

**Notification of the National Environmental Board**  
on Rules and Procedure in Assigning Another State Agency to Perform Duties  
on the Office of Natural Resources and Environmental Policy and Planning's Behalf  
in Considering Environmental Impact Assessment Reports and  
Reporting Operational Results to the National Environmental Board

---

Under the power of Section 50, paragraphs five and six of the Enhancement and Conservation of National Environmental Quality Act B.E. 2535 as amended by the Enhancement and Conservation of National Environmental Quality Act (No. 2) B.E. 2561 and pursuant to Order of the Prime Minister's Office No. 324/2560, dated 4 December B.E. 2560 on Assigning and Authorizing Deputy Prime Minister and Ministers Attached to the Prime Minister's Office to Perform the Duties of Chairperson, Deputy Chairperson, and Members in Different Committees under Laws and Regulations of the Prime Minister's Office and a resolution of the National Environmental Board at the meeting No.3/2561 on 29 June B.E. 2561, the followings are notified herewith:

**No. 1:** In this Notification:

“expert committee” means those persons appointed or approved by the National Environmental Board to perform duties in considering environmental impact assessment reports, both in general and in specific areas such as the Bangkok area, other provinces, or the areas required to apply environmental protection measures.

“project or undertaking” means a project, undertaking, or operation which is required to provide an environmental impact assessment report as indicated in the Minister's notification with the National Environmental Board's approval.

**No. 2:** Office of Natural Resources and Environmental Policy and Planning shall assign another state agency to perform duties on its behalf in considering environmental impact assessment reports in accordance with the Minister's notifications issued under the law on enhancement and conservation of national environmental quality, for all projects and undertakings of all sizes, with an exception of when considering environmental impact assessment reports of following projects or undertakings:

(1) projects or undertakings which may seriously impact natural resources, environmental quality, health, sanitation, life quality, or any other important interests of people, communities, or environment in accordance with the Ministry of Natural Resources and Environment's notification issued under the law on enhancement and conservation of national environmental quality;

(2) projects or undertakings of a state agency or of a state agency jointly organizing with a private operator, on transportation, irrigation, public disaster prevention, hospitals, or residences that are in urgent necessities for the public interest under Section 49, paragraph four, of the Enhancement and Conservation of National Environmental Quality Act (No.2) B.E. 2561.

**No. 3:** In assigning another state agency to perform duties on its behalf in considering environmental impact assessment reports, the Office of Natural Resources and Environmental Policy and Planning shall take the following principles into consideration:

(1) the state agency's potentials, readiness, and properness in efficiently performing duties;

(2) integrity and standard in operation under the missions assigned in performing the duties on its behalf;

(3) consistency with laws, rules, regulations, notifications, or the Cabinet's resolutions which relate to assigning the missions to another state agency to perform duties on its behalf.

**No. 4:** Types of projects or undertakings and scope of tasks assigned to another state agency to perform the duties on the Office of Natural Resources and Environmental Policy and Planning's behalf pursuant to No. 2, shall be prescribed in a notification of Secretary-General of the Office of Natural Resources and Environmental Policy and Planning with the National Environmental Board's approval as published in the Government Gazette.

**No. 5:** A state agency assigned to perform the duties on the Office of Natural Resources and Environmental Policy and Planning's behalf pursuant to No. 4 shall have a duty in proposing to set an annual expenditure budget specifically for this matter. The budget shall at least cover meeting allowances of the expert committee; compensations for persons or institutions in accordance with a royal decree on meeting allowances for expert committees issued under the law on enhancement and conservation of national environmental quality; expenses in inspection of premises of projects or undertakings; document preparation for meetings of the expert committee; and other relevant expenses, which are the subject matter of considering environmental impact assessment reports.

In case where the state agency to be assigned to perform the duties on the Office of Natural Resources and Environmental Policy and Planning's behalf, is an agency in the Ministry of Natural Resources and Environment and so that such duty performance as assigned is clear and without problems and obstacles in terms of manpower of officials, budget, and administrative matters of that state agency, Permanent-Secretary of the Ministry of Natural Resources and Environment shall set a policy and assign additional duties as an internal order or a notification of the Permanent Secretary's Office of the Ministry of Natural Resources and Environment.

**No. 6:** Office of Natural Resources and Environmental Policy and Planning shall have the duties to support work of another state agency in considering environmental impact assessment reports as follows:

(1) preparation, support, enhancement, and recommendations in operation so that consideration process of the environmental impact assessment report is carried on efficiently;

(2) giving recommendations or advice regarding executing powers, acting as secretary to an expert committee, development of holistic knowledge on environmental impact assessment reports, preparation for administrative cases regarding consideration of environmental impact assessment reports;

(3) considering supporting the assisting budget in case where the state agency assigned to perform the duties on the Office of Natural Resources and Environmental Policy and Planning's behalf lacks the budget.

**No. 7:** The state agency assigned to perform the duties on the Office of Natural Resources and Environmental Policy and Planning's behalf, shall report its operational results and the expert committee's consideration of environmental impact assessment reports at least once a year on the following topics:

(1) consideration findings of environmental impact assessment reports, categorized by types of projects or undertakings received each year, the number of projects or undertakings, and time periods used in considering each environmental impact assessment report;

(2) problems/obstacles and recommendations (if any) regarding:

(2.1) complaints against considerations of environmental impact assessment reports and the expert committee's approaches in resolving problems;

(2.2) the expert committee's duty performance and procedure or approaches to improve it in order to request the National Environmental Board make a policy recommendation to the Government;

(2.3) the number and outcome of administrative cases arising out of the work of the expert committee.

For the benefit of developing or improving operation with regard to assigning another state agency to perform the duties on the Office of Natural Resources and Environmental Policy and Planning's behalf to be efficient in reporting operational results to the National Environmental Board under paragraph one, the Office of Natural Resources and Environmental Policy and Planning may submit opinions or recommendations to the National Environmental Board to consider.

This Notification shall come into force after one day as from the date of its publication in the Government Gazette.

Notified on 11 August B.E. 2561

General Prawit Wongsuwan  
Deputy Prime Minister,

Acting Chairperson of the National Environmental Board