

**National Park Act, B.E. 2504 (1961)<sup>(1)</sup>**

**Translation**

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 is called the "National Park Act, B.E. 2504 (1961)".

**Section 2**

This Act shall come into force as from the day following the date of its publication in the Government Gazette.<sup>(2)</sup>

**Section 3**

All the other laws, rules and regulations, insofar as they deal with matters provided herein or are contrary hereto or inconsistent herewith, 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 plants of all kinds which are trees, brushwood or creepers as well as all parts thereof;
- (4) "animal" means animals of all kinds including all parts thereof and things obtained therefrom or produced thereby;
- (5) "competent official" means a person appointed by the Minister for the execution of this Act;
- (6) "Director-General" means the Director-General of the Royal Forest Department;
- (7) "Minister" means the Minister having charge and control of the execution of this Act.

**Section 5**

The Minister of Agriculture and Cooperatives shall have charge and control of the execution this Act and shall have the power to appoint competent officials and 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 feature of which is of interest, to be maintained with a view to preserving it for the benefit of public education and amenity, the Government shall have the power to do so by a Royal Decree with a map annexed thereto showing the boundary lines of the determined area. 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 a 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 Permanent Secretary of the Ministry of Agriculture and Cooperatives as Chairman, Director-General of the Royal Forest Department, representative of the Department of Local Administration, representative of the Department of Lands as members and not more than eleven other members appointed by the Council of Ministers.

## **Section 10**

A member appointed by the Council of Ministers shall hold office for a term of two years.

An outgoing member may be re-appointed.

## **Section 11**

In addition to vacating office at the expiration of the term under Section 10, the member vacates office upon:

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

When a member vacates office before the expiration of his term, the Council of Ministers may appoint any other person replacing him.

The appointee under the preceding paragraph shall hold office for the remaining term of the member he replaces.

## **Section 12**

At the meeting of the Committee, if the Chairman does not attend or is not present, the Committee shall elect one among themselves to preside over the meeting.

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

Each member shall have one vote. In case of an equality of votes, the person who presides over the meeting shall have an additional vote as casting vote.

### **Section 13**

At each meeting, the presence of not less than one half of the total number of members is required to constitute a quorum.

### **Section 14**

The Committee may appoint a sub-committee to consider or carry out any act as entrusted by the Committee.

### **Section 15**

The Committee has the duty to give advice to the Minister on 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, nor 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, charcoal, barks or guano;
- (8) collect or do by any means whatsoever things endangering flowers, leaves or fruits;
- (9) take in or 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 Rules prescribed 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 in any gear for hunting or catching animal or any weapon, unless permission is obtained from the competent official and the conditions 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 flammable 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 Rules 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 competent official carrying out any work for the protection and maintenance of the national park, for education or technical research, or for facilitating tourism or sojourn, or for rendering safety or giving knowledge to the public, provided that it must be in accordance with the Rules prescribed by the Director-General and approved by the Minister.

#### **Section 20**

For the purpose of making the arrest and suppression of the offenders under this Act, the competent officials shall be administrative or police officials under the Criminal Procedure Code.

#### **Section 21**

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

#### **Section 22**

In the case where 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 order the offender to demolish or remove such thing from the national park, or restore such thing to its former condition, as the case may be. If the offender fails to comply therewith or the offender is unknown, or for the purpose of 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 or facilities given by the competent official in the national park, or to require any person to pay fee or remuneration for permission to carry on any activity or to sojourn therein, the Director-General is empowered to fix the rates and lay down the 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 procedure prescribed by the Director-General and approved by the Minister.

## **CHAPTER 5**

### **Penalties**

#### **Section 24**

Any person who violates Section 16 (1), (2), (3), (4) or (5) shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand Baht or to both.

#### **Section 25**

Any person who violates Section 16 (7), (9), (10) or (11), Section 17 or Section 18 shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding one thousand Baht or to both.

#### **Section 26**

Any person who violates Section 16 (2), (3), (4), or (7) shall, in case the animal or property collected or taken out is of small value or slight damage is caused thereby, be liable to a fine not exceeding five hundred Baht.

#### **Section 27**

Any person who violates Section 16 (8), (12), (13), (14), (15), (16), (17), (18) or (19) shall be liable to a fine not exceeding five hundred Baht.

#### **Section 28**

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

#### **Section 29**

All the weapons, instruments, utensils and vehicles used by any person in committing the offence of clearing or burning the forest under Section 16 (1), or the offence of endangering or deteriorating woody plant under Section 16 (1), or the offence of endangering the animals under Section 16 (3), or the 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 or not.

### **Transitory Provisions**

#### **Section 30<sup>(3)</sup>**

Any license, prospecting license and mining concession under the law on minerals or petroleum concession under the law on petroleum which has already been issued or granted to any person before the date the Royal Decree issued under Section 6 comes into force shall continue to be valid only for the period of such license, prospecting license, mining concession or petroleum concession; provided that, the licensee, prospecting licensee, mining concessionaire or petroleum concessionaire shall obtain prior permission from the competent official under Section 16 (13).

Countersigned by  
Field Marshal S. Dhanarajata  
Prime Minister

**Note**

- (1) As amended by the Emergency Decree Amending the National Park Act, B.E.2504, (published in the Government Gazette Vol. 106, Part 8, dated 14<sup>th</sup> January B.E. 2532 (1989))
- (2) Published in the Government Gazette Vol. 78, Part 80, dated 3<sup>rd</sup> October B.E. 2504 (1961)
- (3) As amended be Section 3 of the Emergency Decree Amending the National Park Act, B.E. 2504, B.E. 2532 (1989)

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B.E. 2504 (1961)

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