

**NATIONAL PARK ACT,
B.E. 2504**

BHUMIBOL ADULYADEJ, REX.

Given on the 22nd day of September, B.E. 2504;

Being the 16th Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that;

Whereas it is expedient to have a law on national park ;

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

Section 1. This Act shall be called the “National Park Act, B.E. 2504”

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

Section 3. All other laws, rule and regulations in so far as they are already provided by this Act, of are contrary to or inconsistent with the provisions of this Act shall be replaced by this Act.

Section 4. In this Act:

(1) “Land” means surface of land in general, and includes mountain, creek, swamp, canal, marsh, basin, waterway, lake, island and seashore;

(2) “National park” means the land which is determined as national park under this Act:

(3) “Woody plant” includes all kinds of plants which are trees, brushwoods or creepers, including all parts thereof:

(4) “Animal” means all kinds of animals including all parts thereof, and things obtained from or produced by the animals;

(5) “Competent official” means the person appointed by the Minister for the execution of this

Act;

(6) “Director-General” means the Director-General of the Forestry Department;

(7) “Minister” means the Minister who takes charge and control for the execution of this Act.

Section 5. The Minister of Agriculture shall take charge and control for the execution of this Act, and shall have the power to appoint competent officials and 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 1

Determination of Land to be National Park

Section 6. When it is deemed appropriate to determine any area of land, the natural features of which are of interest and to be maintained with a view to preserving it for the benefit of public education and pleasure, the Government shall have the power to do so by a Royal Decree, A map showing the boundary lines of the determined area shall be annexed to such Royal Decree. The determined area shall be called the “National Park.”

The land to be determined as national park must not be owned or legally possessed by any person other than public body.

Section 7. The extension or the cancellation for the whole or a part of the national park shall be made by a Royal Decree. In case of cancellation not for the whole of the national park, a map showing the changing area shall be annexed to the Royal Decree.

Section 8. The competent official shall provide the boundary posts and signs or other marks sufficiently for enabling the public to know the boundary of the national park.

CHAPTER 2

National Park Committee

Section 9. There shall be a committee called the “National Park Committee” consisting of the Under-Secretary of State for Agriculture as chairman, Director-General of the Forestry

Department, representative of the Department of Interior, representative of the Land Department, and other members not more than eleven in number appointed by the Cabinet.

Section 10. The member appointed by the Cabinet holds office for a term of two years. The retired member may be reappointed.

Section 11. Apart from retirement on account of expiration of the term of office under Section 10, the member vacates his office upon :

- (1) death;
- (2) resignation;
- (3) being removed by the Cabinet;
- (4) being incompetent or quasi-incompetent;
- (5) being imprisoned by a final judgment, except for a petty offence or offence committed through negligence.

When a member vacates his office before the expiration of the term of office, the Cabinet may appoint another person to fill the vacancy.

The member appointed under the preceding paragraph remains in office only for the term of office of the person he replaces.

Section 12. At the meeting of the committee, if the chairman does not attend it or is absent therefrom, the committee shall elect one of its members to preside over the meeting.

Any decision of the meeting shall be taken by a majority of votes.

In voting, each member shall have one vote. In case of a tie, the presiding chairman shall have an additional vote as casting-vote.

Section 13. At every meeting there must be an attendance of not less than one half of the total members in order to constitute a quorum.

Section 14. The committee may appoint a subcommittee to consider or perform any activity as assigned by it,

Section 15. The committee has the duty to give advice to the Minister in the following matters :

- (1) Determination of land to be reserved as national park and extension or cancellation of the national park;
- (2) Protection and maintenance of the national park;
- (3) Matters consulted by the Minister

CHAPTER 3

Protection and Maintenance of the National Park

Section 16. Within the national park, no person shall :

- (1) Hold or possess land, or clear or burn the forest;
- (2) collect, take out, or do by any means whatsoever things endangering or deteriorating woody plant, gum, yang, wood-oil, turpentine, mineral or other natural resources;
- (3) Take out animals or do by any means whatsoever things endangering the animals :
- (4) do by any means whatsoever things endangering or deteriorating soil, rock, gravel or sand;
- (5) change a water-way or cause the water in a river, creek, swamp or marsh to overflow or dry up;
- (6) close or obstruct a watercourse or way;
- (7) collect, take out, or do by any means whatsoever things endangering or deteriorating orchids, honey, lac, charcoal, barks or guano;
- (8) collect or do by any means whatsoever things endangering flowers, leaves or fruits;
- (9) take in, take out any vehicle or drive it on the way not provided for such purpose, unless permission is obtained from the competent official;
- (10) cause any aircraft to take off or land in the place not provided for such purpose, unless permission is obtained from the competent official;
- (11) take cattle in or allow them to enter;
- (12) take in any; domestic animal or beast of burden, unless he has complied with the rule prescribe by the Director General and approved by the Minister;
- (13) carry on any activity for benefit, unless permission is obtained from the competent official;
- (14) post up a notification or advertisement, or scratch or write on any place;
- (15) take it any gear for hunting or catching animals or any weapon, unless permission is obtained from the competent official and the conditions on prescribed by the latter have been complied with;

- (16) fire any gun, cause any explosive article to be exploded or let off any fireworks;
- (17) make a noisy disturbance, or do other act causing trouble or nuisance to any person or animal;
- (18) discharge rubbish or things at the place not provided for such purpose;
- (19) leave any inflammable article which may cause fire.

Section 17. No person shall remove, deface, damage or render useless the boundary posts, signs or other marks furnished by the competent official under this act.

Section 18. Any person entering the national park must comply with the order of the competent official given in compliance with the rule prescribed by the Director-General and approved by the Minister.

Section 19. The provisions of Section 16 and Section 17 shall not apply to the official carrying out any works for protection and maintenance of the national park for education or technical research, or for facilitating tourism or sojourn, or rendering safety or giving knowledge to the public provided that it be in accordance with the rule prescribed by the Director-General and approved by the Minister.

Section 20. In suppressing illegal activities according to this Act, the competent official shall be the administrative official or police under the Criminal Procedure law.

Section 21. The competent official shall have the power to order the person committing the offence under Section 16 to get out of the national park or to refrain from doing any act therein.

Section 22. In case any violation of this Act has caused anything into being or rendered a change in condition to anything in the national park, the competent official shall have the power to give the offender an order to have such thing demolished, removed from the national park, or restored to its former condition, as the case may be. In case the offender fails to comply therewith or the offender is unknown or for prevention or alleviation of the national park from damage, the competent official himself may take any of the said actions as may be appropriate. The expenses incurred thereby shall be borne by the offender.

CHAPTER 4

Miscellaneous

Section 23. If the Director-General thinks it appropriate to require from the public any payment for services of facilities given by the competent official in the national park, or to require any person to pay fee of remuneration for permission to carry on any activity or to sojourn therein, he is empowered to fix the rates and lay down rules concerning the collection of the said service charge, fee or remuneration, with the approval of the Minister.

Money collected under the preceding paragraph, fund donated for maintenance of the national park, fine accruing from settlement of the case conducted by the competent official under Section 28 and other kinds of income shall be exempted from any tax or duty, and kept as the expenditure for maintenance of the national park according to the rules and methods prescribed by the Director General and approved by the Minister.

CHAPTER 5

Penalty

Section 24. Whoever violates Section 16 (1), (2), (3), (4), or (5) shall be punished with imprisonment not exceeding five years or fine not exceeding twenty thousand baht, or both.

Section 25. Whoever violates Section 16 (6), (7), (9), (10), or (11), Section 17 or Section 18 shall be punished with imprisonment not exceeding one month or fine not exceeding one thousand baht, or both.

Section 26. Whoever violates Section 16 (2), (3), (4), or (7) shall, in case the animal or property collected or taken out is of small value or a slight damage is caused thereby, be punished with fine not exceeding five hundred baht.

Section 27. Whoever violates Section 16 (8), (12), (13), (14), (15), (16), (17), (18) or (19) shall be punished with fine not exceeding five hundred baht.

Section 28. The competent official shall have the power to settle the case in respect of offences under Section 25, Section 26 and Section 27.

Section 29. All weapons, instruments, utensils and vehicles used by any person in committing the offence of clearing or burning the forest under Section 16 (3) or offence of endangering animals under Section 16 (3) or offence of endangering or deteriorating soil, rock, gravel or sand under Section 16 (4) shall be forfeited regardless of whether they belong to the offender, and whether any person is convicted.

Transitory Provision

Section 30. Any concession or licence for working timber or collecting forest product under the law on forest, licence for residing in or exploitation of a protected or reserved forest under the law on protection and reservation of forest, prospecting licence, mining concession or licence under the Land Code which was granted or issued to any person before the day of enforcement of the Royal Decree valid issued under Section 6 shall be valid only for the remaining period of such concession, prospecting licence, mining concession or licence.

Countersigned by
Field Marshal S. Dhanarajata
Prime Minister