

COMMUNICABLE DISEASES ACT

B.E. 2558

BHUMIBOL ADULYADEJ, REX;

Given on the 10th Day August B.E. 2558 (2015)

Being the 70th Year of the Present Reign

His Majesty King Bhumibol Adulyadej has been graciously pleased to proclaim that:

Whereas it is deemed appropriate to revise law on communicable diseases.

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

Section 1. This Act is called the “Communicable Diseases Act B.E. 2558”.

Section 2. This Act shall enter into force one hundred and eighty days from the date of its publication in the Government Gazette.¹

Section 3. The Communicable Diseases Act B.E. 2523 shall be repealed.

Section 4. In this Act;

“Communicable disease” means a disease caused by germs or toxins of pathogens which can be transmitted directly or indirectly to human.

“Dangerous communicable disease” means a serious communicable disease which can spread rapidly to other people.

“Communicable disease requiring surveillance” means a disease that requires ongoing monitoring or data collection.

¹ Government Gazette, Volume 132, Part 68 Kor, page 26, dated 8 September B.E. 2558 (2015)

“Epidemic” means a communicable disease or a disease of unknown aetiology which may spread rapidly and extensively to other people or which may have a higher incidence than normally observed.

“Carrier” means a person or an animal with a subclinical infection that is capable of spreading the infection to others.

“Contact” means a person who has been in close proximity to an infected human, animal or object, which results in increasing risk of contracting the disease.

“Transmission period” means the time in which pathogens can spread from an infectious human or animal, to others directly or indirectly.

“Isolation” means an individual separation of a contact or carrier from others to prevent the direct or indirect spread of disease to people who may likely contract the disease, until the transmission period is over.

“Quarantine” means the act of individually controlling or confining a contact or carrier from others to prevent the direct or indirect spread of the disease to people who may likely contract the disease, until the incubation period is over or until such person is no longer deemed a carrier of the disease.

“Observation for control” means the act of controlling a contact or carrier without confinement with possible authorization for such person to travel freely with a condition that upon arrival to a specified destination, such person shall submit to medical examination before a Communicable Disease Control Officer in the area, to prevent the direct or indirect spread of disease to others.

“Incubation period” means the period between exposure to an infection and the appearance of the first symptoms of a disease.

“Disease affected area” means an area or a port outside the Kingdom where a dangerous communicable disease or an epidemic occurs.

“Disease investigation” means the process of identifying the cause, origin, and propagated source of a disease in order to control and prevent its spread.

“Surveillance” means the act of observing, collecting and analysing information, as well as reporting and monitoring the spread of disease in an ongoing manner for the purpose of disease control.

“Vehicle” means any vessel, animal or object which is used for transporting people, animals or goods by land, sea or air.

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“Owner of vehicle” includes any representative of the owner, renter, representative of the renter, or occupant of such vehicle.

“Controller of vehicle” means the person who is in charge of controlling such vehicle.

“Traveller” means the person who enters into the Kingdom which shall include the controller of vehicle and its crew members.

“Vaccination” means any medical process administered to people or animals by any means to create immunity against a disease.

“Isolation/quarantine area” means any defined place which is specified by a Communicable Disease Control Officer as a place of isolation or quarantine for people or animals contracting or suspected of contracting a communicable disease, in order to prevent the direct or indirect spread of the disease to people with a risk of contracting such disease.

“Sanitary” means the control, prevention or maintenance of conditions and environmental factors that influence the incidence or spread of communicable diseases.

“Point of entry” means any channel or place used as a port of entry-exit into and out of the Kingdom by international travellers, vehicles, or goods, including the area specified for such services.

“Committee” means the National Communicable Disease Committee.

“Provincial Communicable Disease Committee” means the committee for the prevention and control of communicable diseases at the provincial level.

“Bangkok Communicable Disease Committee” means the committee for the prevention and control of communicable diseases in Bangkok

“State agency” means a government agency at the central, provincial, and local levels, state enterprise, public organization, and any other agency under state’s control.

“Communicable Disease Control Officer” means the person appointed by the Minister to enforce this Act.

“Director-General” means the Director-General of the Department of Disease Control.

“Minister” means the Minister having charge and control of the execution of this Act.

Section 5. The Minister of Public Health shall have charge and control of the execution of this Act, and shall have power to appoint Communicable Disease Control Officers and to issue related the Ministerial Regulations and Notifications for the execution of this Act.

Such Ministerial Regulations and Notifications shall enter into force upon their publication in the Government Gazette.

Chapter 1

General Principles

Section 6. For the prevention and control of communicable diseases, the Minister, by the recommendation of the Committee, has the authority to prescribe Notifications on the followings.

(1) names and important symptoms of dangerous communicable diseases and communicable diseases requiring surveillance.

(2) establishment of any point of entry in the Kingdom to serve as a Transboundary Communicable Disease Border Control and revocation of any Transboundary Communicable Disease Border Control.

(3) immunisation.

Section 7. For the prevention and control of communicable diseases, the Minister, by recommendation of the Committee, has the authority to prescribe Notifications on the followings.

(1) criteria and procedures for notification of dangerous communicable diseases, communicable diseases requiring surveillance, or epidemics.

(2) criteria, procedures and conditions to carry out actions, orders, as well as any investigations.

(3) criteria, procedures and conditions related to determination of fees for the owners or controllers of vehicles.

(4) criteria, procedures and conditions for which travellers are to be responsible for the fees.

Section 8. For the prevention and control of dangerous communicable diseases or epidemics that may spread into the Kingdom, the Minister, by recommendation of the Technical Committee, has the authority to prescribe Notifications to declare any area or port outside the Kingdom to be a communicable disease affected area and to cancel such Notifications when the outbreak calms down or when there are reasonable grounds to do so.

Section 9. For the prevention and control epidemics, the Director-General, with the recommendation of the Technical Committee, has the authority to prescribe Notifications to declare names of epidemics, major symptoms of epidemics, affected areas and to inform the Communicable Disease Control Officers under section 34 of such Notification, as well as to cancel such Notifications when the outbreak calms down or when there are reasonable grounds to do so.

Section 10. Any information obtained from surveillance, investigation, or testimony or report under this Act, which refers to any individual whether such person is identifiable or not, shall be kept confidential and processed anonymously. Such processing shall be conducted appropriately and shall meet the general objectives of disease prevention and control.

The Communicable Disease Control Officers may disclose some information pursuant to the first paragraph which is related to treatment, prevention, and control of dangerous communicable diseases, or epidemic outbreaks which affects public health, with the consent of the owner of such information or in accordance with rules, procedures and conditions as prescribed by the Committee.

Chapter 2

National Communicable Disease Committee

Section 11. There shall be a committee entitled “National Communicable Disease Committee”, consisting of:

- (1) the Minister of Public Health as a Chairperson of the Committee;
- (2) the Permanent Secretary to the Ministry of Defence, the Permanent Secretary to the Ministry of Foreign Affairs, the Permanent Secretary to the Ministry of Transport, the Permanent Secretary to the Ministry of Interior, the Permanent Secretary to the Ministry of Labour, the Permanent Secretary to the Ministry of Education, the Permanent Secretary to the Ministry of Public Health, Secretary-General of the Council of State, Commissioner-General of the Royal Thai Police, Director-General of Department of Medical Services, Director-General of Government Public Relations Department, Director-General of Department of Livestock Development, Director-General of Department of Disaster Prevention and Mitigation, Director-

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General of Department of Medical Science, Director-General of Department of Local Administration, Director-General of Department of Health, Director-General of National Parks, Wildlife and Plant Conservation and the Permanent Secretary of Bangkok Metropolitan Administration as *ex officio* members;

(3) members consisting of one representative each from the Medical Council of Thailand, Thailand Nursing and Midwifery Council, the Medical Technology Council, and Private Hospitals Association.

(4) four distinguished members appointed by the Minister from experts who have proven knowledge, expertise, and experience in the field of public health, disease control and others that are useful in the prevention and control of communicable diseases, one from each field, including not less than one member selected from a non-governmental organisation.

The Director-General of the Department of Disease Control shall act as Member and Secretary of the Committee and the Director of the Bureau of General Communicable Diseases shall act as Member and First Deputy Secretary of the Committee and the Director of the Bureau of Epidemiology shall act as Member and Second Deputy Secretary of the Committee.

Qualifications, criteria, and selection of Distinguished Members shall be in accordance with regulations prescribed by the Minister.

Section 12. A distinguished member of the Committee shall hold office for a term of three years for each appointment.

In the event that a distinguished member vacates office upon an expiration of term, the Minister shall appoint another Distinguished Member who has proven knowledge, expertise, and experience in the same field to fill the vacancy within thirty days from the date of such vacancy and the person appointed to fill the vacancy shall hold office for the remaining period of term of office of the Member replaced. Unless the remaining period of term is less than ninety days, the Minister may not appoint another Distinguished Member to fill the vacancy. In this case, the Committee shall consist of the present Members who are still holding the office.

Section 13. Apart from vacating office upon an expiration of term, a distinguished member of the Committee shall vacate office upon:

- (1) death;
- (2) resignation;
- (3) being dismissed by the Minister due to misconduct, failure to perform duties, dishonesty or incompetency;
- (4) being bankrupt;

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(5) being an incompetent or quasi-incompetent;

(6) being imprisoned by a final judgement, unless it is negligence or petty offense.

Section 14. The Committee shall have powers and duties as follows;

(1) formulate policies and lay down systems and practical guidelines on surveillance, prevention and control of communicable diseases for state agencies, Provincial Communicable Disease Committees, and Bangkok Communicable Disease Committee to carry out duties under this Act.

(2) consider and approve action plans on surveillance, prevention and control of communicable diseases or epidemics, and propose such action plan to the Cabinet for approval.

(3) make recommendations to the Minister to issue Ministerial Regulations, Rules, Notifications and guidelines for implementation of this Act.

(4) provide advices and coordination with government agencies and the private sectors on surveillance on control of communicable diseases.

(5) monitor, assess, and inspect the operation of state agencies, Provincial Communicable Disease Committees, and the Bangkok Communicable Disease Committee to comply with the action plan on surveillance, prevention and control of communicable diseases or epidemics which is approved by the Cabinet under subsection (2).

(6) consider and approve rules, procedures, and conditions for the disbursement of compensation, remedies, awards, or other necessary expenses to perform surveillance, investigation, prevention or control of communicable diseases.

(7) appoint a Technical Committee or Subcommittee for the implementation of this Act.

(8) perform any other duties as prescribed by this Act or other laws which empower the Committee or entrusted by the Cabinet.

Section 15. At a meeting of the Committee, attendance of not less than one half of the total number of Committee Members shall be required to constitute a quorum.

The Chairperson of the Committee shall preside over the meeting. If the Chairperson of the Committee is absent or unable to perform his duties at the meeting, the Members present at the meeting shall elect one of them to preside over such meeting.

The decision of the meeting shall be taken by a majority vote.

Each member shall have one vote. In case of the equality of votes, the person who presides over the meeting shall cast another vote as a deciding-vote.

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Section 16. There shall be a Technical Committee made up of the Chairperson who is selected from Distinguished Members pursuant to section 11(4) and no more than seven Members who are selected from experts who have proven knowledge, expertise, and experience in the field of communicable diseases.

The Technical Committee shall have powers and duties as follows.

(1) advise the Minister on prescribing the Notifications declaring communicable disease affected areas.

(2) advise the Director-General on prescribing the Notifications declaring the spread of an epidemic.

(3) make recommendations to the Minister or the Director-General to cancel such declaration when the situation of disease under (1) or (2), whichever applicable, calms down or when there are reasonable grounds to do so.

(4) perform any other duties as entrusted by the Committee.

The provisions in section 12 and section 13 shall be applied to the Technical Committee with respect to tenure and vacancy of office *mutatis mutandis*.

Section 17. The provisions in section 15 shall be applied to the meetings of the Technical Committee and subcommittees *mutatis mutandis*.

Section 18. When exercising the powers under this Act, the National Communicable Disease Committee, the Technical Committee, or the Subcommittee is empowered to summon any person to give statements, opinions, or comments, or submit any necessary documents or information to support its consideration.

Section 19. The Department of Disease Control shall be the Secretariat Office of the National Communicable Disease Committee, the Technical Committee, and the Subcommittee and responsible for their administration. The Secretariat Office shall have powers and duties as follows.

(1) act as a focal agency responsible for the process for consideration of proposed policies and setting up of a system of communicable disease surveillance, prevention and control.

(2) develop a system to monitor dangerous communicable diseases, communicable diseases requiring surveillance and epidemics, and propose this system to the Committee for consideration.

(3) formulate action plans on surveillance, prevention and control of communicable diseases or epidemics to the Committee.

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(4) act as a central information centre for public relations or dissemination of information and news about surveillance, prevention, and control of communicable diseases and epidemics.

(5) act as a coordinating agency for monitoring, evaluating, and inspecting the implementation of the Provincial Communicable Disease Committees and the Bangkok Communicable Disease Committee according to action plans on surveillance, prevention and control of communicable diseases or epidemics which are approved by the Committee for subsequent reporting to the Committee.

(6) operate, coordinate with, support, and assist government agencies and the private sectors on the implementation of policies and plans on surveillance, prevention and control of communicable diseases.

(7) promote, support, and coordinate with other agencies on technical cooperation, medical supplies and materials to perform surveillance, control, or diagnose communicable diseases.

(8) perform any other duties as entrusted by the National Communicable Disease Committee, the Technical Committee, and the Subcommittee.

Chapter 3

Provincial Communicable Disease Committees

Section 20. [For each province,] there shall be a Provincial Communicable Disease Committee consisting of:

(1) the Governor as a Chairperson.

(2) Deputy Governor, Heads of Provincial Public Relations, Provincial Livestock, Provincial Disaster Prevention and Mitigation, Director of Office of Provincial Disaster Prevention and Control, Director of Office of Provincial Disaster Prevention and Control responsible in each province and Chief of Provincial Administration as Members.

(3) Mayor and Chief of the District Administrative Organisation, appointed by the Provincial Governor as Members;

(4) one member from directors of regional hospitals or directors of general hospitals, two Members from directors of community hospitals and two members from district health offices, appointed by the Provincial Governor as members;

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(5) one member from operators of healthcare facilities established by law, appointed by the Provincial Governor as a member.

In case there are public hospitals other than those under subsection (4), the Provincial Governor shall appoint not more than three members from the directors of such public hospitals as members.

In case there are Transboundary Communicable Disease Border Controls in any province, the Governor of such province shall appoint one Communicable Disease Control Officer on duty at each such Transboundary Communicable Disease Border Control and one person in charge of the point of entry for each Transboundary Communicable Disease Border Control as members.

The Provincial Chief Medical Officer shall act as member and Secretary and the Provincial Governor shall appoint not more than two officials in the Provincial Public Health Office who are in charge of disease prevention and control, to act as members and deputy secretaries.

Section 21. The appointment, tenure, and vacancy of office of the members under sections 20 (3), 20 (4), and 20 (5) and the second paragraph of section 20 shall be in accordance with rules, procedures, and conditions prescribed by the Committee.

Section 22. The Provincial Communicable Disease Committees shall have powers and duties as follows.

(1) take action under policies, systems, and guidelines on surveillance, prevention, and control of communicable diseases as prescribed by the Committee.

(2) formulate action plans on surveillance, prevention, and control of dangerous communicable diseases or epidemics at the provincial level.

(3) submit reports on communicable diseases or diseases of unknown aetiology which may develop into epidemics occurring in the province to the Director-General.

(4) support, promote, monitor, and assess the implementation of relevant agencies in the province and report to the Committee.

(5) appoint a point of entry working group for each point of entry under section 23, in case there are Transboundary Communicable Disease Border Controls in such province.

(6) summon any person to give statements, opinions, or comments, or submit any necessary documents or information to support its consideration.

(7) Perform any other duties with respect to communicable disease control as entrusted by the Committee, or the Provincial Governor, or empowered by this Act.

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Section 23. The point of entry working group shall be made up of Members as follows.

(1) the state agency official who is in charge of such point of entry as the Chairperson of the working group.

(2) representatives of the Department of Livestock Development, the Department of Agriculture, the Customs Department, the Food and Drug Administration, and the Immigration Bureau who are in charge of such point of entry as members of the working group.

(3) directors of public hospitals who are in charge of such point of entry as Members of the working group.

(4) the Communicable Disease Control Officer who is in charge of Transboundary Communicable Disease Border Control to act as a member and a secretary to the working group.

In case there are less state agency representatives on duty at any point of entry than the number of agencies defined in section 23 (2), the working group shall consist of present representatives who are holding the office.

In case there are more state agency representatives on duty at any point of entry than the number of agencies defined in section 23 (2), the Committee is empowered to prescribe an Notifications to appoint additional members of the working group for such point of entry.

Section 24. The point of entry working group shall have powers and duties as follows.

(1) formulate plans for surveillance, prevention, and control of transboundary communicable diseases and plan for health emergency preparedness and response.

(2) liaise with, support, and assess the implementation in accordance with the plans under Section 24 (1).

(3) develop a plan for liaising with relevant agencies working on surveillance, prevention, and control of transboundary communicable diseases.

(4) perform any other duties with respect to surveillance, prevention, and control of communicable diseases as entrusted by the National Communicable Disease Committee, or the Provincial Communicable Disease Committee.

Section 25. The provisions in section 15 shall be applied to the meetings of the Provincial Communicable Disease Committees and the point of entry working groups *mutatis mutandis*.

Chapter 4

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Bangkok Communicable Disease Committee

Section 26. There shall be the Bangkok Communicable Disease Committee Consisting of;

(1) the Governor of Bangkok as a Chairperson.

(2) Deputy Governor of Bangkok Metropolitan Administration, a representative of the Office of Permanent Secretary to the Ministry of Interior, a representative of the Department of Government Public Relations, a representative of the Department of Livestock Development, a representative of the Department of Labor Protection and Welfare, the Director of the Bangkok Medical Service Department, the Director of Bangkok Fire and Rescue Department, and the director of each of the Thai Red Cross Society Hospitals which are located in Bangkok *ex officio* as members.

(3) one member selected from the directors of the hospitals under control of the Bangkok Metropolitan Administration and another member selected from the directors of hospitals under control of Department of Medical Services, Ministry of Public Health, and another member selected from directors of the Bangkok Educational Service Area Office, who are appointed by the Governor of Bangkok, as members.

(4) not more than five directors of public hospitals other than those under subsection (3) who are appointed by the Governor of Bangkok as members.

(5) a member selected from operators of healthcare facilities established by law in Bangkok who is appointed by the Governor of Bangkok as a member.

(6) one Communicable Disease Control Officer who is in charge of each Transboundary Communicable Disease Border Control in Bangkok, one person in charge of the point of entry at each such Transboundary Communicable Disease Border Control, as Members.

The Director of Bangkok Health Department shall act as a member and the secretary and the Governor of Bangkok shall appoint not more than two officials in the Bangkok Public Health Office whose positions are at least of equal rank to Department Director to act as members and deputy secretaries.

Section 27. The appointment, tenure and vacancy of office of the members under sections 26 (3), 26 (4), and 26 (5) shall be in accordance with criteria, procedures, and conditions prescribed by the Minister.

Section 28. The Bangkok Communicable Disease Committee shall have powers and duties as follows.

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(1) take action under policies, systems, and guidelines on surveillance, prevention, and control of communicable diseases as prescribed by the Committee.

(2) formulate action plans on surveillance, prevention, and control of dangerous communicable diseases or epidemics in Bangkok.

(3) submit reports on communicable diseases or diseases of unknown aetiology which may develop into epidemics occurring in Bangkok to the Director-General.

(4) support, promote, monitor, and assess the implementation of relevant agencies in the province and report to the Committee.

(5) appoint a point of entry working group for each point of entry under Section 23.

(6) summon any person to give statements, opinions, or comments, or submit any necessary documents or information to support its consideration.

(7) perform any other duties with respect to communicable disease control as entrusted by the Committee, or the Governor of Bangkok, or empowered by this Act.

Section 29. The provisions in section 15 shall be applied to the meetings of the Bangkok Communicable Disease Committee and the point of entry working groups *mutatis mutandis*.

Section 30. The provisions in section 23 and section 24 shall be applied to the composition and powers of the point of entry working groups, appointed by Bangkok Communicable Disease Committee *mutatis mutandis*.

Chapter 5

Communicable Disease Surveillance

Section 31. In the event of a dangerous communicable disease, a communicable disease requiring surveillance, or an epidemic, the following persons shall notify the Communicable Disease Control Officer.

(1) the owner or the controller of the residence or the physician who provides treatment, where there is a person who is, or is reasonably suspected to have contracted such communicable disease in the house.

(2) the person in charge of the healthcare facility, where there is a person who is, or is reasonably suspected to have contracted such communicable disease in the healthcare facility.

(3) the examiner or the person in charge of the place where a medical examination or a veterinarian examination is conducted, revealing that there may be a presence of disease-causing pathogens of such communicable disease.

(4) the owner or the controller of the workplace or any other places, where there is a person who is, or is reasonably suspected to have contracted such communicable disease in the place.

Rules and procedures to furnish information as prescribed in the first paragraph shall be in accordance with Notifications prescribed by the Minister with the approval of the Committee.

Section 32. When a Communicable Disease Control Officer has been notified as per Section 31, or has obtained evidence that there is a dangerous communicable disease, a communicable disease requiring surveillance, or an epidemic, the Communicable Disease Control Officer shall inform the Provincial Communicable Disease Committee or the Bangkok Communicable Disease Committee, as the case may be, and report that information to the Department of Disease Control as soon as possible.

Section 33. In cases there are reasonable grounds to suspect that a dangerous communicable disease, a communicable disease requiring surveillance, or an epidemic occurs in a foreign country, the Department of Disease Control shall coordinate with the World Health Organization to obtain information about such disease.

Chapter 6

Prevention and Control of Communicable Diseases

Section 34. For the prevention and control of communicable diseases, when there is or there are reasonable grounds to suspect that a dangerous communicable disease or an epidemic occurs in any area, the Communicable Disease Control Officer in such area is empowered to take action by themselves or issue an order in writing to any person to take action as follows.

(1) require the person who is the case, or the suspected case, or the carrier, or the contact of any dangerous communicable disease or epidemic, to receive diagnosis or medical treatment, or medical examination. As a precautionary measure, an order may be given for isolation, quarantine, or observation for control of such person at any place specified by the Communicable Disease Control Officer, until diagnosis is conducted and it is confirmed by the result of medical examination that the transmission period is over or the suspicious grounds cease to exist. For animals, the owner or the custodian of such animals shall bring them to receive diagnosis, medical treatment, or medical examination.

(2) require the person at risk of contracting the disease to get vaccination on the date, at the time and place specified by the Communicable Disease Control Officer to prevent the spread of dangerous communicable diseases or epidemics. For animals, the owner or the custodian of such animals shall bring them to receive vaccination.

(3) require a post-mortem examination or medical arrangement or other arrangement of the body of the deceased person or dead animal that has died or is presumed to have died as a result of a dangerous communicable disease or an epidemic, in order to prevent the spread of disease.

(4) require the owner, or occupant, or resident of the house, building, place, or vehicle that is occupied by or is a conveyance for a person or an animal with a dangerous communicable disease or epidemic, to prevent the transmission or destroy anything that is considered or is presumed to be contaminated with the communicable disease, or to improve sanitation or hygiene in order to control and prevent the spread of the disease. The person receiving the order shall comply with it until the Communicable Disease Control Officer cancels such order.

(5) require the owner or occupant, or the resident of the house, building, place, or vehicle that is occupied or is a conveyance for a person or an animal with a dangerous communicable disease or epidemic to exterminate any animal, insect, or larvae of insect that is the cause of such dangerous communicable disease or epidemic to prevent the spread of disease.

(6) prohibit any person from taking any action which may cause unsanitary conditions and may result in the spread of a dangerous communicable disease or an epidemic.

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(7) prohibit any person from entering into or leaving isolation/quarantine area, unless the Communicable Disease Control Officer orders otherwise.

(8) prohibit any person to enter into the house, building, place, or vehicle that is reasonably presumed to be contaminated with a dangerous communicable disease or an epidemic to perform surveillance, prevention, and control of the spread of disease.

In performing duties under the first paragraph, the Communicable Disease Control Officer shall conduct a case investigation and if it is found that a dangerous communicable disease or an epidemic occurs in any area, the Communicable Disease Control Officer shall notify it to the Provincial Communicable Disease Committee or Bangkok Communicable Disease Committee, as the case may be, and promptly report it to the Department of Disease Control.

Procedures and conditions to undertake actions or issue an order under paragraph one and to perform a case investigation under paragraph two, shall be in accordance with Notifications prescribed by the Minister with the approval of the Committee.

Section 35. In the event of an urgent need to prevent the spread of a dangerous communicable disease or an epidemic, the Provincial Governor, with the approval of the Provincial Communicable Disease Committee or the Governor of Bangkok, with the approval of the Bangkok Communicable Disease Committee, as the case may be, is empowered to undertake actions within their responsible territory as follows.

(1) order a temporary closure of any market, place of production or sale of food, place of production or sale of beverage, factory, community place, theatre, educational institution, or any other place.

(2) order any person who is, or is reasonably suspected of having contracted a dangerous communicable disease or epidemic to temporarily stop working.

(3) prohibit any person who is, or is reasonably suspected to have contracted a dangerous communicable disease or epidemic from entering into a community place, theatre, educational institution, or any other place, unless an approval is granted by the Communicable Disease Control Officer.

Section 36. The Provincial Governor, with the approval of the Provincial Communicable Disease Committee or the Governor of Bangkok with the approval of the Bangkok Communicable Disease Committee, as the case may be, shall establish at least one Communicable Disease Control Operation Unit to control communicable diseases in every district. The Communicable Disease Control Operation Unit shall be tasked with performing surveillance, inspection, prevention and control of dangerous communicable diseases and epidemics. Criteria of establishing the operation unit shall be in accordance with the Notifications prescribed by the Committee.

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The Communicable Disease Control Operation Unit under paragraph one shall be made up of at least one Communicable Disease Control Officer and two personnel who are medical officers or health officers, and may include a number of officers of other relevant agencies or the private sector as deemed appropriate and as appointed by the Provincial Governors or the Governor of Bangkok.

Section 37. Any person in charge of a point of entry shall undertake actions for surveillance, prevention, and control of transboundary communicable diseases at the point of entry as follows.

(1) manage sanitation and environmental hygiene, as well as eliminate a potential health hazards.

(2) manage hygiene of water and food.

(3) exterminate mosquitos, animals, or insects which are carriers of diseases.

(4) comply with any other measures pursuant to announcements prescribed by the Committee.

Section 38. When there are reasonable grounds, the Communicable Disease Control Officer in charge of the Transboundary Communicable Disease Border Control shall have the authority to inspect, control, or supervise the areas outside the point of entry and to inform the local competent officials to take action to exterminate mosquitos, animals, or insects which are carriers of diseases within a four hundred metre radius around the point of entry.

For this purpose, the owner or the resident of the house or the place in such area shall reasonably facilitate the duties of the Communicable Disease Control Officer in charge of the Transboundary Communicable Disease Border Control and the local competent officers.

Section 39 For the prevention and control of transboundary communicable diseases, when there are reasonable grounds or suspicious grounds to believe that a vehicle travels from any area or port outside the Kingdom where there is an epidemic, the Communicable Disease Control Officer in charge of the Transboundary Communicable Disease Border Control shall have powers and duties as follows.

(1) require the owner of any vehicle or its controller to notify the Communicable Disease Control Officer in charge of the Transboundary Communicable Disease Border Control of the arrival date, time, and place of the vehicle at the Transboundary Communicable Disease Border Control.

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(2) require the owner of any vehicle entering into the Kingdom or its controller to submit documents to the Communicable Disease Control Officer in charge of the Transboundary Communicable Disease Border Control.

(3) prohibit any person from entering into or leaving any vehicle that has not been inspected by the Communicable Disease Control Officers in charge of the Transboundary Communicable Disease Border Control and prohibit any person from mooring another vehicle to such vehicle unless permitted by the Communicable Disease Control Officer in charge of the Transboundary Communicable Disease Border Control.

(4) inspect the travellers, goods and animals on any vehicle and impose on the owner of the vehicle or its controller, for a higher standard of sanitation, as well as to destroy all things in the vehicle that are harmful to health. The owner of the vehicle or its controller shall facilitate and cooperate with the Communicable Disease Control Officers in charge of the Transboundary Communicable Disease Border Control in carrying out their duties.

(5) prohibit the owner of any vehicle or its controller from bringing into the Kingdom, any passengers who have not received vaccination in accordance with Notifications prescribed by the Minister with the recommendation of the Committee.

Notifications and submission of documents of the owner or the controller of vehicles under subsection (1) and (2) and the prohibition of the owner or the controller of vehicles under subsection (5) shall be in accordance with rules, procedures, and conditions prescribed in the ministerial regulations.

Section 40. When the Minister announces that any area or port outside the Kingdom is a communicable disease affected area under Section 8, the Communicable Disease Control Officers in charge of the Transboundary Communicable Disease Border Control shall take actions by themselves or issue an order in writing to the owner or the controller of any vehicle entering into the Kingdom from such area or port to take actions as follows.

(1) eliminate the infection to prevent and control the spread of disease.

(2) arrange for the vehicle to be parked at the specified location until the Communicable Disease Control Officer in charge of the Transboundary Communicable Disease Border Control orders its release.

(3) require the travellers of such vehicle to undergo medical examination, including subjecting such travellers to isolation, quarantine, observation for control, or vaccination at the specified place and time.

(4) prohibit any person from entering or exiting the vehicle or isolation/quarantine area, unless permitted by the Communicable Diseases Control Officer in charge of the international communicable disease control point of entry;

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(5) prohibit any person from bringing any object or device that is or is reasonably suspected to be infected with the diseases in or out of such vehicle, unless permitted by the Communicable Diseases Control Officer in charge of the international communicable disease control point of entry.

Section 41. The cost of transporting the travellers of such vehicle to the specified area for isolation, quarantine, observation for control or vaccination as well as the costs of hospitalisation, treatment, prevention and control of transboundary communicable diseases under Section 40 and other relevant costs, shall be at the expense of the owner or the controller of the vehicle.

Calculation of the costs arising from actions under the first paragraph shall be in accordance with rules, procedures and conditions prescribed by the Minister with the approval of the Committee.

Section 42. In the event that a traveller is or is reasonably suspected to have contracted a dangerous communicable disease or an epidemic, or be its carrier, the Communicable Disease Control Officer in charge of the Transboundary Communicable Disease Border Control is authorized to subject such person to isolation, quarantine, observation for control, or vaccination.

The costs arising from the actions under the first paragraph shall be at the expense of such traveller in accordance with rules, procedures, and conditions prescribed by the Minister with the approval of the Committee.

Section 43. For the prevention of transboundary communicable diseases or epidemics, the Director-General or the person authorized by the Director-General shall have the power to issue a certificate of vaccination or medication to the applicant at the expense of the applicant.

Delegation, collection of charges, or exemption of charges shall be in accordance with rules, procedures and conditions as prescribed by the Committee.

Section 44. In the event that the Communicable Disease Control Officers have issued an order requiring any person to take action under section 34 (3) (4) or (5), section 38, section 39 (4) or section 40 (1) (2) or (3), and such person fails to comply with the order within the prescribed time, the Communicable Disease Control Officer is authorized to take such actions instead by themselves and order such person to recoup the expenditure. Any expenditure, actually incurred, will be borne by the person who fails to comply with the order in accordance with regulations prescribed by the Ministry of Public Health.

Chapter 7

Communicable Disease Control Officers

Section 45. For the benefit of enforcing this Act, a Communicable Disease Control Officer shall have the powers as follows.

(1) issue an order summoning any person to give statements, opinions, or comments, or submit any necessary documents or information to support its consideration.

(2) enter into any vehicle, building, or place during the period between sunrise and sunset, or during the operation time of the building or place, for inspection or control in accordance with this Act.

If the operation is not completed in such time, they shall be authorized to continue such operation until it is completed.

The operation under subsection (2) shall be in accordance with rules, procedures, and conditions prescribed by the Director-General.

For the performance of duties of the Communicable Disease Control Officer under Subsection (2), all persons concerned shall reasonably provide cooperation with them.

Section 46. There shall be uniforms, official badges, and identification cards for the Communicable Disease Control Officer for the purpose of identification in the presence of any persons concerned during their operations.

The uniforms, official badges, and identification cards under paragraph one shall be in accordance with Notifications prescribed by the Ministry of Public Health.

Section 47. In performing the duties under this Act, the Communicable Disease Control Officer shall be the competent officials under the Criminal Code.

Chapter 8

Compensation

Section 48. For the performance of duties of the Communicable Disease Control Officers under this Act, if damage occurs or result to persons or properties of any persons by reason of the exercise of surveillance, prevention, or control of the disease, the government shall make necessary compensation for such damage to such persons.

The compensation under paragraph one shall be in accordance with rules, procedures, and conditions prescribed in the Ministerial Regulations.

Chapter 9

Penalties

Section 49. Whoever fails to comply with an order of the Committee, the Technical Committee, or the Subcommittee under Section 18 or the Provincial Communicable Disease Committees under section 22 (6) or the Bangkok Communicable Disease Committee under section 28 (6) or the Communicable Disease Control Officers under section 45 (1) shall be liable to the punishment of imprisonment not exceeding one month or a fine not exceeding ten thousand Baht or both.

Section 50. Whoever fails to comply with rules and procedures on notification under Section 31 shall be liable to the punishment of a fine not exceeding twenty thousand Baht.

Section 51. Whoever fails to comply with an order of the Communicable Disease Control Officers under section 34 (1), (2), (5) or (6), section 39 (1), (2), (3), or (5) or Section 40 (5) or fails to provide cooperation with the Communicable Disease Control Officers under section 39 (4) shall be liable to the punishment of a fine not exceeding twenty thousand Baht.

Section 52. Whoever fails to comply with an order of the Communicable Disease Control Officers under section 34 (3), (4), (7) or (8), or section 40 (3) or (4) or the Provincial Communicable Disease Committees or the Bangkok Communicable Disease Committee under Section 35 shall be liable to the punishment of imprisonment not exceeding one year or a fine not exceeding one hundred thousand Baht or both.

Section 53. Whoever fails to facilitate and cooperate with the Communicable Disease Control Officers or local competent officials under section 38 shall be liable to the punishment of a fine not exceeding twenty thousand Baht.

Section 54. Any owner or controller of a vehicle who fails to comply with the order of the Communicable Disease Control Officer under section 40 (2) shall be liable to the punishment of imprisonment not exceeding two years or a fine not exceeding five hundred thousand Baht or both.

Section 55. Whoever obstructs the performance of duties of the Communicable Disease Control Officers or fails to facilitate the Communicable Disease Control Officers under paragraph three of Section 45 shall be liable to a fine not exceeding twenty thousand Baht.

Section 56. Whoever is not entitled to wear a uniform or official badge of the Communicable Diseases Control Officer under section 46, but does so to deceive other persons that they are entitled to do so shall be liable to the punishment of imprisonment not exceeding six months or a fine not exceeding fifty thousand Baht or both.

Section 57. For offences under this Act that are punishable with a fine only or imprisonment not exceeding one year, the Director-General or the person authorized by the Director-General shall have the power to settle the matters in accordance with rules prescribed by the Committee.

When an offender pays the fine according to a settled amount within thirty days, the case shall be deemed extinguished under the Criminal Procedure Code.

Transitory Provision

Section 58. The Public Health Officer under the Communicable Disease Act B.E. 2523 shall be the Communicable Disease Control Officer under this Act until the latter is formally appointed under this Act.

Section 59. During the initial period, the Committee shall consist of Members under section 11 except the Distinguished Members under section 11 (4) and shall act as the Committee under this Act temporarily until the appointment of the Distinguished Members under this Act. However, the period shall not exceed one hundred and eighty days after the Act comes into force.

Section 60. All Ministerial Regulations, Regulations, Notifications or Orders issued under the Communicable Diseases Act B.E. 2523 and have been in force before this Act comes into effect shall remain in force as long as they are not contrary to or against this Act, until Ministerial Regulations, Regulations and Notifications issued under this Act come into force.

The promulgation of Ministerial Regulations, Regulations, Notifications under paragraph one shall be made within one year after the enforcement of this Act. In the case where such promulgation is unable to be completed within one year, the Minister shall report the reasons to the Cabinet.

Countersigned by

General Prayuth Chan-ocha

Prime Minister

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Remarks:- The rationale for the promulgation of this Act is as follows. The Communicable Diseases Act B.E. 2523 has been in force for a long time and contains some provisions that are not appropriate for the current situation as a result of the more frequent spread of severe communicable diseases and occurrence of outbreaks, including both new and recurring communicable diseases, as well as Thailand's adoption of and obligations under the International Health Regulations (2005). In this connection, it is considered expedient to develop and improve legal measures relating to surveillance, prevention and control of communicable diseases, so as to be in line with the current situation and the requirements under the International Health Regulations. It is, therefore, necessary to enact this Act.

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