board any stateless vessel or a fishing vessel found to be undertaking Unlawful fishing outside Thai waters for inspection and for the execution of his or her duties.

When boarding a fishing vessel for inspection pursuant to paragraph one, the Competent Official shall observe the rules prescribed by the Minister. Such rules shall take into account rules accepted as international guidelines and recognized by the United Nations. In this regard, the provision under section 105(1) shall apply *mutatis mutandis*, and the flag state or international organisations concerned shall be notified accordingly.

Section 105. Where there is credible evidence that a fishing vessel or a fisheries entrepreneur has committed an offence or has been involved in an offence pursuant to this Emergency Decree, the Competent Official shall take the following actions:

(1) record data on the suspected violation in the inspection findings report, collect all evidence relating to the suspected violation, as well as submit the inspection findings report to the Director-General or a person designated by the Director-General;

(2) order the confiscation of fishing gears, aquatic animals or aquatic animal products held or obtained from an Unlawful fishing operation, or order the detention of the fishing vessel until the matter has been deliberated upon and an order thereon has been made pursuant to Chapter 10 or Chapter 11.

Section 106. The Director-General shall have the power to appoint a member of a local fishing community organ registered pursuant to Section 25(2) to assist in the performance of duties of the Competent Official pursuant to this Emergency Decree.

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The person appointed pursuant to paragraph one shall have the duty of assisting the Competent Official in performance of duties in accordance with this Emergency Decree as requested or determined by the Competent Official.

The criteria, procedures and conditions for the appointment, performance of duties and the identification card of a person appointed pursuant to paragraph one shall be as prescribed by the Director-General.

When performing duties, a person appointed under paragraph one shall present his or her identity card to the person concerned every time.

Section 107. It shall be a duty of the Director-General to ensure that Competent Officials are available to perform their duties pursuant to this Emergency Decree at all times. In a case in which a person requests a service out of the official working hours or outside the normal office premises, such person shall pay an additional fee and a special charge pursuant to the rate prescribed by the Director-General.

Section 108. When performing duties pursuant to this Emergency Decree, the Competent Official shall present his or her identity card to the licensee or person concerned.

The Competent Official's identification card shall be in accordance with the form prescribed by the Minister.

Section 109. When performing duties pursuant to this Emergency Decree, the Competent Official shall be officers pursuant to the Penal Code.

For the purposes of making arrests of offenders pursuant to this Emergency Decree, a Competent Official shall be regarded as an administrative officer or a police officer pursuant to the Criminal Procedure Code.

CHAPTER 10 ADMINISTRATIVE MEASURES

Section 110. The provisions of this Chapter aim at providing adequate administrative measures to ensure expeditious and effective compliance with this Emergency Decree as well as to supplement criminal penalties provided in Chapter 11, and also to stipulate, in line with international standards, unlawful fishing operation to be considered severe violation of law.

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Section 111. If any licensee or permit holder violates or fails to comply with this Emergency Decree, ministerial regulations, notifications or rules issued pursuant to the provisions in this Emergency Decree or the conditions specified in the license or permit, the official authorized to issue any such license or permit shall have the power to issue an order that such license be suspended or such permission be ceased for a period of not exceeding ninety days for each time.

In a case in which a licensee or permit holder under Section 60, Section 62, Section 63 and Section 79 re-commits a violation of rules or conditions pursuant to paragraph one, the official authorized to issue such license or permit shall have the power to revoke such license or permission.

Section 112. If the owner of a fishing port, a fish market entrepreneur or the owner of a vessel registered as a carrier for the transshipment of aquatic animals or the storage of aquatic animals violates or fails to comply with this Emergency Decree, or Ministerial Regulation, Notifications or Directives issued pursuant to this Emergency Decree, the Director-General shall have the power to order that any such registration be revoked.

Section 113. The Director-General shall have the power to issue the following orders against any person engaging in a fishing operation which constitutes a serious violation of law:

(1) seizure of the aquatic animals and aquatic animal products obtained from any such fishing operation or seizure of fishing gear;

(2) prohibition of any fishing activity until full compliance is achieved;

(3) suspension of license for a period not exceeding ninety days each time; in this regard, an order may also be issued to prohibit the use of any such fishing vessel until the license suspension period expires;

(4) revocation of license and publicly listing the fishing vessel as a vessel used in Unlawful fishing;

(5) detention of any such fishing vessel or demanding that a security be deposited where such violating fishing vessel is a non-Thai fishing vessel.

When seizing aquatic animals or aquatic animal products pursuant to (1), the Director-General may order the owner or master of the vessel to take care of and store the aquatic animals and aquatic animal products on board of the vessel in the same conditions.

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When issuing an order under paragraph one, the Director-General shall take into account the severity of the violation, recidivism and the prevention of recidivism.

Section 114. The following acts shall be regarded as fishing operations constituting severe violation under Section 113:

(1) use of a stateless vessel to engage in a fishing operation pursuant to Section 10;

(2) fishing without a fishing license or a license for the use of a fishing gear pursuant to Section 31, Section 32, Section 35, Section 36 or Section 48;

(3) failure to comply with Section 81;

(4) preparing a fishing logbook or reporting a fishing operation based on a false document or destroying a document or evidence related to the commission of an offense;

(5) fishing in excess of the quantities or the condition prescribed in Section 36, fishing in a prohibited area pursuant to Section 56, or fishing during a prohibited period pursuant to Section 70;

(6) modification of a fishing gear under Section 42, or use of a prohibited fishing gear pursuant to Section 67, Section 68, Section 69 or Section 71(1);

(7) fishing in violation of rules prescribed by a coastal state or an international organisation pursuant to Section 49;

(8) catching aquatic animals or taking aquatic animals of a size smaller than that prescribed onto a fishing vessel pursuant to Section 57;

(9) catching aquatic animals or taking aquatic animals prescribed onto a fishing vessel pursuant to Section 66;

(10) transshipping aquatic animals and aquatic animal products in violation of the rules under Section 87, Section 88 or Section 89;

(11) falsifying, concealing or changing a vessel's mark or registration;

(12) obstructing the performance of duties by a competent official or observer, or concealing, tempering with or disposing of evidence relating to an investigation conducted by a competent official;

(13) participating in, providing support to or securing essential basics to a fishing vessel undertaking Unlawful fishing operation;

(14) committing more than three offences, other than those stated under (1) to (13) above, within any one-year period, regardless of whether such offences are on the same ground.

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Section 115. Any licensee who disagrees with an order to suspend a license, cessation of permission or revocation of license pursuant to Section 111, revocation of a registration pursuant to Section 112, or an order given pursuant to Section 113, has the right to file an appeal to the following persons within thirty days as from the day he or she is notified of the order:

(1) where a Competent Official is the person who issues any such order, an appeal shall be filed to the Director-General;

(2) where the Director-General is the person who issues any such order, an appeal shall be filed to the Minister.

The Director-General or the Minister shall complete determination of the appeal under paragraph one within sixty days as from the day the appeal is received.

An appeal against an order under paragraph one shall not constitute a stay of execution of the order, unless the Director-General or the Minister, as the case may be, issues an order for a temporary stay of execution thereof.

A decision of the Director-General or Minister shall be final.

Section 116. The Minister shall publish the names of fishing vessels used in Unlawful fishing, and may also order that the vessel registrar under the law on Thai vessels have the fishing registration of any such vessel revoked. When the Minister publishes such list of fishing vessels or issues a registration revocation order, no person shall use any such listed vessel for fishing for a period of time as prescribed by the Minister, which shall last no less than two years as from the date on which the publication was made. During any such period, the owner of a fishing port or a fish market enterprise shall not allow any such fishing vessel to land aquatic animals at his or her fishing port or fish market.

Section 117. The notification of a list of fishing vessels pursuant to Section 116 shall at least contain the following particulars:

(1) the current name and previous name of the fishing vessel;

(2) the flag of the fishing vessel and the flag designating the previous nationality of the fishing vessel;

(3) the owner of the vessel, the previous owner of the vessel concerned, and the beneficiary of the said vessel;

(4) the vessel's registration number or designated number issued by a relevant international organisation and that issued by the Marine Department;

(5) a photo thereof;

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(6) the date on which the vessel is included on the list of vessels;
(7) the offence causing the listing of the vessel;
(8) the period of time which the registration of the vessel for fishing purposes is revoked.

Section 118. The Department of Fisheries shall notify the list of fishing vessels issued by the Minister pursuant to Section 116 to the Food and Agriculture Organisation of the United Nations and international organisations.

Section 119. The Minister may have the name of a vessel removed from the list of vessels undertaking Unlawful fishing when:

(1) the owner of the vessel has presented evidence to prove that the fishing vessel has not been involved in Unlawful fishing;

(2) the fishing vessel has capsized or has been destroyed;

(3) a period of not less than two years has lapsed since the fishing vessel was included in the list and no further report has been received that the fishing vessel has been involved in Unlawful fishing;

(4) the owner of the vessel has presented evidence proving that corrections have been made such that the vessel is capable of engaging in lawful fishing or has completely removed all unlawful components;

(5) the owner of the vessel has satisfactorily presented evidence that he or she has not had a part or has not been involved in Unlawful fishing in whatsoever way, and has put in place appropriate preventive measures.

Section 120. In case that the license expires or where the licensee is subject to the revocation of his or her license or permit pursuant to Section 111 or Section 113, the licensee shall dismantle or destroy the fishing tool, structure or anything belonging to him or her in the fishing ground within thirty days as from the date on which the license expires or the date he or she is notified of the order revoking the license or permit, as the case may be. The provisions under paragraph two of Section 103 shall be applied *mutatis mutandis*.

CHAPTER 11

PENALTIES

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Section 121. The provisions of this Chapter aim to provide criminal penalties which are suitable and proportionated to offense in order to allow effective legal enforcement and to deter violation of legal provision wherever they occur, including to deprive offenders of the benefits accruing from their illegal activities under this Emergency Decree.

Section 122. A person engaged in a fishing occupation or a person involved in fisheries who violates Section 9 paragraph three shall be liable to a fine not exceeding two thousand baht.

Section 123. Any person who violates Section 10 shall be liable to a fine of ten thousand baht to one hundred thousand baht, or to a fine of three times the value of the aquatic animals obtained through the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from ten gross tonnage up to less than twenty gross tonnage shall be liable to a fine of one hundred thousand baht to two hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of two hundred thousand baht to six hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of six hundred thousand baht to five million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of five million baht to thirty million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 124. Any person who violates Section 11 paragraph one shall be liable to a fine of four hundred thousand baht to eight hundred thousand baht per each employee or labour which is unlawfully employed.

Any person who operates a factory in violation of Section 11 paragraph two, paragraph three or paragraph four shall be liable to imprisonment for a term of not exceeding

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two years or to a fine of two hundred thousand baht to two million baht, or both, and a daily fine of one hundred thousand baht to five hundred thousand baht per day for the entire duration of the violation.

Section 125. Any person violating Section 31 paragraph one or Section 32 paragraph one shall be liable to a fine of ten thousand baht to one hundred thousand baht, or to a fine of three times the value of the aquatic animals obtained from the fishing operation whichever is the higher.

Section 126. Any person undertaking artisanal fishing in violation of Section 33 shall be liable to a fine not exceeding five thousand baht.

Section 127. Any person who violates Section 34 shall be liable to a fine of fifty thousand baht to five hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 128. Any person who violates Section 35 shall be liable to a fine of ten thousand baht to five hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained through the fishing operation, whichever is higher.

Section 129. Any person who violates Section 36 paragraph one shall be liable to a fine of one hundred thousand baht to two hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of two hundred thousand baht to six hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of six hundred thousand baht to six million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of six million baht to thirty

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million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 130. Any person who violates Section 38, Section 43 or Section 52 shall be liable to a fine of one hundred thousand baht to two hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of two hundred thousand baht to six hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher fine shall apply.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of six hundred thousand baht to six million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of six million baht to thirty million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 131. Any person who violates Section 41 paragraph one shall be liable to a fine not exceeding one hundred thousand baht.

Section 132. Any person who violates Section 42 shall be liable to a fine of one hundred thousand baht to two hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of two hundred thousand baht to six hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of six hundred thousand baht to six million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

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Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of six million baht to thirty million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 133. Any person who violates Section 48 paragraph one shall be liable to a fine of two million baht to ten million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of ten million baht to twenty million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of twenty million baht to thirty million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 134. Any person who violates Section 49 shall be liable to a fine of two million baht to ten million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of ten million baht to twenty million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of twenty million baht to thirty million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 135. Any person who engages in a fishing operation and fails to comply with Section 50 shall be liable to a fine of one million baht.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of two million baht.

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Section 136. Any observer failing to perform their duties pursuant to Section 51 or being dishonest in performance of duty in order to cause damage to any other person shall be liable to imprisonment for a term of one month to two years or to a fine of one hundred thousand baht to two million baht, or to both.

Section 137. The owner of a fishing vessel who fails to reimburse the expenses pursuant to Section 54 shall be liable to imprisonment for a term of not exceeding two years or to a fine of two hundred thousand baht to two million baht or to a fine twice the amount of expenses under section 54, whichever is higher, or to both.

Section 138. Any person who violates Section 56 or Section 70 shall be liable to a fine of five thousand baht to fifty thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from ten gross tonnage up to less than twenty gross tonnage shall be liable to a fine of fifty thousand baht to one hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of one hundred thousand baht to five hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of five hundred thousand baht to five million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of five million baht to thirty million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 139. Any person who violates Section 57 shall be liable to a fine of ten thousand baht to one hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from ten gross tonnage up to less than twenty gross tonnage shall be liable to a fine of one hundred

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thousand baht to two hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of two hundred thousand baht to six hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of six hundred thousand baht to five million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of five million baht to thirty million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 140. Any person who violates Section 58 shall be liable to a fine of three hundred thousand baht to five hundred thousand baht.

Section 141. Any person who violates Section 60 shall be liable to a fine of two hundred thousand baht to one million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 142. Any person who violating section 61 shall be liable to a fine of one thousand baht or to a fine of five times the value of the aquatic animals held in possession, whichever is.

Section 143. Any person who violating section 62 or section 63 shall be liable to a fine of ten thousand baht to one million baht and shall dismantle any such structure or fitting or restore the fishing ground back to its natural state, or pay the expenses for the dismantling thereof or the restoration of the fishing ground back to the natural state to the State in the amount the State has actually paid therefor.

Section 144. Any person who violates Section 64 or Section 65 paragraph two shall be liable to imprisonment for a term of not exceeding one year, or to a fine not exceeding one million baht, or to both.

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In case that the offender pursuant to paragraph one releasing aquatic animals in a fishing ground, he or she shall be liable to imprisonment for a term of not exceeding two years, or to a fine not exceeding two million baht, or to both.

Section 145. Any person who violates Section 66 shall be liable to a fine of three hundred thousand baht to three million baht, or to a fine of five times the value of the aquatic animals caught or brought on board a fishing vessel concerned, whichever is higher.

Section 146. Any person who violates Section 67(1) shall be liable to a fine of one hundred thousand baht to five hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Section 147. Any person who violates Section 67(2), (3) or (4), Section 69 or Section 71 shall be liable to a fine of ten thousand baht to one hundred thousand baht or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from ten gross tonnage up to less than twenty gross tonnage shall be liable to a fine of one hundred thousand baht to two hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of two hundred thousand baht to six hundred thousand baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of six hundred thousand baht to six million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of six million baht to thirty million baht, or to a fine of five times the value of the aquatic animals obtained from the fishing operation, whichever is higher.

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Section 148. Any person who fails to comply with Section 68 shall be liable to a fine of three times the value of the aquatic animals obtained from the fishing operation.

Section 149. Any person who violates Section 77 or Section 79, or fails to comply with Section 78 (1), (5), (6) or (7) shall be liable to a fine of ten thousand baht to one hundred thousand baht, and a daily fine of ten thousand baht throughout the time during which any such violation occurs, as well as undertake action to restore or pay for the restoration of the fishing ground in question or the environment affected by any such undertaking back to its natural state.

Section 150. Any person who violates Section 78 (2), (3) or (4) shall be liable to a fine of thirty thousand baht to three hundred thousand baht.

Section 151. Any person who violates Section 81(1) or (4) and Section 88(1) shall be liable to a fine of twenty thousand baht.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of two hundred thousand baht.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of one million baht.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of four million baht.

Section 152. Any person undertaking a fishing operation or transshipping aquatic animals without reporting in accordance with the rules prescribed under section 81(2) or (3), section 82, or section 88(2) or (3), or making false report, or failing to return to a designated port as provided under section 81(5), shall be liable to a fine of ten thousand baht.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of one hundred thousand baht.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of five hundred thousand baht.

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Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of two million baht.

Section 153. The owner of any fishing vessel making use of a seaman without a license or permit pursuant to Section 83 shall be liable to a fine of four hundred thousand baht to eight hundred thousand baht per seaman, and the Director-General shall order the revocation of the owner's fishing license, and the Director-General of the Marine Department shall also revoke the certificate of officer in charge of the master of the vessel pursuant to the law on navigation in Thai waters.

Section 154. Any person who fails to comply with Section 84 or Section 85 shall be liable to a fine of one hundred thousand baht to one million baht.

Section 155. Any person who violates Section 86 paragraph one, Section 87 or fails to comply with Section 89 shall be liable to a fine of ten thousand baht to one hundred thousand baht, or to a fine of five times the value of the aquatic animals transshipped, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of one hundred thousand baht to five hundred thousand baht, or to a fine of five times the value of the aquatic animals transshipped, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of five hundred thousand baht to five million baht, or to a fine of five times the value of the aquatic animals transshipped, whichever is higher.

Any offender pursuant to paragraph one using a vessel of a size from hundred and fifty gross tonnage onwards shall be liable to a fine of five million baht to twenty-five million baht, or to a fine of five times the value of the aquatic animals transshipped, whichever is higher.

Section 156. The owner of a fishing port or a fish market entrepreneur, an entrepreneur of an aquaculture business under control, or a buyer buying aquatic animals from any such person, who fails to prepare a marine catch purchasing document or prepares a document or fills in information which is false shall be liable to a fine of ten thousand baht to one million baht.

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Section 157. Any producer or processor of aquatic animal product who fails to prepare evidence for the purposes of traceability or falsifies evidence for the purposes of traceability shall be liable to a fine of between one hundred thousand baht to two million baht.

Section 158. Any person who violates Section 92 paragraph one or producing a false catch certificate or any other false document pursuant to Section 92 paragraph two shall be liable to a fine of five times the value of the animals imported, exported or transited.

Section 159. Any person who violates Section 94 paragraph one or failing to comply with Section 96 shall be liable to a fine of one million baht to thirty million baht, or to a fine of five times the value of the aquatic animals or aquatic animal products, whichever is higher.

Section 160. Any person who fails to comply with the guidelines prescribed by the Minister pursuant to Section 97 shall be liable to a fine of ten thousand baht to three hundred thousand baht, or to a fine of three times the value of the aquatic animals or aquatic animal products concerned, whichever is higher.

Section 161. Any person who violates Section 100 shall be liable to imprisonment for a term of not exceeding one year, or to a fine not exceeding one million baht, or to both.

Section 162. Any person who fails to comply with a letter of summons issued by the Competent Official pursuant to Section 102(1), or fails to facilitate a Competent Official pursuant to Section 102 paragraph five, or violates an order of the Director-General issued pursuant to section 113(2) shall be liable to a fine of ten thousand baht to fifty thousand baht.

In the case where an offender under paragraph one is a juristic person, such juristic person shall be liable to a fine of one hundred thousand baht to one million baht.

In the case where a violation of an order of the Director-General issued pursuant to section 113(2) pertains to the use of a vessel from ten gross tonnage onwards, an additional fine shall be levied in the amount of ten thousand baht per gross tonnage in excess of ten gross tonnage.

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Section 163. Any person who obstructs the performance of duties of an observer shall be liable to imprisonment for a term of one month to one year, or to a fine of one hundred thousand baht to one million baht, or to both.

Section 164. Any person who discloses to another person information obtained from a vessel tracking system or a fishing log book which should normally be kept confidential, shall be liable to imprisonment for a term of one month to one year, or to a fine of one hundred thousand to one million baht, or to both.

The provisions under paragraph one shall not apply to the disclosure of such information in the performance of official powers and duties or any disclosure made to the public administration or to a domestic or foreign agency exercising functions relating to the monitoring and control of fishing operations.

Section 165. Any person who falsifies, conceals or changes a fishing vessel's mark or registration shall be liable to a fine of ten thousand baht to one hundred thousand baht.

Any offender pursuant to paragraph one using a vessel of a size from ten gross tonnage up to less than twenty gross tonnage shall be liable to a fine of one hundred thousand baht to two hundred thousand baht.

Any offender pursuant to paragraph one using a vessel of a size from twenty gross tonnage up to less than sixty gross tonnage shall be liable to a fine of two hundred thousand baht to six hundred thousand baht.

Any offender pursuant to paragraph one using a vessel of a size from sixty gross tonnage up to less than one hundred and fifty gross tonnage shall be liable to a fine of six hundred thousand baht to six million baht.

Any offender pursuant to paragraph one using a vessel of a size from one hundred and fifty gross tonnage onwards shall be liable to a fine of six million baht to thirty million baht.

Section 166. Anyone who gives support to or receives benefit from the commission of an offence pursuant to this Emergency Decree shall be liable to the same penalty as if he or she were the principal thereof.

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Section 167. In a case where an offence constituting a serious violation is re-committed within a period of five years, the penalty prescribed in each section therefor shall be doubled.

Section 168. In a case where an offender under this Emergency Decree is a juristic person, if the commission of such offence by the juristic person has been based on the order or act of any person, or his or her omission to give an order, or failure to perform his or her required dutie, the said person shall also be liable to the penalty for such offense.

Section 169. All the fishing gears, aquatic animals, or aquatic animal products, fishing vessels and any other thing used for or obtained through the commission of an offense pursuant to this Emergency Decree shall be forfeited, with the exception of a non-Thai fishing vessel for which the owner or the possessor has deposited a security as prescribed by a court of law, in which case the court may order the release of any such vessel.

Section 170. The Fine Determination and Imposition Committee shall have the power to determine and impose fines in relation to all the offences pursuant to this Emergency Decree.

The Fine Determination and Imposition Committee pursuant to paragraph one shall comprise a representative of the Office of the Attorney General as chairperson, a representative of the Royal Thai Police as a committee member, and a representative of the Department of Fisheries as a committee member and secretary. There shall be such a committee in both Bangkok and regional areas as prescribed by the Minister as appropriate.

The rules and procedures for the deliberation of the Fine Determination and Imposition Committee shall be as prescribed by the Minister, based on the severity of the offence, recidivism and deterrence.

When the accused person has paid the fine imposed within thirty days as from the date on which the fine was imposed and has transferred all the aquatic animals or aquatic animal products seized to the public administration, the criminal proceeding of any such offence shall be discontinued in accordance with the Criminal Procedure Code.

The provision under Section 96 paragraph four shall also apply to the aquatic animals and aquatic animal products that the accused person has transferred to the public administration pursuant to paragraph four *mutatis mutandis*.

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TRANSITORY PROVISIONS

Section 171. All Royal Decrees, ministerial regulations, notifications, rules or orders issued pursuant to laws on fisheries in force on a date prior to the date on which this Emergency Decree comes into force shall remain in force in so far as they are not contrary to or inconsistent with this Emergency Decree until a ministerial regulation, notification, rules or order pursuant to this Emergency Decree comes into force.

Section 172. All flora sanctuaries designated in the notifications on a date prior to the date on which this Emergency Decree comes into force shall be aquatic animal species sanctuaries areas pursuant to this Emergency Decree.

Section 173. All concessions, fishing licenses, permissions or licenses already issued in accordance with the laws on fisheries prior to the date on which this Emergency Decree comes into force shall still continue to remain valid until their expiration or being revoked.

Section 174. If any person has engages in fishing operation by the use of a vessel from ten gross tonnage to less than fifteen gross tonnage and such vessel has been registered as a fishing vessel and a fishing license was issued prior to the effective date of this Emergency Decree, the Director-General may grant to such person a permission to continue with the artisanal fishing until the cessation of fishing operations.

Section 175. Any person undertaking aquaculture in a public domain of State on a date prior to the date on which this Emergency Decree comes into force shall submit a request to seek a permit pursuant to this Emergency Decree within one hundred and eighty days as from the date on which this Emergency Decree comes into force. After having submitted a request to seek such a permit, he or she may proceed with his or her aquaculture until an order to discontinue is notified.

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Section 176. The Department of Fisheries shall make arrangements to complete the registration of local fishing community organisations within thirty days as from the date on which this Emergency Decree comes into force.

Countersigned by

General Prayut Chan-o-cha

Prime Minister

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DUTY RATES

Permits authorizing the use of classified fishing tools

(1) Trawl nets	500 baht per metre
(2) Surrounding nets	20 baht per metre
(3) Lift nets or falling nets	30 baht per metre
(4) Gillnets or set gill nets	2 baht per metre
(5) Other unspecified fishing gears	10 baht per metre
(6) Dredges	3,400 baht per unit
(7) Pound nets/set nets and barriers	4,000 baht per unit
(8) Traps	20 baht per unit
(9) Bug lift nets, <i>chon khan cho</i> dip nets, boat dip nets or raft dip nets fitted with a life part	600 baht per unit
(10) Fyke dip nets,fyke lift nets,or big lift nets/mullet lift nets	800 baht per unit
(11) <i>Chon</i> dip nets other than (9) and (10), 3.5 meters in width or over	200 baht per unit
(12) Baited set lines/long-lines, with 100 meters in length or over	80 baht per unit
(13) Cast nets/fishing nets, with a length of 3 meters or over	200 baht per unit
(14) Appliances/implements of other types	1,000 baht per unit

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FEE RATES

(1) A fishing license	10,000 baht per copy
(2) A permit authorizing an aquaculture undertaking in a fishing ground located on public domain of State	5 baht per square metre
(3) A permit for the importation or exportation of aquatic animals or aquatic products	500 baht per copy
(4) Registration of a vessel as a vessel for the transshipment of aquatic animals or as a vessel for the storage of aquatic animals	10,000 baht per copy
(5) Work permit for work on board a fishing vessel	500 baht per copy
(6) Substitute license	100 baht per copy
(7) License assignment	100 baht per copy
(8) License renewal	Same as licensing fee per renewal

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