

**Regulation of the Office of the Central Committee on the Price of Goods and Services**  
Governing Procedures and Rates of Settlement of Case,  
B.E. 2558 (2015)

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Whereas the Central Committee on the Price of Goods and Services has issued the Regulation of the Central Committee on the Price of Goods and Services Governing Rules and Procedures of Settlement of Case, B.E. 2547 (2004) dated 6 August B.E. 2547 (2004), by prescribing that the Director-General of the Department of Internal Trade as the Secretary-General of the Central Committee on the Price of Goods and Services shall have the power to prescribe the procedures and rates of the settlement of a case in the area of Bangkok Metropolis and Nonthaburi Province for the offence which only has a fine as a penalty, or the offence which has a penalty of a fine or an imprisonment for a term not exceeding one year, or the offence which has a penalty of an imprisonment for a term not exceeding one year and a fine, under the Price of Goods and Services Act, B.E. 2542 (1999).

In order that the settlement of a case shall be proceeded with order, rapidity and being systematic, including not putting burden on a business operator. By virtue of Section 7 (1) of the Regulation of the Central Committee on the Price of Goods and Services Governing Rules and Procedures of Settlement of Case, B.E. 2547 (2004), the Secretary-General of the Central Committee on the Price of Goods and Services has therefore issued this Regulation to prescribe the procedures and rates of the settlement of a case, as follows.

**Article 1.** This Regulation is called the “ Regulation of the Office of the Central Committee on the Price of Goods and Services Governing Procedures and Rates of Settlement of Case, B.E. 2558 (2015)”.

**Article 2.** This Regulation shall come into force in the area of Bangkok Metropolis and Nonthaburi Province as from the day following the date of its publication onwards.<sup>1</sup>

**Article 3.** The Regulation of the Office of the Central Committee on the Price of Goods and Services Governing Procedures and Rates of Settlement of Case, B.E. 2546 (2013) dated 28 January B.E. 2546 (2003) shall be repealed.

**Article 4.** The Secretary-General of the Central Committee on the Price of Goods and Services shall have charge and control of the execution of this Regulation.

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<sup>1</sup> Published in the Government Gazette, Volume 132, Special Part 66 d, Page 1, dated 25<sup>th</sup> March B.E. 2558 (2015).

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## Chapter 1

### General

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**Article 5.** In this Notification,

“Secretary-General” means the Secretary-General of the Central Committee on the Price of Goods and Services under the Price of Goods and Services Act, B.E. 2542 (1999);

“CCP Office” means the Office of the Central Committee on the Price of Goods and Services under the Price of Goods and Services Act, B.E. 2542 (1999);

“PCP Office” means the Office of the Provincial Committee on the Price of Goods and Services under the Price of Goods and Services Act, B.E. 2542 (1999);

“chief of the office” means the Chief of the Office of the Provincial Committee on the Price of Goods and Services of Nonthaburi Province under the Price of Goods and Services Act, B.E. 2542 (1999);

“authorized officer in charge of the settlement of a case” means the officer who is entrusted by the Central Committee on the Price of Goods and Services to be in charge of the settlement of a case;

“competent officer” means the competent officer under the Price of Goods and Services Act, B.E. 2542 (1999).

**Article 6.** The offence which is subject to the settlement of a case under this Regulation is the offence which only has a fine as a penalty, or the offence which has a penalty of a fine or an imprisonment for a term not exceeding one year, or the offence which has a penalty of an imprisonment for a term not exceeding one year and a fine, under the Price of Goods and Services Act, B.E. 2542 (1999). The aforesaid offence is committed, claimed or believed to be committed in the area of Bangkok Metropolis and Nonthaburi Province.

**Article 7.** The fixing of a sum of the fine for the settlement of a case shall be in accordance with the rates of the settlement of a case as stipulated in Table No. 1 attached to this Regulation.

In a case where the Secretary-General has issued an announcement regarding the fixing of duration for supervising and monitoring the movement of the price of goods and services as a special case in order to undertake the prevention and suppression of taking advantage of opportunity from consumers, the fine for the settlement of a case shall be fixed in accordance with the rates of the settlement of a case as stipulated in Table No. 2 attached to this Regulation. In addition, if the offence is re-committed for the same penalty as the previous offence within the aforesaid duration, the fine for the settlement of a case at this time shall be fixed doubling of the previous fine, provided that the fine shall not exceed the rate of penalty as prescribed by the law.

**Article 8.** The record pertaining to the settlement of a case, the record consenting to make the fine payment in advance, and the record postponing the fine payment, to be produced by the Office of the Committee on the Price of Goods and Services shall be in accordance with the form of Por. Khor. 1, Por. Khor. 2 and Por. Khor. 3 as stipulated and attached to this Regulation. Those to be produced by the Office of the Provincial Committee on the Price of Goods and Services of Nonthaburi Province shall be in accordance with the form of Por. Khor. 4, Por. Khor. 5 and Por. Khor. 6 as stipulated and attached to this Regulation.

## Chapter 2

### Procedures of Settlement of Case

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**Article 9.** When the offence under the Price of Goods and Services Act, B.E. 2542 (1999) which is committed, claimed or believed to be committed in the area of Bangkok Metropolis and Nonthaburi Province can be subject to the settlement of a case, the competent officer who makes the arrest is required to notify the accusation of offence to the arrested, and clarify the arrested that such offence is that which can be subject to the settlement of a case. Additionally, the competent officer shall enquire the arrested concerning his/her consent in the settlement of a case.

**Article 10.** In a case where the offender does not consent to be settled the case, the competent officer who makes the arrest is required to take the offender together with the record pertaining to making the arrest to an inquiry officer for further taking a legal action.

**Article 11.** In a case where the offender consents to be settled the case, the competent officer who makes the arrest is required to take the offender to the authorized officer in charge of the settlement of a case for further proceeding the settlement of a case.

**Article 12.** In the settlement of a case, the competent officer who makes the arrest is required to present the record pertaining to making the arrest and the record pertaining to the settlement of a case to the authorized officer in charge of the settlement of a case for giving an order to settle the case. When the authorized officer in charge of the settlement of a case has already given the order to settle the case by fixing a sum of the fine, the offender shall be notified in order to pay the fine in accordance with the order to settle the case.

In a case where the offender does not consent to pay the fine under the order to settle the case, the competent officer who makes the arrest is required to take the offender together with the record pertaining to making the arrest to an inquiry officer for further taking a legal action.

**Article 13.** In a case where the offender cannot pay the fine on the day when the authorized officer in charge of the settlement of a case gives the order to settle the case, and the offender requests to pay the fine within 15 days as from the day when the

authorized officer in charge of the settlement of a case gives the order to settle the case, the competent officer who makes the arrest is required to produce the record postponing the fine payment and have the offender affix his/her signature to acknowledge the offence as evidence.

If the offender fails to pay the fine within a specified period of time, the competent officer who makes the arrest is required to make a note of such failure to be attached to the record postponing the fine payment, and present such matter to the Secretary-General as for the CCP Office or the chief of the office as for the PCP Office, as the case may be, in order to send the case to an inquiry officer for further taking a legal action against the offender.

**Article 14.** In order to facilitate the offender who consents to be settled the case and to pay the fine in advance in accordance with the rates of the settlement of a case as stipulated by the Secretary-General attached to this Regulation, the competent officer is required to produce the record consenting to make the fine payment in advance and have the offender affix his/her signature as evidence and pay the fine in advance.

If it is appeared later that the authorized officer in charge of the settlement of a case gives the order to settle the case by imposing the rate of a fine higher than that of the fine which has already been paid by the offender in advance, the offender shall have to pay the fine for the unpaid sum within 15 days as from the day when the authorized officer in charge of the settlement of a case gives the order to settle the case. If the offender fails to pay the fine within a specified period of time, the competent officer who makes the arrest is required to proceed the case under paragraph two of Article 13, *mutatis mutandis*.

**Article 15.** In receiving the money, remitting the money, issuing the receipt for the fine payment by the offender, and proceeding the matter in relation to the fine, the competent officer shall proceed in accordance with the regulation governing that matter.

**Article 16.** In a case where the competent officer has found that the offence committed under the Price of Goods and Services Act, B.E. 2542 (1999) which can be subject to the settlement of a case is not a flagrant offence, the competent officer shall have to gather and present the fact and evidence together with his/her opinion to the Secretary-General as for the CCP Office or the chief of the office as for the PCP Office, as the case may be, in order to give a summon pursuant to the regulation governing the matter to the accused to let him/her to clarify the fact. In this regard, the competent officer shall also have to produce the record as evidence. If the accused confesses that he/ she has committed the offence and consents to be settled a case, the competent officer is required to proceed the settlement of a case pursuant to this Regulation.

In a case of the accused denying a charge of offence or not consenting to be settled a case, when the accused does not consent to pay the fine under the order to settle the case, the competent officer is required to present the matter to the Secretary-General as for

the CCP Office or the chief of the office as for the PCP Office, as the case may be, for considering to send the matter to an inquiry officer for further taking a legal action.

**Article 17.** The competent officer is required to produce the book for admitting the accusation. This book is aimed for recording the case as evidence, detailing about the name of the accused, the name of the offender, the address, the charge of offence, the date, time and place of committing the offence and making the arrest, including a sum of the fine both in a case where the offender consents to be settled a case and in a case where the offender does not consent to be settled a case. In addition, the competent officer shall be responsible to retain the dossier of the settlement of a case, the case of which is closed, and the relevant documents within the prescription. The competent officer is also required to monitor the result of a case which is sent to an inquiry officer for taking a legal action.

**Article 18.** In a case where there is a question on guideline or the guideline is not laid down in this Regulation, the Secretary-General shall be a decision maker.

### Chapter 3 Transitory Provisions

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**Article 19.** The Announcement of the Office of the Central Committee on the Price of Goods and Services Regarding Fixing of Duration and Supervising and Monitoring Movement of Price of Goods and Services as Special Case (No. 44) dated 28 January B.E. 2558 (2015) as issued under the Regulation of the Office of the Central Committee on the Price of Goods and Services Governing Procedures and Rates of Settlement of Case, B.E. 2546 (2003) dated 28 January B.E. 2546 (2003) shall still be applicable until the Announcement of the Office of the Central Committee on the Price of Goods and Services governing the aforesaid matter issued under this Regulation comes into force.

**Article 20.** All of the pending cases concerning the settlement of a case under the Regulation of the Office of the Central Committee on the Price of Goods and Services Governing Procedures and Rates of Settlement of Case, B.E. 2546 (2003) before this Regulation comes into force, dated 28 January B.E. 2546 (2003), shall still be proceeded under the Regulation of the Office of the Central Committee on the Price of Goods and Services Governing Procedures and Rates of Settlement of Case, B.E. 2546 (2003) dated 28 January B.E. 2546 (2003) until they are completed.

Given on the 6<sup>th</sup> Day of March B.E. 2558 (2015)

Boonyarit Kalayanamit

Director-General of the Department of Internal Trade

Secretary-General of the Central Committee on the Price of Goods and Services