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Translation

**ACT ON CERTAIN OFFENCES AGAINST AIR NAVIGATION  
B.E. 2521 (1978)**  
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BHUMIBOL ADULYADEJ, REX.,

Given on the 14<sup>th</sup> Day of August B.E. 2521;  
Being the 33<sup>rd</sup> 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 certain offences against air navigation;

Be it, therefore, enacted by the King, by and with the advice and consent of the National Assembly, as follows:

Section 1. This Act is called the “Act on Certain Offences against Air Navigation, B.E. 2521”.

Section 2. This Act shall come into force as from the day following the date of its publication in the Government Gazette.\*

Section 3. This Act shall not apply to aircraft used in military, police or customs services.

Section 4. In this Act:

“aircraft in flight” means an aircraft which has all its external doors closed following embarkation of passengers and/or crew until the moment when any such door is opened for normal disembarkation, and includes the case of a forced landing, until the time when the competent authority takes over the responsibility for the aircraft and for the persons and property on board;

“aircraft in service” means an aircraft the ground personnel or crew of which have begun the preflight preparation for a specific flight until twenty-four hours after any landing, and in any event includes the entire period during which the aircraft is in flight;

“competent authority” means, in respect of Thailand, a person appointed by the Minister for the execution of this Act.

Section 5. Whoever seizes or exercises control of an aircraft in flight by committing an act of violence, or threatening to commit an act of violence to a person, or threatening to endanger the aircraft, shall be liable to death penalty or to imprisonment for life or to imprisonment for a term of ten to twenty years.

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\*Published in the Government Gazette Vol. 95, Part 87, dated 24<sup>th</sup> August B.E. 2521 (1978)

Section 6. Whoever :

- (1) destroys an aircraft in service;
  - (2) causes damage to an aircraft in service which renders it incapable of flight or which is likely to endanger the safety of aircraft in flight; or
  - (3) places or causes to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy the aircraft, or to cause damage to the aircraft which renders it incapable of flight, or which is likely to endanger the safety of aircraft in flight;
- shall be liable to death penalty or to imprisonment for life or imprisonment for a term of five to twenty years.

\*Section 6 *bis* Whoever:

- (1) performs an act violence against a person at an airport serving civil aviation which causes or is an airport serving civil aviation which causes or is likely to cause serious injury or death; or
- (2) destroys or seriously damages the facilities of an airport serving civil aviation or aircraft not in service and located thereon or disrupts the services of the aircraft,

By using any device, substance or weapon and such an act endanger or is likely to endanger safety at that airport shall be liable to death penalty or to imprisonment for life or to imprisonment for term of five to twenty years.

Section 7. Whoever commits or threatens to commits an act of violence to a person on board an aircraft in flight, which is likely to endanger the safety of such aircraft, shall be liable to imprisonment for a term of one to ten year and to a fine of two thousand to twenty thousand Baht.

Section 8. Whoever destroys or damages air navigation facilities under the law on air navigation or, by any means whatsoever, interferes with their operation, which is likely or endanger the safety of an aircraft in flight, shall be liable to imprisonment for a term of one to fifteen years and to a fine of two thousand to thirty thousand Baht.

Section 9. Whoever communicates information which he knows to be false, thereby endangering the safety of an aircraft in flight, shall be liable to imprisonment for a term of five to twenty years.

Section 10. If the commission of offences under section 5. or section 6. causes grievous bodily harm to a person, the offender shall be liable to death penalty or to imprisonment for life or to imprisonment for a term of fifteen to twenty years; but, if the offence causes death to a person, the offender shall be liable to death penalty or to imprisonment for life.

If the offence under section 7., section 8. or section 9. causes grievous bodily harm, the offender shall be liable to imprisonment for a term of ten to twenty years; but, if the offence causes death to a person, the offender shall be liable to imprisonment for life or to imprisonment for a term of fifteen to twenty years.

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\* Amended by Act on Certain Offences against Air Navigation (No.2), B.E. 2538 (1995)

\*Section 11. Whoever is an accessory to the commission of any offence under Section 5., Section 6. or Section 6 *bis* shall be liable to the same punishment as the principle in such offence.

Whoever attempts to commit the offence under section according to the first paragraph shall be liable to punishment as the offender of such offence.

Whoever prepare to commit an offence under sections according to the first paragraph shall be liable to a half of the punishment provided by such relevant section.

Section 12. Whoever commits an offence under this Act outside the Kingdom shall be liable to punishment in the Kingdom, if:

(1) the offence is committed on board a foreign aircraft which lands in the Kingdom with the alleged offender on board:

(2) the offence is committed on board a foreign aircraft leased without crew to a lessee who has his domicile, permanent residence or principal place of business in the Kingdom; or

\*(3) the offender under section 5. section 6. or section 6. *bis* is in the Kingdom and has not been extradited under the law on extradition of offenders.

Section 13. When the commander of aircraft in flight has reasonable cause to believe that a person has committed or is about to commit an offence under this Act, or is about to commit an act which may endanger the safety of the aircraft or persons or property therein, or which violates the order and affects the discipline on board, the commander of aircraft may employ appropriate measures to prevent such person from committing such act as well as to restrain him, if necessary, in order to deliver him to the competent authority or to disembark him.

The commander of aircraft may order or authorize a crew or request or authorize a passenger to assist in restraining the said person under paragraph one.

The crew or passenger may, without such authorization under paragraph two, take appropriate preventive measures when there is a reasonable cause to believe that such action is immediately necessary to protect the safety of the aircraft or of persons or property therein but the commander of aircraft may issue orders revoking such measures.

Section 14. After the aircraft has landed, no preventive or restraining measures under section 13 shall be employed, unless

(1) the competent authority refuses to permit disembarkation of the restrained person;

(2) it is not possible to deliver the restrained person to the competent authority; or

(3) the restrained person agrees or concedes to remain on board and continue the journey on board the aircraft.

The commander of aircraft, with the restrained person on board under section 13 shall, as soon as practicable and if possible before landing, notify the competent authority of the fact that a person on board is under restraint and the reasons therefore.

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\* Amended by Act on Certain Offences against Air Navigation (No.2), B.E. 2538 (1995)

Section 15. After the aircraft has landed in the Kingdom, the commander of aircraft may disembark and deliver any person to the competent authority when he has reasonable cause to believe that such person has committed or is about to commit the offence under this Act on board the aircraft, which may endanger the safety of the aircraft or persons or property therein, or which violates the order and affects discipline on the aircraft.

The commander of aircraft shall report to the competent authority under paragraph one of the fact and reasons for such disembarkation.

Section 16. After the aircraft has landed in the Kingdom, the commander of aircraft may deliver any person to the competent authority when he has reasonable cause to believe that such person has committed on board the aircraft an act which, in his opinion, constitutes a serious offence under the penal law of the State of registration of the aircraft.

The commander of aircraft shall, as soon as practicable and if possible before landing, notify the competent authority of his intention and reasons of the delivery of such person.

The commander of aircraft shall furnish evidence and information which are lawfully in his possession under the law of the State of registration of the aircraft to the competent authority under paragraph one.

The competent authority may refuse to take delivery of the person under paragraph one, if he is of the opinion that such offence is of political nature or is based on racial or religious discrimination, which is not concerned with the safety of the air navigation.

Section 17. After having taken delivery of any person under section 15. or section 16., if

(1) it is necessary to have an inquiry to institute criminal proceedings, the competent authority shall deliver such person, together with evidences, if any, to the inquiry official without delay; and if it appears in the preliminary inquiry that it is unable to institute criminal proceedings in the Kingdom and there so request for proceedings under the law on extradition of offenders, he shall be released;

(2) it is not necessary to carry out an inquiry or it is the act violating the order and affecting discipline on board, the competent authority may restrain such person only for such time as may be necessary for his departure from the Kingdom, unless such person is entitled to enter or stay in the Kingdom, he shall be released.

Section 18. In the execution of this Act, the competent authority appointed under section 19 shall have the same powers as the administrative or police official under the Criminal Procedure Code.

Section 19. The Minister of Foreign Affairs, the Minister of Communications and the Minister of Interior shall have charge and control of the execution of this Act, and shall have power to appoint the competent authority for the execution of this Act.

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\* Amended by Act on Certain Offences against Air Navigation (No.2), B.E. 2538 (1995)

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Countersigned by :

General Kriangsak Chamanan  
Prime Minister

Certified correct translation

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