

Unofficial Translation<sup>1</sup>

**ACT ON IMPOSITION OF *PINAI* REGULATORY FINES,  
B.E. 2565 (2022)**

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His Majesty King Maha Vajiralongkorn Phra Vajiraklaochaoyuhua  
Given on the 24th Day of October B.E. 2565;  
Being the 7th Year of the Present Reign.

His Majesty King Maha Vajiralongkorn Phra Vajiraklaochaoyuhua is graciously pleased to proclaim that:

Whereas the Constitution of the Kingdom of Thailand provides that the State should prescribe criminal penalties only for serious offences, and therefore it is appropriate to prescribe that offences, which constitute a violation or failure to comply with law, which are not serious and, by nature, do not seriously affect the public order or good morals or do not widely affect the public in common, are *Pinai* regulatory offences which are not deemed criminal offences, and *Pinai* regulatory fines shall be imposed on those who violate or fail to comply, which are not deemed criminal penalties;

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 Imposition of *Pinai* Regulatory Fines, B.E. 2565 (2022)”.

**Section 2.** This Act shall come into force after the expiration of two hundred and forty days from the date of its publication in the Government Gazette, except the provisions of section 37 and section 38, paragraph one which shall come into force as from the day following the date of the publication in the Government Gazette.<sup>2</sup>

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<sup>1</sup> Translated by Ms. Ariya Phasee under contract for the Office of the Council of State of Thailand.  
- Initial version - pending review and approval.

<sup>2</sup> Published in the Government Gazette Vol. 139, Part 66a, Page 22, dated 24th October B.E. 2565 (2022).

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**Section 3.** In this Act:

“imposing a *Pinai* regulatory fine” means ordering the person who has committed a *Pinai* regulatory offence to pay a *Pinai* regulatory fine not exceeding the amount as required by law;

“*Pinai* regulatory offence” means an act or omission which is in violation or noncompliance with a law and such law requires payment of *Pinai* regulatory fines;

“State official” means any competent authority, competent official, registrar, college and State official named otherwise who is authorised by law to impose *Pinai* regulatory fines or who is authorised to impose *Pinai* regulatory fines as prescribed in Notifications issued by the Minister under section 14.

**Section 4.** The Prime Minister shall have charge and control over the execution of this Act and have power to issue Ministerial Regulations for the execution of this Act.

Such Ministerial Regulations shall come into force upon their publication in the Government Gazette.

## CHAPTER I GENERAL

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**Section 5.** The imposition of a *Pinai* regulatory fine under all laws shall be proceeded in accordance with this Act, and an imposition of a *Pinai* regulatory fine or an order to impose a *Pinai* regulatory fine shall not be deemed an administrative act or administrative order.

An imposition of a *Pinai* regulatory fine is not a criminal penalty.

**Section 6.** In the case where this Act does not provide otherwise, any writing or document which is required to be notified, filed or delivered to any particular person shall be deemed to have been duly notified, filed or delivered under this Act if it has been notified, filed or delivered to such person at the domicile or address appearing in the register under the law on civil registration.

In the case where it appears to a State official that a person committing a *Pinai* regulatory offence cannot speak or hear or communicate, the relevant writings or documents shall be notified to such offender in the format that is understandable to him or her, or notification may be made to him or her by other methods of communication.

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In the proceedings for a *Pinai* regulatory offence, if the alleged offender or witness cannot speak or hear or communicate, the State official, public prosecutor or court shall procure a sign language interpreter or adopt other appropriate methods of questioning, answering or communicating.

**Section 7.** Any person who commits a *Pinai* regulatory offence must pay a *Pinai* regulatory fine in the amount as prescribed by the State official or court in accordance with the procedure provided in this Act, which shall not exceed the maximum amount prescribed by the law providing such offence, unless otherwise provided by this Act.

**Section 8.** The provisions of Chapter II Application of Penal Laws, Chapter IV Criminal Liability, Chapter V Attempts and Chapter VI Principals and Accomplices in Book I General Provisions, Title I Provisions Applicable to General Offences of the Penal Code shall apply, *mutatis mutandis*, to the imposition of *Pinai* regulatory fines under this Act, unless otherwise provided by this Act.

For the smooth and efficient execution of this Act, the Prime Minister by the approval of the Council of Ministers may issue Rules for the imposition of *Pinai* regulatory fines, including the period of time for the execution, insofar as they are not in conflict or inconsistent with this Act. Such Rules shall come into force upon their publication in the Government Gazette.

**Section 9.** A *Pinai* regulatory fine shall be determined by taking into consideration the suitability to the following facts:

- (1) The level of severity of the impact on the community or society caused by the commission of the *Pinai* regulatory offence and other circumstances in relation to the nature of the *Pinai* regulatory offence;
- (2) The understanding of right and wrong, age, past record, behaviour, intelligence, education and training, health, mental condition, habit, career, environment, recidivism and all other things related to the person committing the *Pinai* regulatory offence;
- (3) Benefits received by the person committing the *Pinai* regulatory offence or by other persons from the commission of the *Pinai* regulatory offence;
- (4) Economic conditions of the person committing the *Pinai* regulatory offence.

In the payment of a *Pinai* regulatory fine, if applied for by the person committing the *Pinai* regulatory offence and the State official or court views that the offender is unable to pay the fine in a lump sum, the State official or court may allow payment by instalments, and in this case if the person committing the *Pinai* regulatory offence is in default of any instalment

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without valid reason, payment by instalments shall be canceled and the offender shall pay any unpaid *Pinai* regulatory fine in full within a period of time prescribed by the State official or court. If the *Pinai* regulatory fine has not been paid within such prescribed period of time, further actions shall be taken in accordance with section 23 or section 30, as the case may be.

The Minister in charge of the law providing the *Pinai* regulatory offence may issue Rules to prescribe the criteria for determining *Pinai* regulatory fines under paragraph one and payment by instalments under paragraph two insofar as they are not in conflict or inconsistent with this Act and the Rules of the Prime Minister under section 8, paragraph two.

**Section 10.** In the case where any person committing a *Pinai* regulatory offence is a natural person who committed such offence on account of unbearable poverty or because of a terrible necessity for his or her livelihood, such person may file a motion requesting imposition of a *Pinai* regulatory fine lower than as provided by law or to perform community or public service work in lieu of *Pinai* regulatory fines.

In the case where any person committing a *Pinai* regulatory offence is a natural person and does not have money to pay the *Pinai* regulatory fine, such person may file a motion, with valid reason, requesting to perform community or public service work in lieu of *Pinai* regulatory fines.

In the filing of a motion under paragraph one and paragraph two, if it is a State official who gives the order of imposition of a *Pinai* regulatory fine and the person committing the offence does not dispute the State official's order, the motion shall be filed with the State official and the State official shall proceed to file the motion with the court having jurisdiction for consideration and giving an order. If the case is pending trial by a court, the motion shall be filed with the court trying such case. In the case where the court finds that the person committed a *Pinai* regulatory offence on account of unbearable poverty or because of a terrible necessity for his or her livelihood, the court may determine a *Pinai* regulatory fine lower than as provided by law or warn such person without imposing a *Pinai* regulatory fine, or may, if consented to by such person, order such person to perform community or public service work in lieu of *Pinai* regulatory fines, or in the case where the court finds that such person does not have money to pay the fine, the court may order such person to perform community or public service work in lieu of *Pinai* regulatory fines, if consented to by such person.

In the case where it appears to the State official that the case under paragraph one or paragraph two occurs and the person committing the *Pinai* regulatory offence has given a

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consent, the State official shall file a motion for the court to consider giving an order under paragraph three.

In the case where it appears to the court when rendering a judgement that the case under paragraph one or paragraph two occurs, the court shall have the power to give an order under paragraph three even though the offender does not file a motion.

The provision of section 30/1 of the Penal Code shall apply, *mutatis mutandis*, to the court's giving of its order under this section.

If the person committing a *Pinai* regulatory offence has violated or failed to comply with the order or any condition prescribed by the court for community or public service work, the court may revoke the order and issue a writ of execution to seize the property or attach claims over the property of such person for payment of the *Pinai* regulatory fine. The number of working days already performed shall be deducted from the amount of the *Pinai* regulatory fine.

The court's order under this section shall be final.

**Section 11.** In a case of a *Pinai* regulatory offence, if there is no order of imposition of *Pinai* regulatory fines or prosecution of the case issued within two years from the date of commission of the offence, the case shall be barred by prescription unless the law providing the *Pinai* regulatory offence prescribes otherwise.

**Section 12.** When an order or final judgement requiring any person to pay a *Pinai* regulatory fine has been issued, if such person fails to pay it or pays it but not in full and five years have elapsed from the date of issuance of such order or final judgement, such order or final judgement may not be executed against such person.

The provision of paragraph one shall not apply to the sale by auction or disposal by any other means of the property or claims which have been seized or attached within the period of time under paragraph one.

**Section 13.** The State official who orders imposition of *Pinai* regulatory fines shall report about the imposition to the Chief of the administrative agency with which he or she is affiliated, and the administrative agency shall prepare a summary of the results of the imposition of *Pinai* regulatory fines of such agency and disclose the same via an information technology system to be publicly known on an annual basis.

## CHAPTER II

### PROCEEDINGS FOR *PINAI* REGULATORY OFFENCES

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**Section 14.** The determination of which State officials will have power to impose *Pinai* regulatory fines under which laws shall be as provided by the laws providing the relevant *Pinai* regulatory offences. In the case where the law providing the *Pinai* regulatory offence does not provide so, it shall be as prescribed in Notifications issued by the Minister in charge of such law.

In designating the State officials who will be empowered to impose *Pinai* regulatory fines under paragraph one, the Minister shall not designate any other State official than those who are responsible for the execution of the law, except for the case under section 17, paragraph three, and if the maximum of *Pinai* regulatory fines as provided by a law does not exceed ten thousand baht, a sole State official may be designated to be empowered to impose *Pinai* regulatory fines, but if the maximum of *Pinai* regulatory fines as provided by a law exceeds ten thousand baht, the imposition of *Pinai* regulatory fines shall be made by a quorum consisting of not less than three State officials.

**Section 15.** Where any single act is a *Pinai* regulatory offence against several provisions of law, the provision which prescribes the highest amount of *Pinai* regulatory fine shall apply for the imposition of a fine on the person committing the *Pinai* regulatory offence.

Before the person committing a *Pinai* regulatory offence pays the *Pinai* regulatory fine, if it appears to the State official that such offence is also a *Pinai* regulatory offence under any other law prescribing a higher amount of *Pinai* regulatory fines, payment of the *Pinai* regulatory fine shall be suspended and the file shall be sent to the State official who has the power to impose *Pinai* regulatory fines for the offence punishable by such higher amount of *Pinai* regulatory fines for further proceedings in accordance with paragraph one.

In the case where an order of imposition of a *Pinai* regulatory fine is issued and the fine has already been paid, in whole or in part, for the *Pinai* regulatory offence against whatever provision of law, regardless whether it be the provision prescribing the highest amount of *Pinai* regulatory fine, the *Pinai* regulatory offence against all of the other provisions shall be extinguished.

**Section 16.** When any single act is both a *Pinai* regulatory offence and a criminal offence, the following actions shall be complied with:

(1) If such criminal offence may not be settled, the procedure for the imposition of a *Pinai* regulatory fine shall be extinguished and an inquiry official shall be informed to further proceed with a criminal case;

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(2) In the case of (1), if the State official has already imposed a *Pinai* regulatory fine, such imposition shall not preclude the power of an inquiry official and public prosecutor to proceed with a criminal case, and in the case where the court in the criminal case renders a final judgement of criminal conviction against the offender, the *Pinai* regulatory offence shall be extinguished and the court in the criminal case shall order the refund to the offender of the *Pinai* regulatory fine already paid. In the case where the court in the criminal case renders a judgement imposing a fine, whether with imprisonment or not, the court in the criminal case shall order for the paid *Pinai* regulatory fine to be set off with the fine imposed. If there remains any amount of the paid *Pinai* regulatory fine, the court in the criminal case shall also order the refund of such remaining amount to the offender;

(3) If such criminal offence may be settled and the offender has already paid the *Pinai* regulatory fine or performed community or public service work in lieu of *Pinai* regulatory fines as ordered by the court, the criminal case shall be settled but the victim's right to claim compensation from the action of the offender shall not be precluded;

(4) If such criminal offence may be settled and the fine as settled has already been paid, the *Pinai* regulatory offence shall be extinguished.

**Section 17.** Any person who commits *Pinai* regulatory offences which constitute several and different offences, shall be subject to *Pinai* regulatory fines for each offence.

Subject to paragraph three, in the case where a State official proceeds to impose *Pinai* regulatory fines and the *Pinai* regulatory offences under paragraph one are within the power of State officials of different agencies, the State official shall impose *Pinai* regulatory fines for the offences under his or her authority and inform the State officials who have power to consider the other *Pinai* regulatory offences for further proceedings.

For the purpose of imposition of the *Pinai* regulatory fines under paragraph one, the Prime Minister by and with the approval of the Council of Ministers may issue Rules instructing the concerned State officials to proceed, jointly or on behalf of one another, with the imposition of *Pinai* regulatory fines. Such Rules shall come into force upon their publication in the Government Gazette.

**Section 18.** When it appears to a State official that any person commits offences which constitute several and different offences and some are *Pinai* regulatory offences and some are criminal offences, the State official shall impose *Pinai* regulatory fines for the *Pinai* regulatory offences and inform the relevant inquiry official for the consideration of proceeding with a criminal case for the criminal offences.

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If it is found from the investigation and inquiry of a criminal offence that a *Pinai* regulatory offence has also been committed, the inquiry official shall inform the relevant State official for the consideration of proceeding with the imposition of *Pinai* regulatory fines.

**Section 19.** When there is reasonable cause to suspect, or it is alleged, or a State official discovers that there is a *Pinai* regulatory offence committed in any locality, the State official shall proceed to search for facts and collect evidence and give an opportunity for the alleged offender to clarify or defend the charge as appropriate, in accordance with the criteria and procedures prescribed in Ministerial Regulations.

**Section 20.** When the procedure under section 19 has been complied with and the State official has sufficient evidence to identify the person who has committed a *Pinai* regulatory offence, the State official shall issue an order imposing a *Pinai* regulatory fine and submit the order to such person by mail with return receipt requested at the address appearing in the register under the law on civil registration of the alleged offender or as notified to the administrative agency, and such person shall be deemed to have been notified from the fifteenth day from the date of the return receipt.

**Section 21.** An order imposing a *Pinai* regulatory fine under section 20 shall be made in writing, and contain the following particulars:

- (1) The facts relating to the action which is a *Pinai* regulatory offence;
- (2) The rate of the *Pinai* regulatory fine as provided by law and the amount of the *Pinai* regulatory fine payable as prescribed by the State official;
- (3) The period of payment which shall not be less than fifteen days, but not more than thirty days from the date of receipt of the notification;
- (4) Further procedures to be taken by the State official if the alleged offender refuses the charge or fails to pay the *Pinai* regulatory fine within a prescribed period of time;
- (5) The right to request payment by instalments under section 9, paragraph two or file a motion with a court under section 10;
- (6) Any other particulars as appropriate which give the alleged offender an understanding of the nature of the offence or are beneficial to the alleged offender.

**Section 22.** The provisions of section 19, section 20 and section 21 shall not apply to the procedures for *Pinai* regulatory offences, which are specifically prescribed, or prescribed otherwise by the laws providing such *Pinai* regulatory offences.

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**Section 23.** In the case where the alleged offender under section 20 refuses the charge or fails to pay the *Pinai* regulatory fine within a prescribed period of time, the State official shall summarise the facts, legal provisions, evidence and send the file to a public prosecutor for further prosecuting the case before a court, except in the case where the law providing the *Pinai* regulatory offence provides that the State official himself or herself has power to prosecute the case before a court, in which case the State official may institute the case without sending the file to the public prosecutor.

**Section 24.** In the case where an administrative or police official under the Criminal Procedure Code discovers any *Pinai* regulatory offence committed, he or she shall have a duty to notify it to the administrative agency responsible for the relevant law for further consideration of proceeding with the imposition of *Pinai* regulatory fines, unless such offence is within the power of such administrative or police official as a State official under this Act, in which case the administrative or police official shall comply with this Act in the capacity of a State official.

**Section 25.** When the public prosecutor has received the file of *Pinai* regulatory offence from the State official, if the public prosecutor opines that the case should be prosecuted, he or she shall proceed to prosecute the case before a court, with or without the alleged offender appearing before the court.

In the case where the public prosecutor orders not to prosecute the case, he or she shall notify the Chief of the administrative agency together with reasons. If the Chief of the administrative agency disagrees with the order of the public prosecutor, a dissenting opinion shall be prepared and submitted to the person holding a higher position than the public prosecutor who issues the order for decision. When a final order not to prosecute the case has been issued, the public prosecutor shall inform the alleged offender in writing.

In considering the file, the public prosecutor shall have the power to search for additional facts, including summoning in writing persons to come to give a statement as he or she sees fit or issuing a written order requiring the State official to do so.

For the purpose of the public prosecutor's carrying out of his or her duties under this Act and the designation of the person who has power to decide a dissenting opinion, the Attorney-General may issue Rules to be complied with by the public prosecutor. In addition, for the purpose of coordination and cooperation in the performance of duties under this Act without causing trouble to the people and in line with public prosecutors' jurisdictions, the

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Attorney-General may notify administrative agencies in writing of the practice guidelines for assignment of matters to public prosecutors in each locality.

**Section 26.** In considering the file of *Pinai* regulatory offence, if the public prosecutor finds that the offence is a criminal offence or a criminal offence has also been committed, the public prosecutor shall inform an inquiry official to consider proceeding with a criminal case.

In considering the file of criminal offence, if the public prosecutor finds that the offence is a *Pinai* regulatory offence or a *Pinai* regulatory offence has also been committed, the public prosecutor shall inform the relevant State official to consider proceeding with the imposition of *Pinai* regulatory fines.

**Section 27.** If a person committing a *Pinai* regulatory offence has paid the *Pinai* regulatory fine in full as prescribed by the State official before the case is prosecuted before a court, the State official or public prosecutor, as the case may be, shall terminate the prosecution, or if the case has already been prosecuted before a court, the court shall, before rendering a judgement, order to dispose of the case.

**Section 28.** A district (*Khwang*) court, a province court, a criminal court having jurisdiction or a court of special jurisdiction under the laws applicable to it shall be the court competent to try and adjudicate cases of *Pinai* regulatory offences.

The procedure for *Pinai* regulatory offences shall be in accordance with Regulations of the President of the Supreme Court by and with the approval of the general assembly of the Supreme Court.

The Regulations under paragraph two shall take into consideration convenience, promptness, fairness and that they do not place an undue burden on persons concerned, and may require that a court conduct a trial in the absence of the defendant. Nevertheless, in any event, the defendant shall have the right to appoint a counsel or any other person having the qualifications as prescribed in the Regulations to defend the case on his or her behalf, which, in this case, shall not be deemed a trial in the absence of the defendant. In addition the Regulations may also require any delivery of documents to be made via electronic means or other appropriate information technology, and may, if appropriate, determine execution costs. Such Regulations shall come into force upon their publication in the Government Gazette.

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**Section 29.** When a *Pinai* regulatory offence has occurred, or been alleged or believed to have occurred in any court's jurisdiction, it shall be prosecuted before such court, but if a *Pinai* regulatory offence has occurred in several localities, it may be prosecuted before any of the courts having jurisdiction.

In the case where it does not evidently appear in which locality a *Pinai* regulatory offence is committed, it shall be prosecuted before the court within whose jurisdiction the offender has a residence, but if the residence of the offender is unknown, the address appearing in the register under the law on civil registration shall apply. If there are several offenders, the case shall be brought before the court within whose jurisdiction any one of them has a residence.

**Section 30.** If any person, who has been sentenced by a judgement to a *Pinai* regulatory fine, fails to pay the fine within a period of time prescribed by the court, the court shall have the power to issue a writ of execution to seize the property or attach claims over the property of such person for payment of the *Pinai* regulatory fine.

**Section 31.** The provisions of section 29/1, paragraph two and paragraph three of the Penal Code shall apply, *mutatis mutandis*, to the execution of the court orders under section 10 and section 30.

**Section 32.** No appeal may be made against the judgement of a court on questions of fact and the amount of *Pinai* regulatory fines.

A person committing a *Pinai* regulatory offence shall have the right to appeal on a question of law in accordance with the conditions prescribed in the Regulations issued under section 28. Such conditions shall take into account fairness to the appellant and the expenses borne by the society as a whole.

The appeal court's judgement shall be final.

**Section 33.** A case of a *Pinai* regulatory offence shall be extinguished on the following grounds:

- (1) When the *Pinai* regulatory fine has been paid or community or public service work has been performed in lieu of *Pinai* regulatory fines in full;
- (2) By the death of the person committing the *Pinai* regulatory offence;
- (3) When the criminal offence is settled under section 16 (4);

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(4) When the case is barred by prescription under section 11 or the period of time under section 12 has elapsed, as the case may be.

**Section 34.** Administrative agencies shall not record the commission of *Pinai* regulatory offences of any person on the criminal records or as a criminal record.

**Section 35.** For the purpose of facilitating the payment of *Pinai* regulatory fines, it may be prescribed that the payment may be made via an electronic system in accordance with the criteria and procedures prescribed in Ministerial Regulations.

**Section 36.** *Pinai* regulatory fines shall be remitted to the Treasure as State revenue, unless the laws providing the relevant *Pinai* regulatory offences or other laws provide otherwise.

#### TRANSITORY PROVISIONS

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**Section 37.** Upon the publication of this Act in the Government Gazette, the persons who have a duty and power to issue Ministerial Regulations, Rules, Regulations or Notifications under section 8, paragraph two, section 9, paragraph three, section 14, paragraph one, section 17, paragraph three, section 19, section 25, paragraph four, section 28, paragraph two and section 35, shall proceed to issue the Ministerial Regulations, Rules, Regulations or Notifications, as the case may be, and publish the same in the Government Gazette before the lapse of two hundred and forty days from the date on which this Act is published in the Government Gazette, but such Ministerial Regulations, Rules, Regulations and Notifications shall not come into force before the date on which this Act comes into force.

**Section 38.** At the initial term, the Prime Minister shall appoint a committee consisting of the number of members as he or she sees fit to provide recommendation and consultation in relation to State officials' works for the execution of this Act, as well as suggestions on the issuance of Ministerial Regulations and Rules under section 8, paragraph two and section 17 paragraph three. In this regard, the Office of the Council of State shall act as an administration unit of such committee and the Secretary-General of the Council of State shall appoint public officials of the Office of the Council of State as secretary and assistant secretaries.

Upon expiration of a five-year period after this Act comes into force, the Office of the Council of State shall evaluate the necessity of the continuance of the committee under

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paragraph one for carrying out such duties and propose to the Council of Ministers for consideration and approval. In the case where it is necessary that the committee continue to exist, the Office shall also nominate an agency to act as an administration unit of the committee. In the case where the Office finds that it is not necessary that the committee continue to exist and the Council of Ministers resolves to approve the same, such committee shall be terminated from the date on which the Council of Ministers gives such resolution or the date prescribed by the Council of Ministers, as the case may be.

In the case where it is viewed that the committee under paragraph one should continue to exist, the Council of Ministers may require that the committee continue to perform its duties from time to time or permanently. In this case, the appointment and office term shall be in accordance with Rules prescribed by the Council of Ministers.

**Section 39.** After three hundred and sixty-five days have elapsed from the date on which this Act is published in the Government Gazette, criminal offences punishable only by a fine under the laws in Schedule 1 annexed to this Act shall be changed to *Pinai* regulatory offences under this Act, and the rates of criminal fines provided in those laws shall be deemed to be the rates of *Pinai* regulatory fines under this Act.

**Section 40.** All criminal offences punishable only by a fine under the laws in Schedule 2 annexed to this Act may be changed to *Pinai* regulatory offences by enactment of Royal Decree.

Before enactment of a Royal Decree under paragraph one, the Councils of Minister shall submit the drafted Royal Decree to the House of Representatives and the Senate at least sixty days. After the lapse of such period of time, if the House of Representatives or the Senate does not resolve to disapprove it, the draft shall be reported to the King for enactment.

The enactment of the Royal Decree under paragraph one may change criminal offences punishable only by a fine under some or all sections of the laws specified in the Schedule to *Pinai* regulatory offences, with or without conditions of changes.

**Section 41.** The criminal offences which are punishable only by a fine under the laws in Schedule 1 and Schedule 2 annexed to this Act shall not include:

(1) offences punishable by imprisonment or a more severe punishment when a natural person commits them but punishable only by a fine when a juristic person commits the same;

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(2) offences punishable only by a fine with the specific condition that the offender shall be subject to a more severe punishment than a fine punishment when he or she commits the offence again or there is any other cause prescribed by law.

**Section 42.** In the case where there is a law empowering any local administrative organisation to issue local ordinances to impose imprisonment or criminal fines for any persons who violate or fail to comply with the local ordinances not exceeding as provided by the law, after three hundred and sixty-five days have elapsed from the date on which this Act is published in the Government Gazette, the power of the local administrative organisation with respect only to the imposition of criminal fines shall be changed to the imposition of *Pinai* regulatory fines not exceeding the rates prescribed for the imposition of the criminal fines.

If any of the local ordinances, which is still in force on the date before the date on which the period of time under paragraph one has elapsed, imposes criminal offences punishable only by a fine, such criminal offences shall be changed to *Pinai* regulatory offences, and the rates of the criminal offences provided in such local ordinance shall be deemed to be the rates of *Pinai* regulatory fines under this Act.

**Section 43.** After three hundred and sixty-five days have elapsed from the date on which this Act is published in the Government Gazette, offences punishable by an administrative fine under the laws in Schedule 3 annexed to this Act shall be changed to *Pinai* regulatory offences under this Act, and the rates of administrative fines provided in those laws shall be deemed to be the rates of *Pinai* regulatory fines under this Act.

In the case where the law under paragraph one has already designated officials competent to impose administrative fines, it shall be deemed that such law has provided that such officials shall be competent to impose *Pinai* regulatory fines under this Act. In the case where such law does not designate officials who are competent to impose administrative fines, the State officials as prescribed in a Notification issued by the Minister under section 14 shall be competent to impose *Pinai* regulatory fines.

**Section 44.** The period of prescription of all *Pinai* regulatory offences which are changed from the criminal offences punishable only by a fine under section 39, section 40 or section 42 or the offences punishable by an administrative fine under section 43 that were committed before the date of change to such *Pinai* regulatory offences, shall be in accordance with the laws in force prior to the date of change to such *Pinai* regulatory offences. In the case where any law imposing administrative fines does not prescribe the period of prescription in such law, the period of prescription shall be as provided in this Act.

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**Section 45.** With regard to all criminal offences which are changed to *Pinai* regulatory offences under section 39, section 40 or section 42:

(1) if it is pending action at a person competent to settle a fine, such person shall be deemed to be a State official under this Act and shall proceed to impose a *Pinai* regulatory fine under this Act;

(2) If it is pending action at an inquiry official or public prosecutor, the inquiry official or public prosecutor, as the case may be, shall submit the matter to a State official within thirty days from the date of change to a *Pinai* regulatory offence, for further action;

(3) If it is pending trial by a court, the court shall consider imposing a *Pinai* regulatory fine under this Act.

**Section 46.** Any person who has been convicted by a final judgement of committing a criminal offence which is changed to a *Pinai* regulatory offence under section 39, section 40 or section 42, shall cease to be an offender and shall be deemed not to have been convicted by a judgement of committing such offence. If such person is being detained in lieu of a fine, such detention shall be terminated, and any unpaid fine shall be cancelled.

**Section 47.** With regard to all criminal offences which are changed to *Pinai* regulatory offences under this Act, if the offender's offence is recorded on the criminal records or as a criminal record, such record shall be extinguished and shall not be asserted against such person to his or her disadvantage.

In order to comply with section 34, the administrative agency having a duty and power to prepare or keep the criminal records under paragraph one shall remove any information of criminal offences which are changed to *Pinai* regulatory offences of the persons whose such offences are recorded in the criminal records, within three hundred and sixty-five days from the date on which such criminal offences are changed to *Pinai* regulatory offences.

**Section 48.** With regard to all offences punishable by an administrative fine which are changed to *Pinai* regulatory offences, if the competent official issues an order of imposition of an administrative fine before the period of time under section 43, paragraph one has elapsed, the consideration and challenge of the order, including the execution of the fine shall be carried out in accordance with the criteria prescribed in the law in force at the time of the commission of the offence until its completion.

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Subject to section 11, with regard to any person who commits an offence punishable by an administrative fine before the period of time under section 43, paragraph one has elapsed, if the competent official does not issue an order of imposition of an administrative fine before the lapse of such period of time, further actions shall be carried out in accordance with this Act.

Countersigned by:

General Prayut Chan-o-cha  
Prime Minister

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## SCHEDULE 1

### Annexed to the Act on Imposition of *Pinai* Regulatory Fines, B.E. 2565 (2022)

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1. National Savings Fund Act, B.E. 2554 (2011)
2. Oil Fund Act, B.E. 2562 (2019)
3. Government Pension Fund Act, B.E. 2539 (1996)
4. Provident Fund Act, B.E. 2530 (1987)
5. Plant Quarantine Act, B.E. 2507 (1964)
6. Sports Authority of Thailand Act, B.E. 2558 (2015)
7. Multimodal Transport Act, B.E. 2548 (2005)
8. Land Transport Act, B.E. 2522 (1979)
9. Land Excavation and Land Filling Act, B.E. 2543 (2000)
10. Royal Irrigation Act, B.E. 2485 (1942)
11. Public Assembly Act, B.E. 2558 (2015)
12. Funeral Assistance Act, B.E. 2545 (2002)
13. Port Authority of Thailand Act, B.E. 2494 (1951)
14. Expressway Authority of Thailand Act, B.E. 2550 (2007)
15. Industrial Estate Authority of Thailand Act, B.E. 2522 (1979)
16. Accounting Act, B.E. 2543 (2000)
17. Agricultural Land Reform Act, B.E. 2518 (1975)
18. Healing Arts Practices Act, B.E. 2542 (1999)
19. Electricity Generating Authority of Thailand Act, B.E. 2511 (1968)
20. National Standardisation Act, B.E. 2551 (2008)
21. Rubber Authority of Thailand Act, B.E. 2558 (2015)
22. Mass Rapid Transit Authority of Thailand Act, B.E. 2543 (2000)
23. Requirement of Contributions to the International Fund for Compensation for Oil Pollution Damage Caused by Ships Act, B.E. 2560 (2017)
24. Share Lending Circle Act, B.E. 2534 (1991)
25. Compulsory Education Act, B.E. 2545 (2002)
26. Energy Conservation Promotion Act, B.E. 2535 (1992)
27. Public Health Act, B.E. 2535 (1992)
28. Reserve Act, B.E. 2558 (2015)
29. Act Prescribing Offences Related to Registered Partnerships, Limited Partnerships, Limited Companies, Associations and Foundations, B.E. 2499 (1956)

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30. Act Prescribing Fees for Use of Highways and Bridges by Auto Vehicles, B.E. 2497 (1954)
31. Boxing Act, B.E. 2542 (1999)
32. Direct Sale and Direct Marketing Act, B.E. 2545 (2002)
33. Eastern Special Development Zone Act, B.E. 2561 (2018)
34. Insurance Commission Act, B.E. 2550 (2007)
35. Warehouse, Silo and Cold Storage Act, B.E. 2558 (2015)
36. Control of Sale by Auction and Trade of Antiques Act, B.E. 2474 (1931)
37. Control of Animal Slaughter for the Distribution of Meat Act, B.E. 2559 (2016)
38. Advertisement by Sound Amplifier Control Act, B.E. 2493 (1950)
39. Fund Raising Control Act, B.E. 2487 (1944)
40. Animal Feed Control Act, B.E. 2558 (2015)
41. Alcohol Control Act, B.E. 2551 (2008)
42. Fuel Control Act, B.E. 2542 (1999)
43. Tobacco Products Control Act, B.E. 2560 (2017)
44. Rubber Control Act, B.E. 2542 (1999)
45. Arms Control Act, B.E. 2530 (1987)
46. Control of Occupational Diseases and Environmental Diseases Act, B.E. 2562 (2019)
47. Building Control Act, B.E. 2522 (1979)
48. Occupational Safety, Health, and Environment Act, B.E. 2554 (2011)
49. Civil Liability for Oil Pollution Damage Caused by Ships Act, B.E. 2560 (2017)
50. Paleontological Resources Protection Act, B.E. 2551 (2008)
51. Protection of Layout-Designs of Integrated Circuits Act, B.E. 2543 (2000)
52. Consumer Protection Act, B.E. 2522 (1979)
53. Road Accident Victims Protection Act, B.E. 2535 (1992)
54. Homeworkers Protection Act, B.E. 2553 (2010)
55. Labour Protection Act, B.E. 2541 (1998)
56. Protection and Promotion of Knowledge on Thai Traditional Medicine Act, B.E. 2542 (1999)
57. Geographical Indication Protection Act, B.E. 2546 (2003)
58. Military Uniforms Act, B.E. 2477 (1934)
59. Student Uniforms Act, B.E. 2551 (2008)
60. Medical Devices Act, B.E. 2551 (2008)
61. Cosmetic Product Act, B.E. 2558 (2015)
62. Trademark Act, B.E. 2534 (1991)
63. Elephant Ivory Tusks Act, B.E. 2558 (2015)

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64. Currency Act, B.E. 2501 (1958)
65. Machine Registration Act, B.E. 2514 (1971)
66. National Archives Act B.E. 2556 (2013)
67. Road Traffic Act, B.E. 2522 (1979)
68. Act Organising the Activities of Fish Market, B.E. 2496 (1953)
69. Agricultural Land Consolidation Act, B.E. 2558 (2015)
70. Employment Arrangement and Jobseeker Protection Act, B.E. 2528 (1985)
71. Pathogens and Animal Toxins Act, B.E. 2558 (2015)
72. Business Registration Act, B.E. 2499 (1956)
73. Highways Act, B.E. 2535 (1992)
74. Concession Highways Act, B.E. 2542 (1999)
75. Municipality Act, B. E. 2496 (1953)
76. Bank of Thailand Act, B.E. 2485 (1942)
77. Tourism Business and Tourist Guide Act, B.E. 2551 (2008)
78. Security Guard Business Act, B.E. 2558 (2015)
79. Emergency Decree on Special Purpose Juristic Persons for Securitisation Act, B.E. 2540 (1997)
80. Public Limited Companies Act, B.E. 2535 (1992)
81. National Identity Card Act, B.E. 2526 (1983)
82. Animal Breeding Development Act, B.E. 2509 (1966)
83. Life Insurance Act, B.E. 2535 (1992)
84. Non-Life Insurance Act, B.E. 2535 (1992)
85. Social Security Act, B.E. 2533 (1990)
86. Cruelty Prevention and Welfare of Animal Act, B.E. 2557 (2014)
87. Prevention and Suppression of Prostitution Act, B.E. 2539 (1996)
88. Forests Act, B.E. 2484 (1941)
89. National Reserved Forests Act, B.E. 2507 (1964)
90. Fertilisers Act, B.E. 2518 (1975)
91. Plant Variety Act, B.E. 2518 (1975)
92. Act Increasing the Authority of Police to Prevent and Suppress Maritime Offences Act, B.E. 2496 (1953)
93. Film and Video Act, B.E. 2551 (2008)
94. Land and Buildings Tax Act, B.E. 2562 (2019)
95. Signboard Tax Act, B.E. 2510 (1967)
96. Industrial Product Standards Act, B.E. 2511 (1968)

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97. Agricultural Commodity Standards Act, B.E. 2551 (2008)
98. Export Commodity Standards Act, B.E. 2503 (1960)
99. Measurement Act, B.E. 2542 (1999)
100. Vehicle Act, B.E. 2522 (1979)
101. Bangkok Metropolitan Administration Act, B.E. 2528 (1985)
102. Pattaya City Administration Act, B.E. 2542 (1999)
103. Conservation of Water Supply Canals Act, B.E. 2526 (1983)
104. Act on the Maintenance of the Cleanliness and Orderliness of the Country, B.E. 2535 (1992)
105. Military Service Act, B.E. 2497 (1954)
106. Thai Vessel Act, B.E. 2481 (1938)
107. Maritime Labour Act, B.E. 2558 (2015)
108. State Enterprise Labour Relations Act, B.E. 2543 (2000)
109. Labour Relations Act, B.E. 2518 (1975)
110. Communicable Diseases Act, B.E. 2558 (2015)
111. Rabies Act, B.E. 2535 (1992)
112. Animal Epidemics Act, B.E. 2558 (2015)
113. Arms Factory Act, B.E. 2550 (2007)
114. Pawnshop Act, B.E. 2505 (1962)
115. Private School Act, B.E. 2550 (2007)
116. Bankruptcy Act, B.E. 2483 (1940)
117. Chain Saws Act, B.E. 2545 (2002)
118. Act on Commission of Offences Relating to Computer, B.E. 2550 (2007)
119. Electronic Transactions Act, B.E. 2544 (2001)
120. The Price of Goods and Services Act, B.E. 2542 (1999)
121. Physical Therapy Profession Act, B.E. 2547 (2004)
122. Nursing and Midwifery Profession Act, B.E. 2528 (1985)
123. Thai Traditional Medical Profession Act, B.E. 2556 (2013)
124. Veterinary Profession Act, B.E. 2545 (2002)
125. Community Public Health Profession Act, B.E. 2556 (2013)
126. Dental Profession Act, B.E. 2537 (1994)
127. Medical Technology Profession Act, B.E. 2547 (2004)
128. Pharmaceutical Profession Act, B.E. 2537 (1994)
129. Social Work Profession Act, B.E. 2556 (2013)
130. Juvenile and Family Court and Procedure Act, B.E. 2553 (2010)

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131. Labour's Skills Development Act, B.E. 2545 (2002)
132. Promotion of Development and Protection of Family Institution Act, B.E. 2562 (2019)
133. Maritime Promotion Act, B.E. 2521 (1978)
134. *HAAJ* Affairs Promotion Act, B.E. 2524 (1981)
135. Empowerment of Persons with Disabilities Act, B.E. 2550 (2007)
136. Contract Farming Promotion and Development Act, B.E. 2560 (2017)
137. Enhancement and Conservation of the National Environmental Quality Act, B.E. 2535 (1992)
138. Small and Medium Enterprises Promotion Act, B.E. 2543 (2000)
139. Health Business Establishments Act, B.E. 2559 (2016)
140. Place of Entertainment Act, B.E. 2509 (1966)
141. Medical Facilities Act, B.E. 2541 (1998)
142. Veterinary Facilities Act, B.E. 2533 (1990)
143. Deposit Protection Agency Act, B.E. 2551 (2008)
144. Private Institution of Higher Education Act, B.E. 2546 (2003)
145. Architect Act, B.E. 2543 (2000)
146. Statistics Act, B.E. 2550 (2007)
147. Mining Council Act, B.E. 2526 (1983)
148. Act on Digital Council for Economy and Society of Thailand, B.E. 2562 (2019)
149. Sub-district Council and Sub-district Administrative Organisation Act, B.E. 2537 (1994)
150. Thai National Shippers' Council Act, B.E. 2537 (1994)
151. Tourism Council of Thailand Act, B.E. 2544 (2001)
152. Federation of Thai Industries Act, B.E. 2530 (1987)
153. Trade Associations Act, B.E. 2509 (1966)
154. Forest Plantation Act, B.E. 2535 (1992)
155. Beasts of Burden Act, B.E. 2482 (1939)
156. Act on Animals for Scientific Purposes, B.E. 2558 (2015)
157. Government Lottery Office Act, B.E. 2517 (1974)
158. Elephant Conservation Act, B.E. 2464 (1921)
159. Cemeteries and Crematoria Act, B.E. 2528 (1985)
160. Business Security Act, B.E. 2558 (2015)
161. Chambers of Commerce Act, B.E. 2509 (1966)
162. Dormitory Act, B.E. 2558 (2015)
163. Act Authorising Operations in Relation to the International Monetary Fund and the International Banks, B.E. 2494 (1951)

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164. Act on the Organisation to Assign Frequency Waves and to Regulate the Radio Broadcasting, Radio Television and Telecommunications Services Act, B.E. 2553 (2010)
165. Provincial Administrative Organisation Act, B.E. 2540 (1997)
166. Sugar Cane and Granulated Sugar Act, B.E. 2527 (1984)
167. Firearms, Ammunition, Explosives, Fireworks and Imitation Firearms Act, B.E. 2490 (1947)
168. National Park Act, B.E. 2562 (2019)

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## SCHEDULE 2

### Annexed to the Act on Imposition of *Pinai* Regulatory Fines, B.E. 2565 (2022)

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1. Fuel Trade Act, B.E. 2543 (2000)
2. Land Development Act, B.E. 2543 (2000)
3. Air Navigation Act, B.E. 2497 (1954)
4. Alien Registration Act, B.E. 2493 (1950)
5. Foreigners' Working Management Emergency Decree, B.E. 2560 (2017)
6. Credit Information Business Operation Act, B.E. 2545 (2002)
7. Foreign Business Act, B.E. 2542 (1999)
8. Emergency Decree on Digital Assets Business Operation, B.E. 2561 (2018)
9. Emergency Decree on Fisheries, B.E. 2558 (2015)
10. Immigration Act, B.E. 2522 (1979)
11. Control of Marketing Promotion of Infant and Young Child Food Act, B.E. 2560 (2017)
12. Private Surveyors Act, B.E. 2535 (1992)
13. Islamic Bank of Thailand Act, B.E. 2545 (2002)
14. Financial Institution Business Act, B.E. 2551 (2008)
15. Groundwater Act, B.E. 2520 (1977)
16. Emergency Decree on Asset Management Company, B.E. 2541 (1998)
17. Postal Act, B.E. 2477 (1934)
18. Herbal Product Act, B.E. 2562 (2019)
19. Inheritance Tax Act, B.E. 2558 (2015)
20. Petroleum Income Tax Act, B.E. 2514 (1971)
21. Excise Tax Act, B.E. 2560 (2017)
22. Drugs Act, B.E. 2510 (1967)
23. Narcotics Code
24. Minerals Act, B.E. 2560 (2017)
25. Factory Act, B.E. 2535 (1992)
26. Hazardous Substance Act, B.E. 2535 (1992)
27. Act on the Right to Fish in Thai Fishery Areas, B.E. 2482 (1939)
28. Customs Act, B.E. 2560 (2017)
29. Cooperatives Act, B.E. 2542 (1999)
30. Derivatives Act, B.E. 2546 (2003)
31. Securities and Exchange Act, B.E. 2535 (1992)

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32. Condominium Act, B.E. 2522 (1979)
33. Food Act, B.E. 2522 (1979)

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### SCHEDULE 3

Annexed to the Act on Imposition of *Pinai* Regulatory Fines, B.E. 2565 (2022)

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1. Community Forest Act, B.E. 2562 (2019)
2. Thai Vessel Act, B.E. 2481 (1938)
3. Social Enterprise Promotion Act, B.E. 2562 (2019)

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