

## National Economic and Social Development Act, B.E. 2521 (1978)

Translation

BHUMIBOL ADULYADEJ, REX.

Given on the 14<sup>th</sup> Day of August B.E. 2521

Being the 33<sup>rd</sup> Year of the Present Reign

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

Whereas it is expedient to revise the law on National Economic Development Council so as to be more appropriate;

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

### Section 1

This Act is called the "National Economic and Social Development Act, B.E. 2521 (1978)".

### Section 2

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

### Section 3

The following shall be repealed:

- (1) National Economic Development Council Act, B.E. 2502 (1959);
- (2) National Economic Development Council Act (No. 2), B.E. 2503 (1960);
- (3) National Economic Development Council Act (No. 3), B.E. 2509 (1966).

All other laws, by-laws or regulations in so far as they are already provided herein or are contrary to or inconsistent with the provisions hereof shall be replaced by this Act.

### Section 4

In this Act,

"economic and social development" means expansion of manpower and increase of gross national productivity at every level in every locality, equitable distribution of incomes, economic stability, general improvement and equality for the people in education, health, habitation, nutrition, and other welfare as well as any activity related thereto;

"development project" means an economic and social development investment project with definite objectives, aims and implementation period which will be carried out by any government agency or State enterprise, not being its normal administration;

"work plan" means a system for coordinating two or more related development projects to be in line with each other in their process of implementation in order to achieve the desired objectives and aims;

"plan" means program concerning the coordination of selected development projects and work plans of the country or region or certain branches or sorts of activities in any locality in order to achieve the desired objectives and aims and to be in line with the financial and other resources capability;

"State enterprise" means:

- (1) government organization under the law on establishment of government organizations, or State undertaking under the law establishing such undertaking, and includes business agency belonging to the State;

- (2) limited company or registered partnership, where more than fifty per cent of its capital belongs to a Ministry, Sub-Ministry, Department, or government agency which is called by another name but has the equivalent status and/or a State enterprise under (1);
- (3) limited company or registered partnership, where more than fifty percent of its capital belongs to a Ministry, Sub-Ministry, Department, or a government agency which is called by another name but has the equivalent status and/or a State enterprise under (1) and/or (2).

### **Section 5**

There shall be a National Economic and Social Development Board consisting of a President and not more than nine other members possessing economic and social knowledge and experience and are appointed by the Council of Ministers. The Secretary-General of the National Economic and Social Development Board, the Secretary-General of the Civil Service Commission, the Director of the Budget Bureau, the Director of the Fiscal Policy Office and the Governor of the Bank of Thailand shall be ex officio members.

The Secretary-General of the National Economic and Social Development Board shall also act as the Secretary of the Board.

### **Section 6**

The Secretary-General of the National Economic and Social Development Board has the following duties:

- (1) to submit to the Council of Ministers recommendations and opinions concerning economic and social development;
- (2) to consider national economic and social development plans and other recommendations made by the Office of the National Economic and Social Development Board and to submit opinions thereon to the Council of Ministers;
- (3) to submit to the Prime Minister opinions on activities concerning economic and social development as directed by the Prime Minister;
- (4) to provide cooperation between the Office of the National Economic and Social Development Board and government agencies and State enterprises concerned in the making of work plans and development projects and the implementation thereof.

### **Section 7**

Members appointed by the Council of Ministers shall hold office for a term of four years. An outgoing member may be re-appointed.

### **Section 8**

In addition to vacating office at the end of term under Section 7, members appointed by the Council of Ministers vacate office upon:

- (1) death;
- (2) resignation;
- (3) being a bankrupt;
- (4) being an incompetent or quasi-incompetent person;
- (5) being imprisoned by a final judgment to a term of imprisonment except for an offence committed through negligence or a petty offence;
- (6) being removed by the Council of Ministers.

In the case where a member vacates office before the expiration of his term, the Council of Ministers may appoint other person to replace him, and the appointee shall hold office for the remaining term of the member he replaces.

In the case where an additional member is appointed by the Council of Ministers during the term of members already appointed, the appointee shall hold office for the remaining term of the members already appointed.

### **Section 9**

If, at a meeting of the National Economic and Social Development Board, the President is absent or fails to attend, the meeting shall elect a member among themselves to be Chairman of the meeting.

### **Section 10**

The presence of not less than one-half of the total number of members at each meeting of the National Economic and Social Development Board is required to constitute a quorum.

### **Section 11**

The final decision of the meeting shall be by a majority of votes.

Each member shall have one vote; in case of an equality of votes, the Chairman of the meeting shall have an additional vote as a casting vote.

### **Section 12**

There shall be the Office of the National Economic and Social Development Board having the following duties:

- (1) to survey, study and analyze the socio-economic situation in order to recommend aims and policies for the economic and social development of the country;
- (2) to consider work plans and development projects of any Ministry, Sub-Ministry, Department, or government agency which is called by another name but has the equivalent status, and any State enterprise jointly with such Ministry, Sub-Ministry, Department, or government agency which is called by another name but has the equivalent status and State enterprise, and to coordinate such work plans and development projects in order to lay down an overall plan for each phase in accordance with the aim of economic and social development of the country according to the existing resources and priority for the use thereof;
- (3) to study matters concerning financial capability, manpower and other existing and non-available resources and to lay down a plan for utilizing and acquiring such resources for the State benefit;
- (4) after consulting with the Ministry, Sub-Ministry, Department, and government agency which is called by another name but has the equivalent status, which has the duties in connection with the national budget concerning annual expenditure of the Ministry, Sub-Ministry, Department, and government agency which is called by another name but has the equivalent status and State enterprise, to make a proposal in respect of the increased main permanent assets for use in the economic and social developments, as well as the amount of money to be expended therefore, notwithstanding that it is paid out of the national budget, loans, accumulative profits or other sources;
- (5) to study and analyze actual expenditure for construction and maintenance of main permanent assets used in the economic and social developments in order to suggest necessary modification of such expenditure and to install efficiency in the construction and maintenance of such main permanent assets;
- (6) to study and analyze actual expenditure for economic and social services in order to suggest necessary modification of such expenditure;
- (7) to consider, suggest and determine principles for the Ministry, Sub-Ministry, Department, and government agency which is called by another name but has the equivalent status and State enterprise for the making of work plans and development projects which will require from foreign countries technical,

financial, lending and operating assistance for the implementation of the national economic and social development plan;

- (8) to follow up and appraise results of work implemented under the development projects of the Ministry, Sub-Ministry, Department, and government agency which is called by another name but has the equivalent status and State enterprise and, when it deems appropriate, to give recommendation concerning the expedition, revision or cancellation of any development project;
- (9) to study and analyze national socio-economic problems so as to propose a policy and short-term solution in order to encourage the economic and social development of the country;
- (10) to study and analyze external socio-economic problems affecting the national socio-economic situation, as well as to submit proposals and recommendations;
- (11) to carry out other matters which the law has prescribed to be the duties of the National Economic and Social Development Board or the Office of the National Economic and Social Development Board.

Proposals, recommendations and opinions related to the performance of duties under this Section shall be submitted by the Office of the National Economic and Social Development Board to the National Economic and Social Development Board for further submission with its opinion to the Council of Ministers.

### **Section 13**

The Ministry, Sub-Ministry, Department, or government agency which is called by another name but has the equivalent status and State enterprise shall submit a development project and work plan to the National Economic and Social Development Board for its consideration and opinion and to complement the consideration on budgetary appropriations in the draft of the annual budgetary appropriations for the fiscal year or the draft of the additional budgetary appropriations for the fiscal year.

### **Section 14**

The Office of the National Economic and Social Development Board has the power to direct the Ministry, Sub-Ministry, Department, or government agency which is called by another name but has the equivalent status and State enterprise to carry out the following:

- (1) to submit work plans and development projects as well as technical, financial, statistical details and other particulars necessary for studying the domestic socio-economic situation including work plans and development projects which require assistance from foreign countries, and other particulars necessary for studying the domestic socio-economic situation;
- (2) to submit facts necessary for evaluating the end result of the development project under implementation.

### **Section 15**

The Secretary-General of the National Economic and Social Development Board shall have the duty to supervise the administration of the Office of the National and Social Development Board.

### **Section 16**

The National Economic and Social Development Board or the Office of the National Economic and Social Development Board may, as it deems appropriate, invite any person to give facts, explanation, opinions or recommendation.

### **Section 17**

The National Economic and Social Development Board may appoint a sub-committee to consider or carry out any act as entrusted by the National Economic and Social Development Board.

Section 9, Section 10 and Section 11 shall apply *mutatis mutandis* to the meeting of the sub-committee under paragraph one.

**Section 18**

The Prime Minister shall have charge and control of the execution of this Act.

Countersigned by

General Kriangsak Chamanan

Prime Minister

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