

**Regulation of the Attorney General**  
**on Trailing a Suspect under the Anti-Participation in Transnational Organized Crime Act**  
**B.E. 2556, Section 21,**  
**B.E. 2556**

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Whereas the law on the anti-participation in transnational organized crime authorizes the Attorney General to issue Regulations for every related organization for the benefit of investigation, arrest, search for and compile evidence concerning a suspect having committed an offence or being about to commit an offence of participating in transnational organized crime by using telecommunication or electronic devices, or any other method, particularly in trailing, it is deemed expedient to issue this Regulation

By virtue of the power conferred by the first paragraph of Section 21, of the Anti-Participation in Transnational Organized Crime Act B.E. 2556, which contains certain provisions in relation to the restriction of rights and liberties of persons, in respect of which Section 29, in conjunction with Section 32, Section 33, Section 36, Section 41 and Section 45 of the Constitution of the Kingdom of Thailand so permit by virtue of law, the Attorney General hereby issues the Regulation as follows:

**Article 1.** This Regulation is called the “Regulation of the Attorney General on Trailing a Suspect under the Anti-Participation in Transnational Organized Crime Act B.E. 2556, Section 21, B.E. 2556”.

**Article 2.** This Regulation shall come into force after the date of its publication in the Government Gazette.

**Article 3.** In implementation of this Regulation shall be in secret.

**Article 4.** In this Regulation:  
“Authorizing officer” means the Attorney General, the Commissioner General of the Royal Thai Police or his designated person, as the case may be.

**Article 5.** The Attorney General shall be in charge of this Regulation and have authority to interpret and adjudicate issues concerning the execution of this Regulation.

**Chapter 1**  
**Applying for permission**

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**Article 6.** An investigator or an officer who applies for permission to have authority from the Attorney General or his designated person shall be a public prosecutor at level 3 or higher or a civil servant holding executive position, managerial position, knowledge worker of professional level or higher or the general position of senior level or higher or a police officer holding the position of inspector or equivalent or higher, or a military officer holding the position of a commander or equivalent or higher.

To apply for the permission in the first paragraph from the Commissioner General of the Royal Thai Police or his designated person, the applicant shall be a police officer holding the position of inspector or equivalent or higher.

**Article 7.** In applying for permission to have an authority in trailing, an applying officer shall make application in writing submitted to an authorizing officer with reason and necessity to investigate, arrest, search for and compile evidence as well as indentify tools, equipment, procedures and duration of the operation together with other related details.

## **Chapter 2**

### **Granting permission**

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**Article 8.** In granting permission one of the following reasons and necessities shall be consider;

(1) to investigate, arrest, search for and compile evidence for litigation against a suspect having committed an offence or being about to commit an offence of participating in transnational organized crime as there is information about the circumstances of the offence of participating in transnational organized crime;

(2) other methods of an investigation, arrest, search for and compile evidence for litigation against a suspect having committed an offence of participating in transnational organized crime is difficult to be carried out, or may cause danger or damage in such performance;

(3) for benefit of further arresting a wirepuller in an offence or being about to commit an offence of participating in transnational organized crime.

**Article 9.** The authorizing officer shall consider the application for permission and keep it as evidence.

## **Chapter 3**

### **Operation**

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**Article 10.** For the benefit of trailing, a permitted person shall use telecommunication or electronic devices or trailing method as necessary only.

**Article 11.** A permitted person shall record any detail about using telecommunication or electronic devices or trailing method and the suspect's behavior as well as evidence acquired from trailing and periodically report such result to the authorizing officer for acknowledgement.

**Article 12.** In trailing where it is necessary to have document to the related organizations, to request for cooperation in using telecommunication or electronic device or trailing method, the authorizing officer shall issue a letter to that organization.

**Article 13.** In trailing, in case a permitted person is required to be verified, such person shall coordinate with the verifying organization to facilitate before the operation.

Where there is no coordination as specified in the first paragraph and it is greatly essential to exhibit the permitting evidence for verification, the permitted person shall do as such.

**Article 14.** A permitted person shall accomplish the operation in the due date of the permission.

Where there is a reasonable ground to amend or add the permitted period or a list of the permission, the permitted person shall issue a letter to the authorizing officer before the due date of the permission.

**Article 15.** Upon completing the trailing operation, the permitted person shall prepare a summary report to the authorizing officer within seven days from the complete operation date.

**Article 16.** The Authorizing officer shall appoint an official to operate as follows:

(1) to coordinate with related organizations for the benefit of controlling and examining the operation as specified in this Regulation;

(2) to compile and prepare a database system, classify documents and evidence concerning the permission and the report as provided in this Regulation for control and examination;

(3) to prepare an annual report containing the main substance of facts, problems, obstacles, achievement of the operation, and the statistics and submit such report to the authorizing officer for the benefit of controlling and examining the operation under this Regulation;

(4) to carry out any other designated operation under this Regulation.

The appointment of an official shall be specified by the authorizing officer.

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