

(Translation)

**RULE OF THE MINISTRY OF EDUCATION  
ON THE USE OF RADIO COMMUNICATION DEVICES,  
B.E. 2561 (2018)**

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Whereas the Notification of the National Broadcasting and Telecommunications Commission Re: Rules on the Use of Synthesizers by State Agencies, dated 3<sup>rd</sup> April 2018 requires a State agency to prepare the Rule on the control of its use of synthesizers in line with such Notification, it is therefore expedient to revise the Rule of the Ministry of Education on the Use of Radio Communications of the Ministry of Education, B.E. 2533 (1990) and the Rule of the Ministry of Education on Certificates and Identification Cards for Radio Communication Officials and Instructors of the Ministry of Education, B.E. 2535 (1992) to ensure that the administration of radio communication networks shall be efficient and consistent with current circumstances;

In the implementation of the Notification of the National Broadcasting and Telecommunications Commission Re: Rules on the Use of Synthesizers by State Agencies, dated 3<sup>rd</sup> April 2018, the Minister of Education hereby issues the Rule as follows.

**Clause 1.** This Rule is called the “Rule of the Ministry of Education on the Use of Radio Communication Devices, B.E. 2561 (2018)”.

**Clause 2.**<sup>1</sup> This Rule shall come into force on the day following the date of its publication in the Government Gazette.

**Clause 3.** The following shall be repealed:

(1) the Rule of the Ministry of Education on the Use of Radio Communication of the Ministry of Education, B.E. 2533 (1990);

(2) the Rule of the Ministry of Education on Certificates and Identification Cards for Radio Communication Officials and Instructors of the Ministry of Education, B.E. 2535 (1992).

**Clause 4.** In this Rule:

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<sup>1</sup> Published in Government Gazette, Vol. 135, Part 313d Special, dated 7<sup>th</sup> December 2018.

“radio communication device” means a radio communication transmitter, a radio communication receiver or a radio communication receiver and transmitter under the law on radio communication;

“radio communication” means transmission or reception of signs, signals, word characters, pictures and sounds or any other materials capable of comprehension of meaning, by means of frequencies in respect of which the Ministry of Education is granted permission;

“radio communication station” means the radio communication centre of the Ministry of Education, a base station and a client station;

“Radio Communication Centre of the Ministry of Education” means the main station or the radio communication network control centre, which is established by the Ministry of Education as a base station;

“base station” means a Government agency, agency or educational institution controlled by and attached to an educational institution which is permitted by the Ministry of Education or the entrusted person to establish a radio communication station for controlling client stations and serving as an alternative network in case of emergency;

“client station” means a Government agency, agency or educational institution controlled by and attached to the Ministry of Education established upon permission from the Head of a Government agency which is controlled by and attached to the Ministry of Education;

“client device” means a radio communication device, of which the user is a radio communication official of the Ministry of Education, a Government agency, an educational institution or any other agency permitted by the Ministry of Education to share a network;

“radio communication official” means a user of a radio communication device who is a Government official or an official of a Government agency, an educational institution which is attached to or under superintendence of the Ministry of Education or any other agency permitted by the Ministry of Education to share a network;

“call sign” means a name designated for calling a radio communication station, radio communication user, person, place or vehicle in the course of communication by a radio communication device;

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“Government agency” means a Government agency which has a status as a juristic person and as a Department under the law on administrative organisation of the Ministry of Education;

“head of the Government agency” means Permanent-Secretary, Secretary-General of the Basic Education Commission, Secretary-General of the Higher Education Commission, Secretary-General of the Education Council and Secretary-General of the Vocational Education Commission;

“other agency” means a State agency under superintendence of the Ministry of Education and shall include a State agency which is not attached to the Ministry of Education;

“educational institution” means an educational institution which is attached to and under superintendence of the Ministry of Education;

“Committee” means the Committee on the Administration of the Use of Radio Communication Networks of the Ministry of Education.

**Clause 5.** The Permanent Secretary for Education shall have charge and control of the execution of this Rule and shall have the power to interpret and decide questions arising in consequence of the execution of this Rule.

## CHAPTER I

### USE OF RADIO COMMUNICATION NETWORKS

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**Clause 6.** The use of radio communication networks under this Rule shall be only in the interest of official service or missions of educational institutions.

**Clause 7.** There shall be the Radio Communication Centre of the Ministry of Education as a radio communication station for controlling radio communication networks of the Ministry of Education.

**Clause 8.** There shall be a Committee on the Administration of the Use of Radio Communication Networks of the Ministry of Education, abbreviated as “CRC MOE”, consisting of Permanent Secretary for Education or the entrusted person as Chairperson and representatives

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of Government agencies as members and the Director of the Bureau of General Administration of the Office of the Permanent Secretary for Education shall be a member and secretary.

**Clause 9.** The Committee shall have the duties as follows:

- (1) to prescribe rules and practices for the execution of this Rule;
- (2) to prescribe rules, procedures and call signs of radio communication officials in a radio communication network;
- (3) to control and supervise the use of radio communication;
- (4) to prescribe rules, procedures and programmes for training radio communication officials;
- (5) to propose to the Permanent Secretary for Education opinions on the administration of the use of frequencies of the Ministry of Education for Government agencies, educational institutions or other agencies or the establishment of radio communication stations;
- (6) to prescribe forms for matters in the execution of this Rule;
- (7) to propose to the Permanent Secretary for Education opinions on revocation of identification cards for radio communication officials;
- (8) to appoint sub-committees or working groups for carrying out activities which fall within the powers and duties of the Committee;
- (9) to carry out other activities as entrusted.

**Clause 10.** The control of radio communication networks shall be as follows:

- (1) the Radio Communication Centre of the Ministry of Education shall be the radio communication network control centre which has the Permanent Secretary for Education as its director with the power to exercise control over base stations, client stations and client devices of all stations in a radio communication network;
- (2) a base station shall be the radio communication network control centre of a Government agency which has the head of the Government agency or the head of the agency or the head of the educational institution as its director with the power to exercise control over client stations and client devices, as the case may be;

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(3) a client station shall be the radio communication network control centre of a Government agency which has the head of the Government agency or the head of the educational institution as its director with the power to exercise control over client devices, as the case may be.

**Clause 11.** The Radio Communication Centre of the Ministry of Education shall provide log cards for radio communication devices in a communication network in accordance with the form prescribed by the Committee. In this regard, the Permanent Secretary for Education shall be the person with the power to issue cards, and log cards for radio communication devices shall be valid throughout their use as from the date of issuance.

In the case where a log card for a radio communication device is lost or damaged, the radio communication station or the radio communication official shall, for the purpose of the issuance of a new log card, submit to the Permanent Secretary for Education through the responsible director of the radio communication station under Clause 10 an application for the issuance of a new log card for the radio communication device, provided that details as to the radio communication device shall be enclosed and all this shall be carried out within thirty days as from the date of the knowledge that the log card for the radio communication device has been lost or damaged.

With regard to a personal radio communication device, when the radio communication official vacates official duties for any reason whatsoever or no longer needs to use a radio communication device or does not intend to use a radio communication device or has the use of a radio communication device revoked, the radio communication official or his heir shall take action in relinquishing the log card for the radio communication device to the Radio Communication Centre of the Ministry of Education. In this regard, the radio communication device which is in use may be transferred to a person entitled to use radio communication devices. All this shall be completed within ninety days as from the day on which such radio communication official vacates official duties or no longer needs to have the use of the radio communication device or does not intend to have the use thereof or has the use thereof revoked.

The radio communication official to whom the radio communication device is transferred under paragraph three shall give the notification thereof to the responsible director of the radio communication station under Clause 10 together with details as to the radio

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communication device and the serial numbers for the purpose of the issuance of a new log card for the radio communication device within ninety days as from the date of taking the transfer.

**Clause 12.** A radio communication station has the powers and duties as follows:

(1) to exercise control over reception and transmission of messages via radio communication devices to ensure compliance with the Rule on National Safety and oversee communications, the use of expressions and the use of radio communication devices to ensure orderliness and carry out activities in accordance with official rules in the case where it is found that radio communication officials fail to comply with this Rule;

(2) to provide radio communication officials for the radio communication station;

(3) to provide, at the radio communication station, books for recording communications by responsible radio communication officials, for the purpose of examination and for other official purposes;

(4) to carry out co-ordination across radio communication networks.

**Clause 13.** A radio communication official for a radio communication station shall be a radio communication official in the radio communication network and be appointed by the director of the radio communication station for performing duties at the radio communication station.

**Clause 14.** A radio communication official for a radio communication station has the duties as follows:

(1) to examine communication devices at the radio communication station to ensure their availability for ready use;

(2) to co-ordinate the use of radio communication networks and contacts with radio communication officials, exercise control over reception and transmission of messages via radio communication devices to ensure compliance with the Rule on National Safety and oversee communications, the use of expressions and the use of radio communication devices in radio communication networks to ensure orderliness;

(3) to perform duties at the radio communication station as entrusted and be alert for contacts and ready to be contacted at all times when calls are made;

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(4) to record, in the book provided for recording communications, communicated messages on every occasion of communications, with the following details:

- (a) the date and time of each communication, from its start to its end;
- (b) the frequency used for communicating with call signs of the contacted radio communication station;
- (c) results of the communication and a summary of the communicated messages;

(5) to, in the case of a cause of necessity or emergency likely to be harmful to work operation or communication devices, report it to the director of the radio communication station for giving directions or ordering temporary cessation of the operation of the radio communication station and, upon directions being given by the director of the radio communication station, notify them to radio communication stations in the radio communication network.

**Clause 15.** A radio communication official for a radio communication station shall not carry out the following conduct:

- (1) allowing other persons to use, or giving consent to other persons for using, communication devices at the radio communication station;
- (2) communicating with radio communication stations not permitted to share the radio communication network;
- (3) using radio communication devices at the radio communication station for any private purpose or for other matters unrelated to the official service;
- (4) transmitting any message known to be false or likely to cause injury to the official service, an agency, the public or any particular person or cause anxiety to the addressee;
- (5) causing interference with or obstruction to communications by means of transmission of interference signals or waves;
- (6) ceasing the operation of the radio communication station in his own volition;
- (7) inappropriately behaving in the course of the performance of duties;

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(8) permitting unauthorised persons to use frequencies in respect of which the Ministry of Education is granted permission.

**Clause 16.** A radio communication official for a radio communication network has the duties as follows:

- (1) to strictly comply with this Rule;
- (2) to communicate with radio communication stations permitted to share the radio communication network;
- (3) to keep confidentiality of messages acquired from communications via radio communication devices;
- (4) to give the Government co-operation in reporting important events witnessed and notifying them to radio communication stations in respective areas without delay;
- (5) to use his own call sign without falsely using call signs of other persons or allowing other persons to use his own call sign;
- (6) to refrain from transmitting any message known to be false or likely to cause injury to the official service, an agency, the public or any particular person or cause anxiety to the addressee;
- (7) to refrain from causing interference with or obstruction to communications by means of transmission of interference signals or waves;
- (8) to use the radio communication network for matters related to the official service without using it for any private purpose;
- (9) to communicate with radio communication stations permitted to share the radio communication network.

**Clause 17.** A radio communication station shall prepare an inventory for disbursement of its radio communication devices in accordance with the form prescribed by the Committee and keep it up to date at all times and furnish one copy thereof to the Radio Communication Centre of the Ministry of Education within 30<sup>th</sup> September of every year.

**Clause 18.** If a radio communication official of a Government agency, agency or educational institution in a radio communication network, who is an official of the Government

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agency, agency or educational institution fails to comply with this Rule, the head of the Government agency, agency or educational institution shall consider any of the following action:

- (1) giving a warning verbally or in writing;
- (2) ordering suspension of the use of the radio communication device for a certain period of time and calling the identification card for the radio communication official for retention;
- (3) taking action in revoking the identification card for the radio communication official and demanding relinquishment thereof;
- (4) to conduct disciplinary action in the case of a disciplinary breach.

**Clause 19.** If it is found that any radio communication official for a radio communication station or any radio communication official in a radio communication network, who is not an official of a Government agency, agency or educational institution, fails to comply with this Rule, the Permanent Secretary for Education may consider any of the following action:

- (1) giving a warning verbally or in writing;
- (2) ordering suspension of the use of the radio communication network for a certain period of time;
- (3) revoking permission for sharing the radio communication network of the Ministry of Education;
- (4) notifying the superior to consider disciplinary action, for the radio communication official who is attached to any other agency;
- (5) notifying the National Broadcasting and Telecommunications Commission to consider penalties or take legal action.

## CHAPTER II RADIO COMMUNICATION OFFICIALS

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**Clause 20.** A radio communication official who uses a radio communication device of a Government agency or any other agency or a personal radio communication device shall have the qualifications and shall not be under the prohibition as follows:

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(1) being a Government official, Government employee or employee, or assisting the performance of official service at an agency attached to the Ministry of Education or any other agency permitted to use radio communication frequencies with a Government agency;

(2) completing such training programme on the use of synthesizers as prescribed by the Committee, which at least covers the following topics:

- (a) the law on radio communication and relevant rules and regulations;
- (b) communication principles and principles concerning the use of synthesizers;
- (c) the law on the maintenance of communication security;
- (d) this Rule of the Ministry of Education;
- (e) other relevant laws;

(3) obtaining approval from the head of the Government agency, under which the need of his use of a radio communication device is acknowledged;

(4) not being a person with any behaviour that is offensive or harmful to society or national security.

The person completing the training programme on the use of radio communication devices is entitled to a certificate and an identification card for a radio communication official.

**Clause 21.** The Radio Communication Centre of the Ministry of Education shall provide identification cards for radio communication officials in accordance with the form prescribed by the Committee. In this regard, the Permanent Secretary for Education shall be the person with the power to issue cards, and identification cards for radio communication officials shall be valid for each period of five years as from the date of issuance.

In the case where the validity of an identification card for a radio communication official is nearing its expiry, if the card holder intends to have a further use or approval for a further use of radio communication devices, the card holder shall submit an application for a renewal of the card validity within thirty days prior to the expiry of the validity of the identification card for a radio communication official.

When it appears that a radio communication official in a radio communication network is disqualified or is under the prohibition under Clause 20 or that the Committee passes

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a resolution towards the revocation, the director of the Radio Communication Centre of the Ministry of Education shall revoke the permission and demand relinquishment of the identification card for such radio communication official.

**CHAPTER III**  
**APPLICATION FOR THE USE OF A RADIO COMMUNICATION NETWORK**  
**AND SHARING A RADIO COMMUNICATION NETWORK**

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**Clause 22.** Persons eligible for applying for the use of a radio communication network are:

- (1) Government agencies, agencies, educational institutions and personnel attached to or under the superintendence of the Ministry of Education;
- (2) other agencies and personnel attached to such agencies.

**Clause 23.** The use of a radio communication network shall be in compliance with the following requirements:

- (1) the use shall only be restricted to the frequencies in respect of which Government agencies, agencies, educational institutions and personnel attached thereto are granted permission;
- (2) prior notification shall be given to the responsible radio communication station on every occasion and, at the end of the communication, notification shall also be given to such radio communication station.

**Clause 24.** Radio communication devices which are intended to be used may be radio communication devices of the Government agencies, agencies, educational institutions concerned.

Radio communication officials who use their private radio communication devices and intend to share the use of frequencies for the performance of duties as part of missions of Government agencies, agencies or educational institutions shall obtain permission from the Government agencies and submit an application in accordance with the Notification of the National Broadcasting and Telecommunications Commission.

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**Clause 25.** Government agencies, agencies, educational institutions or other agencies which have radio communication devices in current use and intend to share and use a radio communication network or which, where granted permission for sharing a radio communication network, intend to establish a radio communication station, shall submit an application to the responsible director of the radio communication station under Clause 10 together with the notification of details as to places of use or communication stations as well as details as to radio communication devices, with an indication of their letter brands, types, models, serial numbers and product inventory numbers, licences for possession and use of radio communication devices in respect of which permission is granted or registration numbers of radio communication devices and call signs, in accordance with the form prescribed by the Committee.

Radio communication officials who intend to share and use a radio communication network shall submit an application and give notification of details in as much the same way as prescribed in paragraph one, with certification by their superiors being made in the application form and together with additional details, consisting of names of the radio communication officials, qualifications of the radio communication officials and call signs, in accordance with the form prescribed by the Committee.

#### CHAPTER IV

#### THE PROCUREMENT, USE AND CARRYING OF RADIO COMMUNICATION DEVICES

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**Clause 26.** Procurement of radio communication devices of a communication station or a radio communication official for use in a radio communication network shall be made upon approval of the responsible director of the radio communication station under Clause 10, provided that procurement shall be carried out in accordance with the law on radio communication and relevant by-laws and shall comply with this Rule.

**Clause 27.** If a radio communication station and a radio communication official intend to share a radio communication network and procure radio communication devices for use in the radio communication network, action shall be taken in accordance with Clause 26, with the notification of details as to the communication station, location as well as details as to radio communication devices to be procured for use in the radio communication network, in accordance with the form prescribed by the Committee.

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**Clause 28.** When the Ministry of Education grants permission to a Government agency, a base station, a client station, a client device user and a radio communication official for sharing a radio communication network and procuring radio communication devices for use in the radio communication network, action shall be taken for making application to the Office of the National Broadcasting and Telecommunications Commission for expansion of the radio communication network and procurement of radio communication devices. Upon permission by the Office of the National Broadcasting and Telecommunications Commission for expansion of the radio communication network and procurement of radio communication devices, the Government agency, base station, client station, client device user and radio communication official shall take action in procuring radio communication devices as permitted.

When radio communication devices have been procured by the Government agency, base station, client station, client device user and radio communication official, details as to such radio communication devices, with an indication of letter brands, types, models, serial numbers and product inventory numbers or licences for possession and use of radio communication devices shall be furnished, together with the radio communication devices, to the Radio Communication Centre of the Ministry of Education for examination for the purposes of registration of and issuance of log cards for the radio communication devices.

**Clause 29.** Radio communication devices shall be carried in an appropriate manner.

#### TRANSITORY PROVISIONS

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**Clause 30.** The Radio Communication Centre of the Ministry of Education, base stations, client stations and client devices under the Rule of the Ministry of Education on the Use of Radio Communication of the Ministry of Education, B.E. 2533 (1990) shall be radio communication stations under this Rule.

**Clause 31.** Persons who have completed the training under programmes prescribed in the Rule of the Ministry of Education on the Use of Radio Communication of the Ministry of Education, B.E. 2533 (1990) on the date on which this Rule comes into force shall be deemed to be persons having completed training programmes on the use of radio communication devices as prescribed in this Rule.

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**Clause 32.** Identification cards for radio communication officials of the Ministry of Education issued under the Rule of the Ministry of Education on Certificates and Identification Cards for Radio Communication Officials and Instructors of the Ministry of Education, B.E. 2535 (1992) shall remain valid until the expiry thereof.

**Clause 33.** The Radio Communication Centre of the Ministry of Education shall provide log cards for radio communication devices in respect of radio communication devices which are used in networks prior to the date on which this Rule comes into force and shall complete such provision within one hundred eighty days as from the date on which this Rule comes into force.

Given on the 11<sup>th</sup> Day of October B.E. 2561 (2018).

Teerakit Jareonsettasin  
Minister of Education

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