LEGAL AUTHORITY AS A MEAN TO ENHANCE EFFECTIVENESS AND EFFICIENCY OF SAFEGUARDS FOR THAILAND

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Abstract Atomic Energy for Peace Act has been promulgated since 1961 by the Government of the Kingdom of Thailand for the safety and peaceful use of nuclear energy in Thailand. The definition of atomic energy, source material, special fissionable material and by product material have been clearly defined. In Section 12, the license has to be obtained for product procession utilize and chemically transformed special nuclear materials, atomic energy, by-product materials and source materials. The export and import control of defined material stated in Section 13. Offences and Penalties are in Section 21 and 22.

1. Introduction

Office of Atoms For Peace (OAP), formerly known as the Office of Atomic Energy for Peace (OAEP), was formed on 25 April 1961 under the Atomic Energy for Peace Act of 1961. OAP has been established to play a key role as the legal authority to regulate the use of atomic energy in Thailand at the highest levels of reliability and safety for both the users and the public. The Atomic Energy for Peace Commission which OAP are the secretarial has been functioning as a committee responsible for granting licenses for the production and utilization of nuclear energy and radioactive materials. The office responsibility also covers the area of nuclear safety, security and safeguards for Thailand.

2. Atomic Energy for Peace Act

On the 14th day of April, B.E. 2504(1961); Being the 16th Year of the Present Reign. His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that; Whereas it is expedient to have a law on atomic energy for peace; Be it, therefore, enacted by the King, by and with the advice and consent of the Constituent Assembly acting as National Assembly, announced the first Atomic Energy for Peace Act in the Royal Gazette Book No 78 Section 36 for the purpose of safety and peaceful use of nuclear energy in Thailand. The Atomic Energy for Peace Commission have been designated to empower under the Act. The definition of atomic energy, source material, special fissionable material and by product material have been clearly defined under Article 3. In Section 12, the license has to be obtained for product procession utilize and chemically transformed special nuclear materials, atomic energy, by-product materials and source materials. The export and import control of defined material stated in Section 13. Offences and Penalties are in Section 21 and 22.

In 2006 complying to the international practice for independence principle, OAP was divided into two separate entities: the original OAP, which will oversee nuclear and radiation regulations nationally, and the new Thailand Institute of Nuclear Technology (TINT), which will conduct peaceful nuclear research and offer services to the public.

By virtue of the provisions of Section 4 and Section 24 of the Atomic Energy for Peace Act (1961), Minister of Science and Technology issued a ministerial regulation prescribing the conditions and procedure for license application and license grant for special nuclear materials, source materials, by-product or atomic energy in 2007. The measures to comply with nuclear non-proliferation and national safeguards have been set up and will be submitted for approval through the Atomic Energy for Peace Commission after public acceptance process.
3. Conclusion

In 2011 the Thai Cabinet will be making a decision for nuclear power programme. The infrastructure of effectiveness and efficiency law and legal authority have to be considered to implement the safeguard. OAP as a state system of accounting for and control of nuclear materials have to be strengthened in order to coordinate the agencies in possession of nuclear material and for interface with IAEA safeguard inspectors. Adequate physical protection of the plant and of any nuclear material is a combined utility and national responsibility.

REFERENCES

[2] MINISTERIAL REGULATION PRESCRIBING THE CONDITIONS, PROCEDURE FOR LICENSE APPLICATION AND IMPLEMENTATION IN CONNECTION WITH SPECIAL NUCLEAR MATERAILS, SOURCE MATERIAL BY-PRODUCT OR ATOMIC ENERGY.
[3] IAEA HANDBOOK ON NUCLEAR LAW IMPLEMENTATING LEGISLATION 2010