LAND EXCAVATION AND LAND FILLING ACT
B.E. 2543

BHUMIBOL ADULYADEJ, REX.
Given on the 25th day of February B.E. 2543
Being the 55th Year of the Present Reign

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:
Whereas it is deemed appropriate to promulgate the law governing land excavation and land filling,

This Act contains certain provisions that restrict individual rights and freedom granted by virtue of the provisions of law under Section 29 in conjunction with Section 35, 48 and 50 of the Constitution of the Kingdom of Thailand,

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

Section 1. This Act is called the “Land Excavation and Land Filling Act, B.E. 2543”.
Section 2. This Act shall come into force thirty days after the date of its publication in the Royal Gazette.

Section 3. This Act shall apply to the following localities:
(1) Municipalities
(2) Bangkok Metropolitan City
(3) The City of Pattaya
(4) Other local administration organizations established by specific laws that are prescribed by the Minister and published in the Royal Gazette
(5) Areas prescribed by a Royal Decree to be governed by the Building Control Act
(6) The General Planning Area under the law governing town planning

For the purpose of prevention of danger arising from land excavation or land filling, in the case that land excavation or land filling may cause damage to any person's property or may cause damage to the public, the Minister may make an announcement to enforce this Act be enforced in localities other than those under paragraph one as it is deemed necessary.
The announcement under paragraph two shall be made known to the public by the Local Competent Officer at least 7 days before the date of enforcement. The said announcement shall be posted at the Provincial Office, District or Sub-District Offices, Tambon Administration Organization Offices, and offices of sub-district chiefs and village headmen of the localities stipulated in the announcement.

Section 4. In this Act,

“Soil” shall also mean rock, gravel or sand and other organic matters mixed with soil.

“Ground” means the surface of the land in its natural condition.

“Land Excavation” means any act performed to the ground to take out the soil, or to cause the land to become a soil pit.

“Soil pit” means a basin, pit, pond or an underground void caused by land excavation.

“Land filling” means any act performed to the soil or the ground to make the ground level higher.

“Earth mound” means soil higher than the normal level of the ground as a result of land filling.

“Site plan” means a map showing the land condition, location, and boundaries of the site of land to be excavated or filled, as well as adjacent land plots and structures.

“Specifications” means statements giving details of the type of soil, the depth of the soil pit where soil will be excavated or the height of the earth mound where land will be filled, the slopes of the soil pit or the earth mound, the distance from the edges of the soil pit or the earth mound to another person’s land or structure, the procedures to prevent landslides or collapses of structures, and the procedures for land excavation or land filling.

“Local Competent Officer” means –

(1) Mayors of municipalities;
(2) The Governor of Bangkok, in the case of Bangkok Metropolitan City;
(3) Mayor of the City of Pattaya;
(4) Chairmen of Tambon Administration Organizations, for areas under the domain of Tambon Administration Organizations;
(5) Heads of local administrators of other local administration organizations established by specific laws as local government agencies, for areas under the domain of such local administration organizations.
Chairmen of Provincial Administration Organizations for localities other than those in (1) to (5).

"Committee" means the Land Excavation and Land Filling Committee.

"Competent Officer" means a person appointed by the Local Competent Officer to perform duties under this Act.

"Minister" means the minister in charge of the execution of this Act.

Section 5. This Act shall not apply to land excavation and land filling carried out by virtue of other laws that already prescribe measures to prevent danger therein.

Section 6. For the purpose of prevention of landslides or collapses of structures as well as other matters required for compliance with this Act, the Minister, by the advice of the Committee, shall have the power to issue ministerial regulations to designate the following:

1. The areas where land excavation or land filling is prohibited;
2. The relationship of the slope of the soil pit or the earth mound to the type of soil, the depth and size of the soil pit to be excavated, the height and the area of the earth mound to be filled, and the distances from the edges of the soil pit or the earth mound to the land boundaries or structures of other persons;
3. The procedures to prevent landslides or collapses of structures;
4. The procedures to provide protection and safety for workers and third parties;
5. Rules, procedures and other conditions for land excavation or land filling.

Section 7. In the case that the ministerial regulations have been issued regarding any matter under Section 6, local administration organizations shall comply with the said regulations except in the cases stipulated under Sections 8.

In the case that no ministerial regulation has been issued regarding any matter under Section 6, a local administration organization shall have the power to issue local provisions for such matter.

In the case that local provisions have been issued regarding any matter under paragraph two, if afterwards, the ministerial regulations are issued regarding the said matter, the local provisions that are inconsistent or in conflict with the ministerial regulations shall be revoked. The local provisions that are not inconsistent or in conflict with the ministerial regulations shall continue to be in effect until the new local provisions are issued under Section 8, provided that
they shall be issued within not more than one year starting from the date when the ministerial regulations come into force.

The revocation of the local provisions under paragraph three shall not affect the acts previously carried out in compliance with such local provisions.

Section 8. In the case that ministerial regulations have been issued regarding any matter under Section 6, a local administration organization shall have the power to issue local provisions for such matter in the following events:

(1) Issuance of local provisions to specify more details on that matter in addition to provisions set forth in the ministerial regulations, without being in conflict or inconsistent with the said ministerial regulations.

(2) Issuance of local provisions on that matter that is in conflict or inconsistent with the said ministerial regulations due to necessity or for a reason specific to that locality.

The issuance of local provisions under (2) shall come into force when it is approved by the Committee and authorized by the Minister.

The Committee shall review and decide to or not to approve the local provisions under (2) within sixty days starting from the date of receipt of such local provisions. If approval is not granted, the Committee shall notify the said local administration organization of its reason.

If the Committee fails to complete the review of such local provisions within the period of time stipulated under paragraph three, it shall be deemed that the Committee has already granted its approval thereof, and the local administration organization shall submit the said local provisions to the Minister for further instruction. If the Minister does not give any instruction within thirty days starting from the date of receipt of such local provisions, it shall be deemed that the Minister has granted his approval pursuant to paragraph two.

Section 9. A notification or an order of the local competent officer hereunder shall be in writing and sent by certified registered mail to the notifier, land excavator, land filler, landowner, or his representative, whichever the case may be, at the place of domicile of that person, or the local competent officer may issue a notification or an order in writing and have the said person sign in acknowledgement thereof instead of sending it by mail.

In the case that the act under paragraph one cannot be carried out, a copy of the notification or the order, whichever the case may be, shall be visibly posted at a noticeable place at the land excavation or land filling site and the notifier, land excavator, land filler,
landowner or his representative shall be deemed to have acknowledged such order when seven
days have elapsed since the date when the notification is posted.

Section 10. The Minister of Interior shall be in charge of the execution of this Act and
shall be empowered to issue ministerial regulations to prescribe the fees and costs not
exceeding the rates attached hereto and to designate other affairs in order to perform duties
under this Act.

The ministerial regulations shall take effect upon their promulgation in the Royal
Gazette.

Chapter 1
Land Excavation and Land Filling Committee

Section 11. A committee called the “Land Excavation and Land Filling Committee”
shall be established consisting of the Director-General of the Department of Public Works as
the Chairman. One representative each from of the Department of Mineral Resources, the
Department of Lands, the Department of Land Development, the Department of Industrial
Works, the Department of Fine Arts, the Office of Environmental Policy and Planning, the
Department of Town and Country Planning, the Council of Engineers and the Council of
Architects, and not more than four qualified persons appointed by the Minister, shall be
members. The Director of the Office of the Building Control Committee, Department of
Public Works shall be a committee member and secretary to the Committee.

Section 12. The Committee shall have the following powers and duties:

(1) To provide advice for the issuance of ministerial regulations under Section 6;
(2) To provide advice to the local competent officer in performing duties under this
Act;
(3) To review the appeals against the local competent officer's order under Section 34
paragraph two;
(4) To perform other duties as assigned by the Minister.

Section 13. The committee members appointed by the Minister shall have a term of
office of three years.
In the event that a committee member is appointed at the time that the previously appointed members have not yet completed their term, regardless of whether such appointment is for the purpose of having an additional committee member or filling a vacant position, the person so appointed shall have a term of office which is tantamount to the remaining term of the previously appointed committee members.

The committee members who have completed their term of office may be reappointed for not more than two consecutive terms.

Section 14. Apart from vacating office upon the expiry of his term under Section 13, a committee member appointed by the Minister shall vacate office upon:

1. Death;
2. Resignation;
3. Bankruptcy;
4. Incompetence or quasi-incompetence;
5. Imprisonment under a final court judgment, except for imprisonment because of an offence resulting from negligence or a petty offence.

Section 15. At a meeting of committee members, the number of committee members present shall be no less than one half of the total number of committee members to constitute a quorum. If the Chairman of the Committee is not present at the meeting or cannot perform his duties, the committee members present at the meeting shall elect one among their members to chair the meeting.

A final decision of the committee meeting shall be passed by a majority vote, with each committee member entitled to one vote. In the event of a tie vote, the Chairman of the meeting shall have a casting vote.

Section 16. The Committee shall have the powers to appoint sub-committees to review a matter or to take action assigned by the Committee, as well as to invite any person to provide facts, explanations, advice or opinions.

Section 15 shall apply mutatis mutandis to the meetings of sub-committees.
Chapter 2.
Land Excavation

Section 17. Any person wishing to carry out land excavation at the depth exceeding three meters from the ground level, or with the area at the top of the soil pit exceeding ten thousand square meters, or with the depth or area prescribed in the local competent officer’s notification, shall notify the local competent officer thereof by using the form prescribed by the local competent officer. The said form shall be submitted together with the following particulars:

(1) The site plan showing the area to be excavated;
(2) A map showing the land boundaries and adjacent land plots;
(3) Items required under the ministerial regulations issued under Section 6.
(4) Land excavation and transportation procedures;
(5) The duration of the land excavation period;
(6) The name of the supervisor with qualifications prescribed by the ministerial regulations;
(7) The location of the notifier’s office;
(8) Encumbrances of stakeholders of the land to be excavated;
(9) Other documents and details required by the Committee as published in the Royal Gazette.

If the notifier has duly proceeded according to paragraph one, the local competent officer shall issue to the notifier as evidence thereof a document acknowledging such notification by using the form prescribed by the local competent officer, within seven days starting from the date of receipt of the notification. The notifier shall commence the excavation work as notified on the date of receipt of the said document of acknowledgement.

If the notification is not properly carried out, the local competent officer shall inform the notifier to make necessary rectification within seven days starting from the date of notification under paragraph one. If the notifier fails to do so within seven days starting from the date when the notifier has been informed by the local competent officer thereof, the local competent officer shall have the power to issue an order to nullify the notification under paragraph one.
If the notifier has duly rectified the matter within the period of time designated under paragraph three, the local competent officer shall issue a document of acknowledgement to the notifier within three days starting from the date of receipt of proper notification.

The person receiving such document of acknowledgement shall pay the required fees and costs prescribed in the ministerial regulations.

Section 18. All fees and costs collected under Section 17 paragraph five shall be the income of the local administration organization where the land excavation is carried out.

Section 19. In carrying out the excavation work, the excavator under Section 17 shall keep one set of the document of acknowledgement, the site plan, and the specifications at the excavation site and have them ready for inspection by the competent officer.

If the document of acknowledgement is defected, lost, or essentially damaged, the excavator under Section 17 shall apply for its replacement from the local competent officer within thirty days starting from the date of knowing of such defect, loss or damage.

Section 20. The excavator under Section 17 shall duly carry out the excavation work according to the ministerial regulations issued under Section 6.

Section 21. The excavator under Section 17 shall control his employees or representatives to act in compliance with Section 20 and be responsible for the acts of his employees or representatives who perform the work employed or as assigned.

Section 22. The receipt of the document of acknowledgement from the local competent officer under Section 17 shall not be the cause for protection of the excavation work that causes damage to the property of a person or to the environment. The excavator, whether it be the landowner, the land possessor, an employee or a representative, shall be liable for indemnification thereof, unless there is a reason for not being liable according to the law.

Section 23. For the excavation for a household pond with the area at the top of not exceeding four square meters, the excavator is not required to notify the local competent officer.

Section 24. For the land excavation with the depth from the ground level of not exceeding three meters, when the work is to be carried out near the boundaries of another person’s land, with the distance of less than two times the depth of the soil pit to be excavated, appropriate protection for landslides shall be provided.
Section 25. While the excavation work is in process, if antique objects, objects of art, ancient ruins or minerals with economic value or value for geological study are found, the excavator under Sections 17, 23 or 24 shall stop the excavation work for that particular area and report to the local competent officer within seven days starting from the date of finding. The local competent officer shall urgently notify the Department of Fine Arts or the Department of Mineral Resources, whichever the case may be. In this case, the excavator shall comply with the laws governing that matter.

Chapter 3.
Land Filling

Section 26. Any person wishing to carry out land filling with the height of the earth mound higher than the ground level of the adjacent land belonging to a different owner, and with the area of the earth mound not exceeding two thousand square meters, or with the area as prescribed in the local competent officer’s notification, shall provide an adequate drainage system in order not to cause any trouble to the owner of the adjacent land or a third party.

The area prescribed by the local competent officer under paragraph one shall not exceed two thousand square meters.

For the land filling work covering the area of exceeding two thousand square meters or exceeding the area prescribed in the local competent officer’s notification under paragraph one, in addition to provision of a drainage system as mentioned in paragraph one, the land filler shall notify the local competent officer thereof by using the form prescribed by the local competent officer.

If the notifier has duly proceeded according to paragraph three, the local competent officer shall issue to the notifier as evidence thereof a document acknowledging such notification by using the form prescribed by the local competent officer, within seven days starting from the date of receipt of such notification. The notifier shall commence the land filling work as notified on the date of receipt of the document of acknowledgement. Provisions of Section 17 paragraphs three, four and five, Section 18, Section 19 and Section 22 shall apply mutatis mutandis.
Section 27. The land filler under Section 26 shall duly carry out the land filling work according to the ministerial regulations issued under Section 6.

Section 28. The land filler under Section 26 shall control his employees or representatives to act in compliance with Section 27 and be responsible for the acts of his employees or representatives who perform the work employed or as assigned.

Chapter 4.
Competent Officer

Section 29. Any person who suffers damage, or there is a reasonable ground to believe that he/she may suffer damage from the land excavation or land filling work that fails to comply with Section 20, 24, or 27, shall have the right to make a request to the local competent officer to give an order to stop such land excavation or land filling work.

Upon receiving the request under paragraph one, the local competent officer shall order the competent officer to inspect the land excavation or land filling site and report to the local competent officer. If the local competent officer is of an opinion that the damage has occurred or may occur from such land excavation or land filling, he shall have the power to issue a written order to the land excavator, land filler, or landowner to stop such land excavation or land filling work, or to provide protection for such potential damage, or to rectify such land excavation or land filling as it is deemed appropriate.

The local competent officer under this Section shall include any person assigned by the local competent officer.

Section 30. The competent officer shall have the power to enter the land excavation site under Section 17 or the land filling site under Section 26 for inspection, to see whether or not this Act, or the ministerial regulations, or the local provisions, or the notifications issued under this Act, have been complied with. However, the inspection shall be carried out between sunrise and sunset or during office hours, and the land excavator, the land filler, or the representative, or the landowner shall facilitate the inspection as appropriate.

Section 31. In the event that the competent officer is of an opinion that the land excavation or land filling has caused or may cause damage to another person’s property, the officer competent shall report to the local competent officer to issue an order to the land
excavator, the land filler, or the landowner to stop the land excavation or land filling work, whichever the case may be, or to provide protection against such potential damage or rectify such land excavation or land filling, whichever the case may be. The local competent officer shall have the power to issue a written order as it is deemed necessary to protect or extint such damage.

In case of emergency, the competent officer shall give an order in writing to the land excavator, land filler, or landowner to stop the land excavation or land filling work or to provide protection against such potential damage, or to rectify such land excavation of land filling as it is deemed necessary, and immediately report to the local competent officer. If the local competent officer agrees with the competent officer’s order, he shall issue a letter, within seven days as of the date the competent officer has issued the order, ordering the said person to abide by the competent officer’s order. The competent officer’s order shall be deemed as the local competent officer’s order from the beginning.

If the local competent officer does not issue an a written order within the period of time stipulated in paragraph two, the competent officer’s order shall cease to be effective.

Section 32. In carrying out of duties under this Act, the competent officer shall present his/her official identification card to the parties concerned.

The competent officer’s official identification card shall be according to the form prescribed in the ministerial regulations.

Section 33. In performing the acts under this Act, the local competent officer and the competent officer shall be the competent officer under the Criminal Code.

Chapter 5.
Appeals

Section 34. The land excavator, land filler or landowner who is not satisfied with the local competent officer’s order under Section 29 paragraph two or Section 31 paragraph one or two, shall have the right to appeal against the said order to the Governor within thirty days starting from the date of acknowledgement of the order.
In case that the order under paragraph one is issued by the Governor of Bangkok in his/her capacity as the local competent officer, an appeal to such order shall be made to the Committee.

The appeals under paragraphs one and two shall not suspend the enforcement of the local competent officer’s order. If the appellant wishes to suspend the enforcement of the local competent officer’s order, the application therefor shall be submitted together with the appeal. In this case, the Governor or the Committee may approve such suspension with or without conditions, or may order the appellant to deposit money or security against any damage that may occur.

The Governor or the Committee, whichever the case may be, shall review the appeal and pass a decision thereon within thirty days starting from the date of receipt of the appeal.

The decision of the Governor or the Committee shall be final.

Chapter 6
Penalties

Section 35. Any person who carries out land excavation work under Section 17 or land filling work under Section 26 paragraph three without receiving the document of acknowledgement from the local competent officer under Section 17 paragraph two or Section 26 paragraph four, whichever the case may be, shall be liable to imprisonment of not exceeding one year or a fine of not exceeding fifty thousand Baht, or both.

If the offence under paragraph one is committed in the area where land excavation or land filling is prohibited under Section 6 (1), the said person shall be liable to imprisonment of not exceeding two years or a fine of not exceeding one hundred thousand Baht, or both.

Section 36. Any person who fails to comply with Section 20 or 27 shall be liable to a fine of not exceeding thirty thousand Baht and a daily fine of not exceeding one thousand Baht throughout the period of such failure to do so.

Section 37. Any person who fails to comply with Section 24 and Section 26 paragraph one shall be liable to a fine of not exceeding ten thousand Baht.
Section 38. Any person who obstructs or fails to facilitate, as may be reasonable, the work of the competent officer performing his duty under Section 30 shall be liable to a fine of not exceeding two thousand Baht.

Section 39. Any land excavator who fails to comply with Section 25 shall be liable to imprisonment of not exceeding one month or a fine of not exceeding five thousand Baht, or both.

Section 40. Any person who receives the local competent officer’s order to stop the land excavation or land filling work under Section 29 paragraph two, or Section 31 paragraph one or two, and fails to abide by such order shall be liable to imprisonment of not exceeding one year or a fine of not exceeding fifty thousand Baht, or both.

Section 41. Any person who receives the local competent officer’s order to provide protection against damage that may occur, or to rectify for the land excavation or land filling work under Section 29 paragraph two, or Section 31 paragraph one or two, and fails to abide by such order, shall be liable to a fine of not exceeding thirty thousand Baht and a daily fine of not exceeding five hundred Baht throughout the period of such failure to do so.

Section 42. For all of the offences committed under this Act, except Section 35 paragraph two, the local competent officer or a person appointed by the local competent officer shall have the power to settle the fine for the alleged offender. When the alleged offender has paid the penalty to the full amount of the settlement within thirty days, the offence shall be deemed settled according to the Criminal Procedure Code.

Section 43. In the case that a partnership, a limited company, or another juristic person commits an offence under this Act, the director, manager or any person who is responsible for such offence shall also be liable to penalties prescribed for such offence, unless it can be proved that such offence has been committed without his/her knowledge or consent.

Section 44. In the case that an offence is committed under this Act, it shall be deemed that the owner of the real property adjacent to or adjoining the land where the offence is committed, who has suffered damage from such offence, shall be an injured person under the Criminal Procedure Code.
Transitory Provisions

Section 45. Any person who carries out land excavation and land filling work in the manner for which the local competent officer has to be notified under this Act before the date that this Act comes into force in any locality, shall comply to Section 17 or Section 18, whichever the case may be, within fifteen days starting from their date this Act comes into force in that locality. When the provisions thereunder have been complied with, it shall be deemed that the person has already received the document of acknowledgement under this Act.

Countersigned:

Chaun Leekphai
Prime Minister

Note:- The reasons for the promulgation of this Act are as follows: At present land has been extensively excavated in order to use the unearthed soil for land filling at the residential construction sites or for other activities. However, such land excavation or land filling has not been carried out according to proper scientific methods and may pose danger to the property and safety of the general public. Therefore, it is deemed appropriate to enact a law governing land excavation and land filling to ensure that land excavation and land filling is carried out methodically in the municipalities, Bangkok Metropolitan City, City of Pattaya, local administration organizations established by specific laws that are prescribed by the Minister and published in the Royal Gazette, areas prescribed by a Royal Decree to be governed by the Building Control Act, the General Planning Area under the law governing town planning, and other localities as prescribed by the Minister of Interior. Therefore, it is necessary to enact this Act.
Fees and Costs

Fees
(1) Fee for document of acknowledgement of notification of land excavation or land filling
(2) Making a copy or photo-copying

Costs
(1) Transportation to inspect the land excavation or land filling site
(2) Allowance for travel on duty to inspect the land excavation or land filling site

2,000 Baht each
5 Baht per page
Payable as necessary and as paid
Payable to a person on such duty as necessary according to the Government regulations and based on the Government’s official rates.
Ministerial Regulations
Prescribing of the Form of the Competent Officer’s Identification Card
B.E. 2544

By virtue of Section 10 and Section 32 paragraph two of the Land Excavation and Land Filling Act B.E. 2543, the Minister of Interior hereby issues ministerial regulations as follows:

Item 1. The competent officer’s identification card shall be according to the form attached to these ministerial regulations.

Item 2. The competent officer’s identification card shall be issued by the local competent officer.

Item 3. The photograph to be affixed to the competent officer’s identification card shall have been taken not more than six months before the date of application for an identification card. The photograph shall be 2.5 x 3 square centimeters in size, of front view and without a hat.

Item 4. The competent officer’s identification card shall be valid as prescribed in the card but not exceeding five years as of the date of issue.

Given on the 22nd of November B.E. 2544

Police Captain Purachai Piamsomboon
Minister of Interior

Note: The reason for the promulgation of these ministerial regulations is as follows: Section 32 paragraph two of the Land Excavation and Land Filling Act B.E. 2543 provides that the competent officer’s identification card shall be made according to the form prescribed in the ministerial regulations. Therefore, it is necessary to issue these ministerial regulations.
Form of the Competent Officer’s Identification Card

Attached to the Ministerial Regulations Prescribing the Form of the Competent Officer’s Identification Card

B.E. 2544

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(Front)

(Garuda Seal)

Competent Officer’s Identification Card
Under the Land Excavation and Land Filling Act, B.E. 2543
In the Locality of: ..................
Date of Issue: ........../...../.....
Date of Expiry: ........../...../.....

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(Back)

Photo
2.5x3
cm²

No.: ........................................
Name: ........................................
Position: .................................
Organization: .............................
Being a Competent Officer under the Land Excavation and Land Filling Act, B.E. 2543

..............................
Position: .................................
Card Issuing Officer

Signature of Bearer

..............................
Seal of Local Government Agency.
Ministerial Regulation

Prescribing the Qualifications of the Supervisor for Land Excavation

Under the Law Governing Land Excavation and Land Filling

B.E. 2546

By virtue of Section 10 and Section 17 (6) of the Land Excavation and Land Filling Act B.E. 2543, which contains certain provisions that restrict individual rights and freedom granted by virtue of the provisions of law under Section 29 in conjunction with Sections 35, 48 and 50 of the Constitution of the Kingdom of Thailand, the Minister of Interior, therefore, issues a Ministerial Regulation, as follows:

A holder of a license to practice controlled engineering professions in the field of civil engineering under the law governing engineers shall be the supervisor for land excavation with the depth exceeding three meters from the ground level, or with the area at the top of the soil pit exceeding ten thousand square meters, or with the depth or area as proscribed in the local competent officer’s notification.

Given on the 26th of February B.E. 2546

Pramual Rujanaseri
Deputy Minister, acting on behalf of
Minister of Interior

Note: The reason for the promulgation of this Ministerial Regulation is as follows: Section 17 (6) of the Land Excavation and Land Filling Act B.E. 2543 provides that any person who wishes to carry out land excavation with the depth exceeding three meters from the ground level, or with the area at the top of the soil pit exceeding ten thousand square meters, or with the depth or area as prescribed in the local competent officer’s notification, shall notify the local competent officer thereof by using the form prescribed by the local competent officer, giving the name of the supervisor who has the required qualifications as prescribed in the Ministerial Regulations. Accordingly, it is deemed appropriate to prescribe the qualifications
of the supervisor for the said excavation work. Therefore, it is necessary to issue this ministerial regulation.
Ministerial Regulation

Prescription of Fees and Costs for Land Excavation and Land Filling

B.E. 2546

By virtue of Section 10, Section 17 paragraph five, and Section 26 paragraph four of the Land Excavation and Land Filling Act, B.E. 2543, which contains certain provisions that restrict individual rights and freedom granted by virtue of the provisions of law under Section 29 in conjunction with Sections 35, 48 and 50 of the Constitution of the Kingdom of Thailand, the Minister of Interior, therefore, issues Ministerial Regulations, as follows:

**Item 1.** The fees shall be fixed as follows:

1. Fee for document of acknowledgement of notification of land excavation or land filling: 500 Baht each
2. Making a copy or photo-copying: 1 Baht per page

**Item 2.** The costs shall be fixed as follows:

1. Transportation to inspect the land excavation or land filling site: Payable as necessary and as paid
2. Allowance for travel on duty to inspect the land excavation or land filling site: Payable to a person on such duty as necessary according to the Government regulations and based on the Government's official rates.

Given on 14th of October B.E. 2546

Pramual Rujanaseri
Deputy Minister, acting on behalf of
Minister of Interior
Note: The reason for the promulgation of this ministerial regulation is follows: Section 10, Section 17 paragraph five and Section 26 paragraph four of the Land Excavation and Land Filling Act B.E. 2543 provide that the Minister of Interior shall have the power to issue a ministerial regulation to prescribe the fees and costs in carrying out land excavation and land filling work. Therefore, it is necessary to issue this ministerial regulation.

Promulgated in the Royal Gazette, Volume 120, Section 111 Kor., dated 6th November 2003