

**Act on Offences Committed by Officials of State Organizations or Agencies,
B.E. 2502 (1959)**

Translation

BHUMIBOL ADULYADEJ, PR.

GIVEN UNDER OUR HAND THIS 25TH DAY OF AUGUST, B.E. 2502 (1959);

BEING THE 14TH YEAR OF OUR REIGN.

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

Whereas it is desirable to bring into existence a law on offences committed by officials of state organs or agencies;

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Constituent Assembly in her capacity as the National Assembly, as follows:

Section 1

This Act shall be cited as the "Act on Offences Committed by Officials of State Organizations or Agencies, B.E. 2502 (1959)".

Section 2

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

Section 3

In this Act:

"Official" means a chairperson, vice chairperson or member of a board of, or a person obliged to render any duty in an organ, limited company, partnership with legal personality or agency called otherwise the whole capital or more than fifty percent of the capital of which belongs to the State, who receives monthly salaries or other remuneration provided by such organ, limited company, partnership with legal personality or agency, but not including a person already being a public officer under any law.

Section 4

Any person who is an official in charge of the purchase, creation, administration or safekeeping of any property and, either for his own sake or for the sake of another, dishonestly appropriates such property or dishonestly allows another to take that property away, shall be liable to imprisonment from five years to twenty years or for life and a fine from two thousand Baht to forty thousand Baht.

Section 5

Any person who is an official and, in abuse of his official authority, importunes or encourages another to provide or obtain any property or benefit, either for his own sake or for the sake of a third person, shall be liable to imprisonment from five years to twenty years or for life and a fine from two thousand Baht to forty thousand Baht, or to death.

Section 6

Any person who is an official and, either for his own sake or for the sake of a third person, unlawfully solicits, accepts or promises to accept any property or benefit in exchange for the performance of or refrain from any act in his official capacity shall, whether such act is in breach of his official duty, be liable to imprisonment from five years to twenty years or for life and a fine from two thousand Baht to forty thousand Baht, or to death.

Section 7

Any person who is an official and performs or refrains from any act in his official capacity, in consideration for any property or benefit which he has solicited, accepted or promised to accept prior to assuming his office, shall be liable to imprisonment from five years to twenty years or for life and a fine from two thousand Baht to forty thousand Baht.

Section 8

Any person who is an official in charge of the purchase, creation, administration or safekeeping of any property and dishonestly exercises his official authority in a manner detrimental to his own organ, limited company, partnership with legal personality or agency called otherwise shall be liable to imprisonment from five years to twenty years or for life and a fine from two thousand Baht to forty thousand Baht.

Section 9

Any person who is an official in charge of the organization or control of any activity and exerts himself to share any interest with respect to such activity, either for his own sake or for the sake of another person who also partakes in the said activity, shall be liable to imprisonment from one year to ten years and a fine from two thousand Baht to twenty thousand Baht.

Section 10

Any person who is an official in charge of the disposal of any property and makes such disposal in excess of the authorized portion so as to enrich himself or another shall be liable to imprisonment from one year to ten years and a fine from two thousand Baht to twenty thousand Baht.

Section 11

Any person who is an official and unlawfully performs or refrains from his official duty so as to impair another, or dishonestly performs or refrains from his official duty, shall be liable to imprisonment from one year to ten years, or a fine from two thousand Baht to twenty thousand Baht or both.

Countersigned by:

Field Marshal S. THANARAT,

Prime Minister.

Remarks:

The grounds for promulgation of this Act are as follows:

Since the State has invested its monies and efforts to establish several organs and agencies called otherwise and, in many cases, the State also holds certain shares in several limited companies and partnerships with legal personality for economic purposes, the said monies and shares could be regarded as national property. However, such organs, limited companies, partnerships with legal personality and organs are not strictly obliged to

abide by the official norms. It is necessary control and secure the serious penalties of their officials, unless their activities would be pointless and the State would be exposed to gross injury. It is therefore expedient to bring into existence a criminal law governing the officials of the state organs or agencies.

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