

RICE TRADING ACT, B.E. 2489 (1946)

Translation

ANANDA MAHIDOL, REX.

Given on the 8th Day of May B.E. 2489;

Being the 13th Year of the Present Reign

His Majesty King Ananda Mahidol is graciously pleased to proclaim that;

Whereas it is expedient to regulate rice trading;

Be it, therefore, enacted by the King, by and with the advice and consent of the Assembly of the People's Representatives, as follows:

Section 1

This Act is called the "Rice Trading Act, B.E. 2489 (1946)".

Section 2

This Act shall come into force as from the date of its publication in the Government Gazette.⁽²⁾

Section 3

In this Act:

"rice"⁽³⁾ means rice paddy, husked rice, milled rice, glutinous rice, and includes broken rice, bran and any rice transformation;

"rice trading"⁽⁴⁾ means a purchase, sale, exchange or transfer of ownership of rice, and includes the milling of rice, except for household consumption;

"rice trader" means a person permitted to engage in rice trading under this Act;

"Committee" means the Committee established under the provisions of this Act;

"competent official" means the person appointed by the Committee under this Act.

Section 4

There shall be a Committee consisting of the Chairman and not less than six other members appointed by the Council of Ministers, and having the powers and duties under the provisions of this Act.

Section 5

The Committee has the power to appoint any person or any group of persons to be competent official for performing an act within the scope of its powers and duties, either in whole or in part, in any locality on its behalf.

Section 6

The Committee or the competent official shall have the power to enter, during daytime, the premises or dwelling place of any person for the purpose of inspecting rice, receipts for sale or exchange of rice, reports on rice trading and other documents relating to rice trading, and shall have the power to summon any person concerned to give his statements in respect of the matters connected therewith.

Section 7

The Committee shall have the power to notify the rice-trading control area.

Section 8⁽⁵⁾

In the rice-trading control areas, the Committee shall have the powers to:

- (1) categorize the rice traders, and order the rice traders of any or every category to apply for a rice trading permit;

- (2) determine the price of rice and prohibit the sale at a price exceeding such price;
- (3) determine the price of rice and prohibit the purchase from a farmer at a price lower than such price;
- (4) give an order prohibiting the purchase, sale, exchange or transfer of ownership of rice, unless a permit is obtained from the Committee which may make permission subject to any condition whatsoever
- (5) give an order requiring the submission of a report showing the quantities and place of rice storage, or give an order prohibiting the removal of rice from the place of rice storage or prohibiting the transformation thereof, unless a permit is obtained from the Committee which may make permission subject to any condition whatsoever;
- (6) give an order requiring any person who has rice in possession to sell it to any person at the price and in the quantities prescribed by the Committee, or in the case where the Committee's order is resisted, give an order requiring the competent official to seize and compulsorily purchase the rice at the price and in the quantities as prescribed by the Committee, and to prescribe the period and conditions for the payment of the price and for the delivery thereof.

In the case where the person having rice in possession is not found, the Committee shall have the power to order the posting-up of the order requiring the sale of rice at the place of rice storage or on the conveyance for rice moving. Upon the lapse of seventy two hours from the posting-up of such order, if the person having rice in possession fails to sell the rice, the Committee shall have the power to issue an order seizing and compulsorily purchasing the rice under the provisions of the foregoing paragraph.

Section 9⁽⁶⁾

In the rice-trading control area, a rice trader of the category in respect of which the Committee has ordered the application for rice trading permission shall obtain a rice trading permit from the Committee before engaging in rice trading.

The Committee shall have the power to prescribe conditions in the rice trading permit. The rice trader shall comply with the statements and conditions prescribed therein.

The application for a rice trading permit shall be in the form prescribed by the Committee.

If a rice trader of the category in respect of which the Committee has ordered the application for rice trading permission has engaged in rice trading prior to the date the Committee made such order, he shall submit the application for rice trading permission within the period prescribed by the Committee.

Section 10

A person who has obtained a rice trading permit shall display it at an open and conspicuous place at the rice trading premises.

Section 11

The provisions under Section 9 shall not apply to:

- (1) a farmer who sells or exchanges rice from the land cultivated by himself;
- (2) a person who each time sells or exchanges rice of the following quantities:
 - (a) not exceeding two metric tons (Kwian Luang) in respect of all kinds of rice paddy;
 - (b) not exceeding one hundred and eight kilograms in respect of other kinds of rice.

Section 12⁽⁷⁾

A person who has obtained a rice trading permit under this Act shall make a daily rice-trading report in the form prescribed by the Committee to be kept at the rice trading premises, and shall submit the report to the Committee or to the competent official in accordance with the form, period and conditions prescribed by the Committee.

The Committee shall have the power to grant exemption to the rice trader of any category from making the said rice trading report under the foregoing paragraph, and shall have the power to revoke the grant of such exemption.

Section 13⁽⁸⁾

A rice trading permit or other permits shall be valid for a period as prescribed therein by the Committee.

Section 14

A person who has obtained a rice trading permit shall display the daily price of rice in Thai at an open and conspicuous place at the rice trading premises.

Section 15⁽⁹⁾

If any person who has obtained a permit violates the notification or order of the Committee or of the competent official or acts contrary to any condition prescribed therein or violates any provision of this Act, the Committee shall have the power to revoke such permit.

Section 16

A rice trading permit is personal and non-transferable. Upon ceasing to engage in the rice trading activity, the rice trader shall notify the Committee or the competent official for information.

Section 16 bis⁽¹⁰⁾

Any rice mill owner or entrepreneur who ceases or maliciously ceases the rice mill operation or fails to operate the rice mill to its fullest capacity may be ordered by the Committee to continue the rice mill operation or to operate it to the fullest capacity within a prescribed period, and the Committee shall have the power to prescribe the milling operational costs.

After the Committee has given the order under the provisions of the foregoing paragraph, if the rice mill owner or entrepreneur fails to comply therewith within the period prescribed by the Committee, it shall have the power to seize such rice mill for its own operation. For this purpose, the rice mill owner shall not be entitled to claim any compensation or damages.

Section 17⁽¹¹⁾

Any person who violates the notification or the order of the Committee or of the competent official issued under Section 8 (2), (3), (4), (5) or (6) or does any act contrary to any condition specified in the permit issued under Section 8 (4) or (5) shall be liable to imprisonment for a term of three months to five years and to a fine of one thousand to five thousand Baht.

Section 18⁽¹²⁾

Any person who violates the provisions of Section 9 or Section 12 paragraph one shall be liable to a fine not exceeding one thousand Baht or to imprisonment for a term not exceeding one year or to both.

Section 19

Any person who violates the provisions of Section 10, Section 14 or Section 16 shall be liable to a fine not exceeding one thousand Baht or to imprisonment for a term not exceeding one year or to both.

Section 20

Any person who gives a false statement in reporting the quantities or the place of rice storage or resists or violates the order of the Committee or of the competent official performing the duty under Section 6 or the gives a false statement to such person shall be liable to a fine not exceeding five thousand Baht or to imprisonment for a term not exceeding five years, or both.

Section 21

Any competent official who performs or fails to perform his duties in any manner whatsoever which helps causing the violation of the provisions of this Act shall be liable to imprisonment for a term not exceeding five years and to a fine not exceeding five thousand Baht.

Section 21 bis⁽¹³⁾

Rice connected with any offence and the container thereof shall be forfeited.

Section 22

The Minister of Commerce and the Minister of Interior shall have charge and control of the execution of this Act and shall have the power to issue Ministerial Regulations prescribing the rates of fees and other activities for the execution of this Act.

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

Countersigned by

Mr. Predee Panomyong

Prime Minister

Note

- (1) As last amended by the Rice Trading Act (No.2), B.E. 2489 (1946)
- (2) Published in the Government Gazette Vol. 63, Part 29, dated 9th May B.E. 2489 (1946)
- (3) As amended by Section 3 of the Rice Trading Act (No. 2),B.E. 2489 (1946)
- (4) Ibid.
- (5) As amended by Section 4, *ibid.*
- (6) As amended by Section 5, *ibid.*
- (7) As amended by Section 6, *ibid.*
- (8) As amended by Section 7, *ibid.*
- (9) As amended by Section 8, *ibid.*
- (10) As amended by Section 9, *ibid.*
- (11) As amended by Section 10, *ibid.*
- (12) As amended by Section 11, *ibid.*
- (13) As amended by Section 12, *ibid.*

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