

## Marine Department Rule on Official Documents Keeping B.E. 2565 (2022)

Marine Department shall retain its official documents in compliance with the Regulation of the Prime Minister's Office on the Document Work B.E.2526 (1983) as Amended. The department is also required to apply the Information Technology System to serve as an operational tool in line with the Official Information Act, B.E. 2540 (A.D. 1997) and Amended. It is to ensure that both physical and electronic documents are held securely in corporate system in accordance with the new public management policy (Thailand 4.0), which is focusing on achievement, worth and reducing unnecessary procedures in order to accommodate the objectives of bilateral conventions and IMO Instruments Implementation Code (III CODE Part 1 – COMMON AREAS, Records).

By virtue of the provisions of Section 12, paragraph two of the Act on the State Administration ACT, B.E. 2534 (A.D. 1991) as amended No.5 B.E. 2545 (A.D 2002), Director-General of the Marine Department hereby issues the rules, as follows:

Clause 1 This rule shall be cited as “Marine Department Rule on Official Documents Keeping, B.E. 2565 (2020)”

Clause 2 This rule shall come into force after thirty days as from the date signed.

Clause 3 Any other rules and regulations so far as they are prescribed in this rule or are contrary to or inconsistent with any provisions of this rule, shall be replaced by this rule.

Clause 4 To be exempted from this rule, officers must submit an official letter, in hierarchy order, to request the approval from Director-General of Marine Department or those who were appointed.

Clause 5 According to this rule;

“Documentation” refers to any operation related to document management, consisting of creating, receiving, retaining, borrowing and disposing processes.

“Official document” refers to the documentary materials evidentially used in government business according to Regulation of the Prime Minister's Office on the Document Work B.E.2526 (1983) and Amended.

“Electronic” refers to the utilization of electronic, electromagnetic wave or similar operations, including adoption of light, magnetic or related tools.

“Electronic document” refers to any official document created, received, sent or retained in electronic documentation, including any other electronic communications determined by Director-General of Marine Department.

“Electronic Documentation System” refers to the transfer and retention of information, news or documents through electronic methods. It is included official e-mails of the department or official e-mails issued to officers and any other electronic communication determined by Director-General of Marine Department.

“Responsible units” refers to bureau, division, center or section that creates the official documents with its unit identification numbers displayed on the documents.

“Keeping unit” refers to the unit assigned by bureau, division or any unit with the same level (including the Merchant Marine Training Centre, Internal Audit Group and Administration System Development Group) to store and retain the document. Office of the Secretariat might responsible for storing and retaining the documents in particular cases.

“Officer” refers to government officers, employees and other staff of Marine Department.

Clause 6 Director-General shall be in charge and control of the execution of this rule, and shall have the authority to interpret and identify any difficulty in implementing this rule.

Clause 7 Office of the Secretariat, Marine Department shall create manual, description and conduct documentation training, including identifying difficulties in implementing this rule prior to reporting to Director-General for making changes or amendments.

Clause 8 Official Documents Retention Policies:

Official documents are considered the property of Marine Department by the laws and related regulations. Official documents shall not be mutilated, destroyed, removed or disposed of, except as provided by law, rule, or policy.

Official documents should be retained in the archives of Marine Department or Fine Arts Department, or disposed in accordance with the requirements after the designated retention period.

Official documents retention may be guided by recommendations or standards from other professional organizations. In addition, official documents would be maintained as required by other applicable legal provisions.

Official documents retention must be carried out by the responsible officers. The officers shall identify and carefully retain the official documents in good condition, in accordance with the designated criteria and guidelines as outlined in these procedures.

#### Clause 9 Responsibilities

Office of the Secretariat is responsible for establishing a proper Standard Operating Procedure (SOP) on official documents retention, operating procedure and crucial guideline. The responsibility includes establishing retention periods for all Marine Department's official documents, updating SOP as changes occur, and requesting approval from Director-General.

General Administration Section, Office of the Secretariat is responsible for introducing the overall SOP, along with providing recommendations to all units in Marine Department when necessary or requested.

All employees are responsible for creating the official documents that are needed for conducting Marine Department's businesses, and making a record of the operating procedure in writing. As a government officer, all employee are responsible for managing all government documents (including e-mail) for which they are responsible.

All employees are responsible for maintaining official documents so that information is held properly in the corporate system and can be retrieved when needed, in particular setting up good directories and files, and properly filing documents in a manner that allows them to be stored and effectively retrieved when necessary.

All employees are responsible for disposing of the official documents under their responsibility according to Marine Department regulations and procedures on official document management. All employees should be made aware of document procedures, and which official documents they are responsible for keeping.

#### Clause 10 Official Documents Receiving and Submitting

Receiving and submitting official documents shall comply with the Regulation of the Prime Minister's Office on the Document Work B.E.2526 (1983) as Amended, and Marine Department procedures on official documents.

#### Clause 11 Official Documents Retention

Official Documents of Marine Department could be retained in paper (physical) or as electronic data. Director of bureau or any unit with the same level shall ensure that storage areas for both physical

and electronic documents under their control are protected from accidental damage (such as damages caused by fire, water, mold or vermin)

Information Technology Division, Planning Bureau is responsible for maintaining data and electronic documents stored in the Marine Department system, along with securing the data and establishing back up procedures for possible data retrieval.

The location and movement of physical documents must be tracked to ensure that records can be easily located when required. This also ensures that a history of the use of the official document is well maintained. Methods for tracking documents are outlined in this procedure under “retrieval”

Bureaus or any unit with the same level shall locate the storage of their expired official documents (might be stored together as the central storage of expired documents)

#### Clause 12 Physical Official Documents Retention

In order to dispose of official documents at the appropriate time, it is necessary to evaluate them in relation to their period of usefulness to Marine Department. All units need to define the “total retention period” for all official documents, which is the period the documents are kept in the relevant units in the Marine Department combines with the period kept in other government official document storage.

##### Clause 12.1 Determination of Retention Period for Official Documents

Determination of the retention period for official documents is the responsibility of the official document owners. The Office of the Secretariat of Marine Department might send a request to Director-General to determine the retention period together with the document owners.

##### Clause 12.2 Retention Area

Physical official documents could be kept in the office and storage of their responsible units or general storage of Marine Department.

Active official documents are the documents in use. These documents are frequently used therefore they must be kept and protected within the owner’s offices for convenient purposes. Officers shall make sure that these active official documents are stored safely in the filing cabinets and not accessible without permission until their last day of duty.

Semi-active official documents are the completely used documents that occasionally retrieved for certain usages. These documents must be transferred to the keeping unit to be further retained in the storage area of their owners.

Inactive official documents are the completely used documents with no retrieval needed. These documents must be transferred to the keeping unit to be further retained in the storage

area of their owners. In case of insufficient storage area, inactive documents shall be kept in the general storage, prior to considering disposed in accordance with the document management regulation.

### 12.3 Storage Area and Protection of Official Documents

Director of bureau or any unit with the same level shall determine the access to important official documents. This may take the form of providing appropriate staff with keys or designating one staff member to access the documents, and establishing security procedures as seem appropriate.

The responsible units shall assess the confidentiality of official documents and determine who can access them. The evaluation of access conditions to the official document should be carried out annually.

## Clause 13 Retention of Electronic Documents

### 13.1 Cloud Storage Policy

The Marine Department is committed to ensuring its technology systems are secure, official data and systems are protected, and are only accessed by authorized users. All officers using Cloud Storage services must therefore adhere to this policy.

Any unit in Marine Department that utilizes cloud services for storage and / or processing of official information and/or Sensitive Information must utilize only cloud services approved and contracted by Marine Department for such activities. Any unit requesting to utilize services outside of the approved solutions must submit a copy of the contract for such services to the Information Technology Division prior to proceeding.

Officers must review rights and permissions requested by a Cloud Application prior to installation to ensure they do not put the Marine Department's data or systems at risk of being compromised. If the user is unsure of the level of risk associated with the rights or permissions requested, they must contact the Information Technology Division for further guidance. Additionally, cloud service users are required to comply with any additional requirements for the storage or processing of confidential and sensitive information. Storage of draft documents and Power Point using Cloud services must be done with care.

### 13.2 Regulation on Information Protection in Cloud Storage

13.2.1 Officers are responsible to protect Marine Department information

13.2.2 Officers shall comply with Marine Department Rules on Official Document Keeping.

13.2.3 Utilization of Cloud Services shall comply with the Announcement of the Electronic Transactions Commission on Guideline for Cloud Computing B.E 2562 (2019).

13.2.4 Storage of personal information shall comply with Personal Data Protection Act B.E. 2562 (2019)

13.2.5 Access of personal or other important information must be securely protected.

13.2.6 If the Cloud Storage are being shared for collaboration purposes (either internal or external collaborations), officers shall grant access only to certain files or folders that are required for the collaboration.

13.2.7 Information must be backed up.

13.3 Retention of Electronic Documents and Utilization of Database In Accordance with Cybersecurity Act B.E. 2562 (2019).

#### 13.3.1 Database Procedures

All employees are responsible for ensuring the availability, confidentiality and stability of the database under the responsibility of Marine Department. Government data, whether stored on Marine Department information technology system, personal devices, storage of a third party or related agencies or outsourced to service providers, is an important asset that must be properly governed and protected.

Improper use of the Marine Department data may result in harm to the department, its employees, stakeholders, and maritime community. This harm could impact the Marine Department missions of providing service, safety and security. All managers and staff have the responsibility to appropriately use, maintain, and safeguard Marine Department data.

The employees who authorized to access and use Marine Department data shall protect the data and prevent the harms by ensuring:

1) Compliance with regulations as well as third-party and other contractual data obligations.

2) Data is used for the purposes for which it is collected and any restrictions for its use are observed.

3) Data is collected, stored, and disposed of in ways appropriate to the risk and impact of disclosure.

4) Director of bureau or any unit with the same level is responsible for making decisions regarding the confidentiality of data stored in the unit.

5) For decision making regarding storage of data, such as, access and appropriate use, officers and all units shall consult the Chief of Information Technology Division, Planning Bureau and the units that own the data.

6) The minimization of risk to electronic Marine Department data is to use the IT infrastructure including other services approved by Marine Department. If the operation is not practicable, officers shall follow the IT Risk Management procedures.

#### 13.3.2 Database Responsibilities

Information Technology Division, Planning Bureau is responsible for maintaining the availability and security of IT infrastructure and ensuring that authorized users have

access to the data they required. The responsibilities also include continuously improving end-user awareness of proper data management; maintaining physical security of data infrastructure; implementing appropriate data access and providing data catalog technologies to users.

In the case that the units cannot edit data in their own IT system (and necessary to do so), the Information Technology Division, Planning Bureau shall take action with the permission of those units.

Director of bureaus or any unit with the same level is responsible for controlling the access to Marine Department data, both electronic and hard copies of the documents.

Any unit that creates certain IT systems shall be the owner of the systems they create, and responsible for maintaining the accuracy and availability of the data.

The owners of data shall designate particular officers to edit or improve data in their systems when requested (the request must be submitted in hierarchy order).

All officers shall comply with data management procedures and practices to access and use Marine Department data (both electronic and hard copies of the documents) as follows:

1) Use data only for authorized and intended purposes.

2) Understand the data. For any questions regarding the data, officers should contact the designated individual with data management accountability for that data.

3) Respect the privacy of the data and the individuals that it represents. This includes not disclosing personal information, nor accessing or manipulating such data for personal gain or interest.

4) Do not falsify data.

5) Do not unnecessarily delete or duplicate data.

To store the data in the IT system of Marine Department, all officers must be made aware that:

1) All officers are responsible for maintaining the usernames and passwords accessible to the IT system of Marine Department.

2) Usage of other officers' accounts to record data in the IT system of Marine Department without permission (in writing) shall be imposed on disciplinary punishment.

3) Officers are not permitted to manipulate data in the IT system of Marine Department for personal gain or interest.

4) Directors of bureaus or any unit with the same level are responsible for determining the authority to access the IT system of their units, and informing Information Technology Division, Planning Bureau in writing.

#### 13.4 E-mail Usage and Retention

All officers must only use the corporate e-mail while performing their tasks

When there are new recruitments, the agencies of those new officers shall submit a request to Information Technology Division, Planning Bureau within 5 business days after the employment to create and provide new official accounts for those new officers.

When officers are discharged from their government services, Human Resources Division shall submit a request to Information Technology Division, Planning Bureau to delete the accounts of those officers.

Bureaus, divisions or any unit with the same level shall use the official email according to the documentation rule (for example, the central Document Work Office must use [saraban@md.go.th](mailto:saraban@md.go.th)). Information Technology Division, Planning Bureau is responsible for creating the official e-mails.

Using personal e-mails to send or receive official messages on behalf of bureaus, divisions or any units with the same level, or sectors is not permitted.

#### Clause 14 Information and Official Documents Protection

##### 14.1 Classification Policy

All officers who are authorized to access and manage personal or government information shall ensure the security of that information.

Sending classified information and official documents outside units must be carried out in accordance with the Rule on Maintenance of Official Secrets B.E. 2554 (2001) and Amended.

##### 14.2 Disciplinary Punishment

Officers who fail to comply with the classification policy shall be imposed by disciplinary punishment and relevant laws.

#### Clause 15 Information Searching

Physical official documents of Marine Department could be searched only within the department. Unless for working purposes, no officer is allowed to take official documents outside Marine Department.

Official documents kept in the IT system should be accessed and used carefully only by authorized officers.

#### Clause 16 Official Documents Disposition

Disposition of Marine Department's official documents shall be undertaken in compliance with the Regulation of the Prime Minister's Office on the Document Work B.E.2526 (1983) as Amended.