

National Strategy Preparation Act, B.E. 2560 (2017)

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Act on the Formulation of the National Defense Strategy B.E. 2560

His Majesty King Maha Vajiralongkorn Bhumibol Thepyawongkor Issued on July 26, B.E. 2560 the second year of the current reign His Majesty King Maha Vajiralongkorn Bhumibol Thepyawongkor has graciously commanded that it be proclaimed as follows: Whereas it is appropriate to enact a law governing the formulation of the National Defense Strategy His Majesty has therefore graciously issued this Royal Decree, with the advice and consent of the National Legislative Assembly acting as the National Assembly, as follows Section 1 This This Act shall be known as the “National Strategic Planning Act, B.E. 2560.” Section 2 This Act shall come into force on the day following the date of its promulgation in the Royal Gazette and thereafter Section 3 In this Act, “the Committee” means the National Strategy Committee “a member” means a member of the National Strategy Committee “the Master Plan” means the master plan for achieving the objectives set forth in the National Strategy “Government agency” means a government entity, whether a government department, a state-owned enterprise, a public corporation, or in any other form, and whether it is an organization within the executive, legislative, or judicial branches or an independent agency or a public prosecutor’s office “Head of a Government Agency” means a person holding any of the following positions

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(1) The head of a government agency that is a legal entity or a local government official, the acting head or the highest-ranking official of state-owned enterprises or public organizations designated by other names, or the head or chief executive of other forms of state agencies, for state agencies in the executive branch (2) The Speaker of the House of Representatives, the President of the Senate, or the head of an agency, for the House of Representatives the Senate, or state agencies that are legal entities under the jurisdiction of the President of the National Assembly, as the case may be (3) The President of the Supreme Court, the President of the Supreme Administrative Court, or the President of the Constitutional Court, for the judicial branch (4) Independent commissions or bodies and the Auditor General, for independent organizations (5) The Attorney General, for the Office of the

Attorney General "Office" means the Office of the National Economic and Social Development Council "Secretary-General" means the Secretary-General of the National Economic and Social Development Council Section 4 The Prime Minister shall administer this Act Chapter 1 National Strategy

Section 5 A national strategy shall serve as a guide for the sustainable development of the country in accordance with the principles of good governance, to serve as a framework for coordinating various plans so that they are consistent and complementary thereby generating a collective driving force toward the said objective within the timeframe specified in the National Strategy which shall be no less than twenty years The promulgation of the National Strategy shall be made by Royal Decree, and upon its publication in the Royal Gazette, it shall come into force, and all government agencies shall be responsible for implementing measures to achieve the objectives as set forth in the National Strategy. The formulation of public administration policies by the Council of Ministers prior to assuming public administration duties the preparation of the National Economic and Social Development Plan, national policies and plans related to national security, and any other plans, including the preparation of the annual budget for each fiscal year, shall be consistent with the National Strategy It shall be the duty of the Cabinet to supervise and support all state agencies in carrying out their duties in accordance with paragraphs two and three In cases where a government agency is an entity within the legislative branch, the judicial branch, an independent agency, or a prosecutorial agency, the supervision referred to in paragraph four shall mean coordination, consultation, or the provision of recommendations to the head of the government agency of such an entity

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Section 6 The National Strategy shall consist of at least the following: (1) The national development vision (2) Long-term national development goals, specifying the timeframe required to achieve the objectives and indicators of achievement (3) Strategies in various sectors The national development objectives under (2) shall at least include objectives in the areas of national security, the quality of life and well-being of the people, and the role of the State toward the people Section 7 The formulation of the National Strategy must take into account the national interest, needs and necessities of national development in accordance with the principles of the Sufficiency Economy philosophy and in accordance with the principles of good governance and the national reform objectives as stipulated in the Constitution, by proceeding through the following process: (1) Utilizing data and knowledge derived from a thorough analysis of various factors (2) Conducting

a comprehensive analysis of future trends, both domestically and internationally Analyze the country's strengths, weaknesses, opportunities, and constraints, as well as risks, to prepare the country for these changes (3) Engage all sectors of the public in setting goals and formulating the National Strategy as well as fostering shared awareness, understanding, and ownership of the National Strategy The formulation of the long-term national vision and development goals under Section 6(1) and (2) must be clear to paint a picture of the country's future, serving as a broad yet flexible framework that adapts to global changes, and must specify a timeline for implementation to achieve the goals in each time period, including clearly defining indicators for measuring the achievement of these goals Section 8: In the process of drafting the National Strategy, the Committee shall ensure that the public from all sectors participates in the process in accordance with the following steps (1) Conducting preliminary consultations to gather input for the drafting of the National Strategy (2) Soliciting opinions after the initial drafting of the national strategy in various sectors has been completed to incorporate them into revisions and improvements The solicitation of opinions under the preceding paragraph shall be conducted in accordance with the procedures established by the Committee, which must employ methods that allow the public to access and express their opinions or suggestions conveniently and comprehensively, and must provide sufficient information to enable the public to understand the matter and express their views Section 9. Once the Committee has completed the drafting of the national strategy, it shall submit to the Cabinet for consideration. If the Cabinet deems it necessary to amend or supplement any aspect, it shall return the draft to the Committee to make the necessary amendments as deemed appropriate, and then resubmit it to the Cabinet for further action

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The Cabinet shall take the draft National Strategy received from the Committee, or as amended by the Committee pursuant to paragraph one, and submit it to the House of Representatives within thirty days from the date of receipt of the draft National Strategy The House of Representatives shall consider the draft National Strategy and vote to approve or disapprove it within sixty days from the date of receipt of the draft National Strategy, and shall direct the Senate to consider and vote on whether to approve or reject the draft National Strategy within thirty days from the date of receipt of the draft from the House of Representatives If the House of Representatives or the Senate fails to complete its consideration of the draft National Strategy within the prescribed time as provided in paragraph three, the House of Representatives or the Senate shall be deemed to have approved the draft National Strategy proposed by the Council of Ministers In the event that

the House of Representatives or the Senate does not approve the draft National Strategy, the draft National Strategy shall be deemed null and void, and the Committee shall proceed to draft a new National Strategy or amend the existing one, which must be completed within one hundred and eighty days from the date the House of Representatives or the Senate fails to approve it, in accordance with paragraphs one, two, three, and four except that the periods of sixty days and thirty days specified in paragraph three shall be reduced to thirty days and fifteen days, as applicable. Once the draft National Strategy has been approved by the National Assembly, the Prime Minister shall submit it to His Majesty the King within twenty days, for His Majesty to issue a Royal Decree promulgating it as the National Strategy. Section 10. Upon the Royal Decree promulgating the National Strategy, the committees responsible for developing the National Strategy in each sector shall prepare master plans to achieve the objectives specified in the National Strategy and submit them to the Committee for review and approval before presenting them to the Cabinet. The master plans and national reform plans shall be prepared in accordance with the law governing such plans and the procedures for their implementation. National reform plans must be consistent with one another. Master plans approved by the Cabinet and published in the Royal Gazette shall be binding on the relevant government agencies, which must implement them accordingly, including the preparation of annual budgets for each fiscal year must be consistent with the master plan. In the event that the National Strategy Formulation Committee deems it necessary to amend the master plan to align with changes or the needs of the country, the National Strategy Formulation Committee seek the approval of the Committee and the Council of Ministers beforehand; and only after the Committee and the Council of Ministers have given their approval shall the amendments be implemented. Section 11: The Committee shall arrange for a review of the National Strategy every five years or whenever global or national circumstances change to such an extent that it becomes impossible or inappropriate to proceed in accordance with the objectives or strategies in any particular area, and if the Committee deems it necessary to amend the National Strategy to align it with such changes, the Committee shall seek the approval of the National Assembly before proceeding.

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Once the National Assembly has approved amendments to the National Strategy, the Committee shall proceed in accordance with the procedures prescribed in this Chapter, and once the amendments have been made, they shall be considered an integral part of the National Strategy. Section 2 National Strategy Committee

Section 12. There shall be a committee, hereinafter referred to as the "National

Strategy Committee,” composed of (1) The Prime Minister, who shall serve as Chairperson (2) The Speaker of the House of Representatives, who shall serve as First Vice Chairperson (3) The President of the Senate, as the second Vice Chairperson (4) A Deputy Prime Minister or a Minister designated by the Prime Minister, as the third Vice Chairperson (5) The Permanent Secretary of the Ministry of Defense, the Commander-in-Chief of the Armed Forces, the Commander of the Army, the Commander of the Navy, the Commander of the Air Force, the Commissioner General of the Royal Thai Police, the Secretary-General of the National Security Council, the Chairman of the National Economic and Social Development Council, the President of the National Farmers’ Council, the President of the Thai Chamber of Commerce of Thailand, the President of the Federation of Thai Industries, the President of the Tourism Industry Council of Thailand, and the President of the Thai Bankers’ Association shall serve as members (6) Expert Members, who shall be appointed by the Cabinet from among persons who are Thai nationals by birth and are not older than seventy-five years of age who possess knowledge, expertise, or experience in the fields of security, agriculture, and land administration; law and the judicial process; economics; social culture, education, science and technology, natural resources and the environment public health, infrastructure, or other fields beneficial to the performance of duties under this Act, the number shall not exceed seventeen persons The Secretary-General shall serve as a member and secretary, and the Deputy Secretary-General of the National Security Council as designated by the Secretary-General of the National Security Council, and a Deputy Secretary-General designated by the Secretary-General shall serve as assistant secretaries In appointing members pursuant to (6), consideration shall be given to the diversity of the relevant sectors and the diversity of age groups In cases where there are no nominees for the positions of committee members under (2), (3), (4), or (5), the committee shall consist of as many members as are available

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Section 13: The term of office for members of the Board of Experts shall be five years. Members of the Board of Experts who have completed their term of office shall remain in office to continue performing their duties until the newly appointed expert member assumes office An expert member who has completed his or her term of office may be reappointed Section 14. In addition to vacating office upon expiration of the term, an expert board member shall vacate office upon (1) death (2) resignation (3) loss of eligibility under Section 12(6) (4) the Cabinet resolves to remove them due to dereliction of duty, misconduct, or incompetence Section 15 grants the Committee the following duties and powers: (1) To draft the National Strategy for submission to the Cabinet (2) To establish procedures for public

participation in the drafting of the National Strategy and for participation in monitoring, evaluating, and assessing the results of implementation in accordance with the National Strategy, as well as measures to promote and support all sectors of the public in acting in accordance with the National Strategy (3) To submit opinions to the National Assembly, the Cabinet, or relevant government agencies on matters related to the implementation of the National Strategy (4) To oversee national reform to ensure it is consistent with the National Strategy, as prescribed in the Act on the Plan and Procedures for National Reform (5) Perform other duties as prescribed in this Act or other laws

Section 16 In formulating the National Strategy, the Committee shall establish one or more subcommittees one or more subcommittees to draft the National Strategy in various fields, as determined by the Committee, and to perform other duties as prescribed in this Act or as delegated by the Committee Each subcommittee of the National Strategy Formulation Committee shall be composed of qualified individuals with expertise in the relevant field, in a number not exceeding fifteen persons; in making such appointments, consideration shall be given to the diversity of relevant sectors and age groups In appointing National Strategy Formulation Committees related to the judicial process or the duties of independent agencies, representatives from relevant units within the judicial process or the relevant independent agencies to serve as committee members

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Section 17. The Committee and the National Military Law Drafting Committee shall have the authority to appoint subcommittees to perform duties as delegated by the Committee or the National Military Law Drafting Committee, as the case may be. Section 18. Meetings of the Committee, the National Strategic Planning Committee, and the subcommittees shall be conducted in accordance with the rules established by the Committee. At meetings of the Committee, the Chairperson and Vice Chairperson may not any person to attend the meeting in their stead Section 19 The performance of duties and removal from office of the National Strategic Planning Committee and its subcommittees shall be in accordance with the regulations prescribed by the Committee Section 20 In the event that the Committee or the National Strategic Planning Committee deems it necessary to information or conduct research on any matter, it may request the Secretariat to engage individuals, research institutions, or organizations with for research and study purposes to conduct research and prepare reports on such matters. The procedures for hiring, remuneration, and other benefits for individuals or institutions referred to in the preceding paragraph shall be in accordance with the regulations established by the Committee. Section 21: The Chairperson, Vice Chairperson, members, the Chairperson of the National

Strategy Committee, members of the National Strategy Committee, and subcommittee members under Section 17 shall receive remuneration, expenses, and other benefits as prescribed by the Council of Ministers Section 22 The Secretariat of the National Economic and Social Development Council shall serve as the secretariat for the Council and the National Strategy Formulation Committee, with the duties and powers as follows (1) To be responsible for the administrative work of the Committee, the National Strategic Planning Committee, and the subcommittees (2) To study, collect, and analyze data and opinions to assist in the consideration and formulation of the National Strategy, as well as sourcing and developing information to support academic work for the Committee, the National Strategy Formulation Committee, and the subcommittees (3) Coordinate with government agencies and various sectors of the public regarding the implementation under this Act (4) Facilitate public participation in accordance with Section 8 (5) Disseminate the National Strategy and the Master Plan, as well as carry out other activities to foster knowledge and understanding and build consensus regarding the implementation of the National Strategy (6) Be responsible for ensuring the evaluation of implementation results in accordance with the National Strategy and for preparing reports in accordance with Section 24 and Section 27, paragraph two

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(7) Perform other duties as prescribed in this Royal Decree or as assigned by the Committee and the National Strategy Development Committee Section 3 Monitoring, Verification, and Evaluation

Section 23 The Council of Ministers shall issue regulations regarding the principles and procedures for monitoring, auditing, and evaluating the implementation of the National Strategy, in accordance with the recommendations of the Committee Regarding the formulation of regulations under the preceding paragraph in matters pertaining to the operations of agencies within the legislative branch, the judicial branch, independent agencies, or the Office of the Attorney General, the Committee shall coordinate and consult with the heads of the relevant government agencies Section 24: For the purpose of monitoring the results of operations in accordance with the National Constitution, state agencies shall report the results of such operations to the Office within the timeframe and in the format specified by the Office The Office shall prepare an annual summary report on the results of such implementation and submit it to the Committee, the Council of Ministers, the heads of state agencies as provided in Section 23, paragraph two, and the National Assembly within ninety days from the date of receipt the report from the agencies under paragraph one. In this regard,

the report shall, at a minimum, detail the progress of implementation in accordance with the National Strategy, as well as issues, obstacles, and recommendations for ensuring that implementation proceeds in accordance with the National Strategy In cases where there are grounds to report a specific matter to the National Assembly, the Committee responsible for formulating the relevant national strategy shall report to the Committee so that the Committee may submit the matter to the National Assembly as a specific issue Section 25: In the event that the House of Representatives or the Senate, after reviewing a report pursuant to Section 24, and finds that a government agency has failed to act in accordance with Section 26, paragraph two, without just cause, the House of Representatives or the Senate, as the case may be, shall pass a resolution referring the matter to the National Commission on Prevention and Suppression of Corruption for consideration and action against the head of that government agency in accordance with its duties and authority, to be completed within one year from the date of receipt of the case; and in the event that the National Commission on the Prevention and Suppression of Corruption resolves that the allegations are well-founded, the superior of the accused person shall order that person to be placed on administrative leave or suspended from work, or order that he or she be removed from civil service or employment in advance, or order the person's removal from office Section 26 In cases where it appears to the National Military Strategy Committee that any action taken by a government agency is inconsistent with national strategy or the master plan the National Defense Strategy Committee shall notify the relevant government agency of such inconsistency

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and recommendations for amendments and improvements; and once a government agency has implemented any such amendments or improvements, it shall notify the National Strategy Formulation Committee within sixty days from the date of receipt of the notification. In the event that a government agency fails to implement the amendments and improvements or fails to notify the Committee National Strategy Formulation Committee within the timeframe specified in the preceding paragraph, regardless of the reason, the Committee shall report the matter to the Cabinet for its consideration and to submit a proposal to the Cabinet for its information and instructions hereafter, except in the case of a government agency that is an organization within the legislative branch, the judicial branch, an independent agency, or the Office of the Attorney General, in which case the head of the relevant government agency or organization shall be notified for consideration and further action in accordance with their duties and authority In cases where a government agency fails to act in accordance with paragraph two without just cause, the head of that government agency of that government

agency shall be deemed to have willfully neglected their duties or exercised their authority in contravention of the provisions of the law, and the National Strategic Planning Commission shall notify the National Commission on the Prevention of and Suppression of Corruption for further action in accordance with its duties and powers, and the provisions of Section 25 shall apply mutatis mutandis Section 27. The Office shall publish the reports received from government agencies and the summary reports annual progress reports and ad hoc reports pursuant to Section 24 to the public through the Office's information technology system to facilitate public participation. The Office shall establish procedures whereby members of the public who encounter or who believe that any government agency is not operating in accordance with the National Strategy or the Master Plan may conveniently and promptly report such matters to the Office Transitional Provisions

Section 28. During the first session, to ensure that proceedings are conducted in accordance with the time limits prescribed in Section 275 of the Constitution, the implementation of measures related to the enforcement of the National Strategy shall be carried out in accordance with the following timetable: (1) The Council of Ministers shall appoint qualified members in accordance with Section 12(6) and complete this process within thirty days from the date this Act comes into force (2) The Council shall establish subcommittees for the National Strategic Planning Committee in various fields, to be completed within thirty days from the date of their appointment (3) The public consultation conducted by the National Strategic Planning Committee pursuant to the Cabinet's resolution on June 30, 2558, and the Office of the National Strategy Committee had already carried out such activities prior to the effective date of this Royal Decree shall be deemed to have been conducted in accordance with Section 8(1), but this shall not preclude the Committee from conducting additional public hearings

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(4) The National Strategy Drafting Committees for various sectors shall prepare preliminary drafts of national strategies to be completed within one hundred twenty days from the date of their appointment, using the draft 20-year national strategy prepared by the National Strategy Formulation Committee pursuant to the Cabinet resolution dated June 30, 2558 as the basis for drafting the aforementioned preliminary national strategy, and to incorporate the opinions or recommendations from the National Reform Assembly, the National Reform Promotion Council, and the National Administrative Reform Commission in accordance with the framework for national reform, the National Strategy, and the promotion of national unity and harmony, to be incorporated the deliberations,

and to also take into account the views of the public received pursuant to (3) (5) The Secretariat shall conduct public hearings in accordance with Section 8(2) and complete them within thirty days from the date of receipt of the preliminary draft National Strategy pursuant to (4) (6) The National Strategy Drafting Committees for each sector shall amend the draft National Strategy to align with the results of the public consultation under (5), complete the process, and submit the revised draft to the Committee within forty-five days from the date the public consultation under (5) is completed (7) The Committee shall review the draft National Strategy and submit it to the Cabinet within thirty days from the date of receipt of the draft National Strategy from the National Strategy Development Committee (8) The Cabinet shall review the draft National Strategy and submit it to the National Legislative Assembly acting the National Assembly within thirty days from the date of receiving the draft National Strategy from the Committee (9) The National Legislative Assembly shall review and approve the draft National Strategy within thirty days from the date of receiving the draft National Strategy from the Cabinet (10) The Prime Minister shall submit the draft National Strategy, as approved by the National Legislative Assembly, to His Majesty the King within ten days from the date of receiving the draft National Strategy from the National Legislative Assembly In the event that the National Legislative Assembly adjourns before the Cabinet submits the draft National Strategy pursuant to (8), the Cabinet shall submit the draft National Strategy that the Cabinet has approved pursuant to (8) to the Senate within thirty days from the date the Cabinet presents its policy statement to the National Assembly, so that the Senate may consider and approve the draft National Strategy within thirty days from the date of receiving the draft National Strategy from the Cabinet In the event that the National Legislative Assembly is dissolved before the consideration and approval of the draft National Strategy as provided in (9) shall be completed, the Senate shall proceed to review and approve the draft National Strategy within the remaining period; and, if necessary, the period may be extended by no more than ten days Once the Senate has approved the draft National Strategy pursuant to paragraph two or paragraph three, the Prime Minister shall proceed in accordance with (10) hereafter

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Section 29 During the term of the Senate under Section 269 (4) of the Constitution, in the event the operations of a government agency are inconsistent with the National Strategy or the Master Plan as a result of a resolution of the Council of Ministers or the direct actions of the Council of Ministers, the National Strategy Formulation Committee shall notify the Committee and the Senate thereof, and the Senate shall proceed in accordance with Section 270 of the

Constitution in cases where the Senate deems it necessary to determine whether a Cabinet resolution or the actions constitutes a lawful exercise of its duties or not, the Senate shall adopt a resolution to refer the matter to the Constitutional Court for prompt adjudication. If the Constitutional Court rules that the decision of the Cabinet or the actions of the Cabinet constitute an unlawful exercise of authority, the Committee National Judicial Administration Commission shall refer the matter to the National Commission on the Prevention of and Suppression of Corruption to proceed in accordance with its duties and authority without delay. In this regard, the National Anti-Corruption Commission shall consider the matter and render a final decision within sixty days from the date of receiving the case from the National Judicial Council while taking into account the facts and legal considerations as set forth in the Constitutional Court's ruling

Acting on His Majesty's Behalf General Prayut Chan-o-cha Prime Minister

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Note :- The reason for promulgating this Royal Decree is that Section 65 of the Constitution of the Kingdom of Thailand stipulates that the State shall establish a national strategy as the goal for sustainable national development in accordance with the principles of good governance, to serve as a framework for the formulation of various plans so that they are consistent and integrated to generate a collective driving force toward the aforementioned goal. In formulating the strategy, the objectives and the timeframe for their achievement the objectives and the content to be included in the National Strategy shall be in accordance with the principles and procedures prescribed by law and such laws must contain provisions regarding the participation and consultation of all sectors of the public in a comprehensive manner; therefore, it is necessary to enact this Act

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