

RULE OF THE OFFICE OF THE PRIME MINISTER
ON
THE MANAGEMENT OF THE LOAN PROJECT FOR THE DEVELOPMENT OF THE WATER
RESOURCES MANAGEMENT SYSTEM AND ROAD LOGISTICS, EXPEDITED PERIOD,
B.E. 2558 (2015)

Whereas the Council of Ministers has approved the loan for social and economic development under the Public Debt Management Act, B.E. 2548 (2008) and its amendments, to carry out the Loan Project for the Development of the Water Resources Management System and Road Logistics, Expedited Period: Measures for Economic Stimulus, Second Period, as such, for the expeditious and efficient management of such loan project;

By virtue of section 11 (8) of the State Administration Act, B.E. 2534 (1991), the Prime Minister, with the approval of the Council of Ministers, hereby issues the Rule as follows:

Clause 1. This Rule is called the “Rule of the Office of the Prime Minister on the Management of the Loan Project for the Development of the Water Resources Management System and Road Logistics, Expedited Period, B.E. 2558 (2015)”.

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

Clause 3. In this Rule:

“project” means a work plan or project under the Loan Project for the Development of the Water Resources Management System and Road Logistics, Expedited

* Published in the Government Gazette, Vol. 132, Part 111 d, Special Issue, page 1, dated 14th May B.E. 2558.

Period, of which the Council of Ministers has made a resolution to approve the carrying out and expenditure of loan;

“responsible agency” means a Government agency, State enterprise, local administrative organisation, or any other State agency which has been approved or appointed to carry out work under the project;

“loan” means money which the Ministry of Finance, by approval of the Council of Ministers borrows in the name of the Government of the Kingdom of Thailand under the law on public debt management for expenditure under the project.

Clause 4. The Prime Minister shall have charge and control of the execution of this Rule.

CHAPTER I GENERAL PROVISIONS

Clause 5. In the management of the project, whether it be the allocation of loan, the disbursement of loan, and the reporting of project implementation results, the transfer and receipt of information shall be carried out via the project’s information technology system and information shall also be sent to relevant agencies.

Clause 6. The Bureau of the Budget shall consider the allocation of funds in accordance with the framework approved by the Council of Ministers, consider the application to transfer or change the details of the project, the application for expenditure of reserve funds and the application for reparation of the cost of construction in accordance with the price adjustment contract (value K). It shall also prescribe relevant regulations or practice procedures.

Clause 7. The Comptroller General’s Department shall hold the deposit of the loan in a Ministry of Finance savings account and shall establish an accounting system and disbursement system for the project. It shall also prescribe relevant regulations or practice procedures.

Clause 8. The Public Debt Management Office shall open an account and shall deposit the loan in the account, establish a system for management of cash and reporting of loan status. It shall also prescribe relevant regulations or practice procedures.

Clause 9. In the case where any project must be carried out in accordance with the procedures under any law and regulation, the relevant agency shall act in accordance with the relevant procedures under the laws and regulations.

Clause 10. In the case where a problem with the interpretation of these Rules arises or where it is necessary to act otherwise than in accordance with the prescription of these Rules, the Prime Minister shall have the power to consider and determine the case, or to prescribe practice procedures for specific circumstances.

CHAPTER II IMPLEMENTATION OF THE PROJECT

Clause 11. The implementation of the project shall be carried out as follows:

(1) The responsible agency shall submit a work plan and an expenditure plan to the Bureau of the Budget for consideration and approval and shall allocate the loan in accordance with the framework approved by the Council of Ministers;

(2) The Ministry of Finance, being the Public Debt Management Office shall consider the sourcing of loan for the responsible agency, in doing so the Bureau of the Budget shall submit the information under (1) to the Public Debt Management Office for consideration;

(3) The responsible agency shall submit the loan expenditure estimates on a monthly basis to the Public Debt Management Office for consideration in disbursement.

Clause 12. In the implementation of the project relating to procurement, the responsible agency shall act in accordance with the Rule of the Office of the Prime Minister on Procurement, B.E. 2535 (1992) and its amendments, and the Rule of the Office of the

Prime Minister on E-Procurement, B.E. 2549 (2006), or in accordance with the laws, rules or regulations of the responsible agency, as the case may be.

In the implementation under paragraph one, if there is a problem relating to procurement proceeding, the person with the powers or the Committee as prescribed by the relevant laws, rules and by-laws as a person with the power to interpret and deliberate, including to consider granting exemption or leniency for the failure to comply with the rules or by-laws, as the case may be.

Clause 13. The responsible agency may begin carrying out the project in the part relating to procurement immediately after approval by the Council of Ministers of the implementation of the project, but shall sign a contract once allocation of loan has been made by the Bureau of the Budget.

Clause 14. In the case where the responsible agency wishes to transfer or change the details of a project, the responsible agency shall act in accordance with the rules, procedures and conditions which the Bureau of the Budget prescribes.

CHAPTER III

MAINTENANCE AND DISBURSEMENT OF LOAN

Clause 15. The Public Debt Management Office shall deposit the loan funds with the Ministry of Finance in a non-budget cash account at the Bureau of the Budget under the name “Deposit of Loan Funds for the Loan Project for the Development of the Water Resources Management System and Road Logistics, Expedited Period”.

Clause 16. In the disbursement of loan for expenditure on a project, the responsible agency shall act in accordance with the rules on disbursement in official service and regulations or practices prescribed by the Ministry of Finance.

CHAPTER IV

MONITORING, EVALUATION AND REPORTING OF IMPLEMENTATION RESULTS

Clause 17. In order to make the monitoring and evaluation of the implementation results of the project successfully efficient, relevant agencies shall act as follows:

(1) the Public Debt Management Office shall establish a project information technology system to support the monitoring of the progress in the implementation project implementation, disbursement, and evaluation of the project;

(2) the responsible agency shall report the progress in the implementation of the project and disbursement of loan via the project's information technology system in accordance with the regulations and the period of time which the Public Debt Management Office prescribes;

(3) the Public Debt Management Office shall coordinate with the responsible agency to expedite the implementation of the project. It shall also monitor the progress of the implementation of the project and the disbursement of the loan;

(4) the Public Debt Management Office shall carry out the monitoring and evaluation of the project to evaluate the success of the project. It shall also give recommendations to solve problems and obstacles relating to the implementation of the project and report to the Council of Ministers.

CHAPTER V

USE OF RESERVE FUNDS AND PAYABLE FUNDS

Clause 18. The Bureau of the Budget and the Public Debt Management Office shall together consider the allocation of reserve funds from the loan in accordance with the framework approved by the Council of Ministers as a preparation for expenses in solving problems relating to the management of the project as is necessary and suitable.

In the use of reserve funds under paragraph one, the responsible agency shall proceed in accordance with the regulation, procedures and conditions which the Bureau of the Budget prescribes.

Clause 19. In the case where the responsible agency is allocated loan and enters into a price adjustment contract (value K), if the responsible agency must pay reparation for the cost of construction under the price adjustment contract (value K), it shall

make an application for approval to the Bureau of the Budget, and the Bureau of the Budget shall consider the allocation of funds from the payable balance of such project, or within the balance of all payable funds as notified by the Ministry of Finance. In the case where the payable balance is insufficient, the reserve funds shall be used.

Clause 20. Once the responsible agency has completed the implementation of a project, if there is a balance remaining from such project, the responsible agency shall remit it to the account under clause 15.

Once the process under paragraph one has been completely carried out for all projects, the Public Debt Management Office shall close the deposit account for the Loan Project for the Development of the Water Resources Management System and Road Logistics, Expedited Period, and remit the remaining funds to the treasury.

TRANSITORY PROVISIONS

Clause 21. Any proceedings relating to the management of the project under this Rule which commenced prior to the day of entry into force of this Rule shall be deemed a proceeding under the provisions of this Rule, and any continuing proceeding for such project shall be in accordance with the provisions of this Rule.

Given on the 12th day of May B.E. 2558

General Prayut Chan- O-Cha

Prime Minister