

## NATIONAL PARK ACT, B.E. 2504 (1961)

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BHUMIBOL ADULYADEJ, REX.

Given on the 22nd Day of September B.E. 2504 (1961);

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 law on national park;

Be it, therefore, enacted by the King, by and with the advice and consent of the Constituent Assembly in the capacity of 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.\*

**Section 3.** All laws, rules and other regulations in so far as they have been provided in this Act, or are contrary to or inconsistent with the provisions of this Act, shall be replaced by this Act.

**Section 4.** In this Act:

(1) “Land” means land including mountain, rivulet, marsh, canal, swamp, waterway, lagoon, island, and sea shore;

(2) “National Park” means land determined to be national park under the provisions of this Act;

(3) “Timber” includes all species of plant; whether having trunk or growing in cluster or creeping, as well as any part of plant;

(4) “Animal” means all species of animal as well as any part of animal, any object made by animal, and animal made object;

(5) “Competent Officer” means a person appointed by the Minister for an execution of this Act;

(6) “Director-General” means Director-General of the Department of National Park, Wildlife and Timber;

(7) “Minister” means Minister having charge and control for the execution of this Act.

**Section 5.** The Minister of National Resources and Environment shall have charge and control for the execution of this Act, and shall have power to appoint competent officer and issue Ministerial Regulation for an execution of this Act.

Such Ministerial Regulation shall come into force upon its publication in the Government Gazette.

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\*This Act is published in the Government Gazette Vol. 80, Page 1071, October 3, 1961.

## CHAPTER I NATIONAL PARK DETERMINATION

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**Section 6.** The government may, if it is appropriate to reserve land with natural condition for the purpose of public research and recreation, issue a Royal Decree determining such land to be a national park. Map identifying boundary of each national park shall be made and annexed to such Royal Decree.

Land determined to be a national park shall not be under ownership to, or in legal possession of, other person except for government agency.

**Section 7.** An extension or cancellation of boundary of a national park, wholly or partly, shall be made by a Royal Decree. Except for a cancellation of the whole national park, map identify changing boundary of a national park shall be made and annexed to such Royal Decree.

**Section 8.** The competent officer shall have a duty to provide necessary landmark and sign post or other signal expressing national park's boundary to public.

## CHAPTER II NATIONAL PARK COMMITTEE

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**Section 9.** There shall be a committee called "National Park Committee" consisting of Permanent-Secretary of the Ministry of Natural Resources and Environment as Chairperson, Director-General of the Department of National Park, Wildlife and Timber, representative of the Ministry of Interior, representative of the Department of Land, and not more than eleven members appointed by the Council of Ministers.

**Section 10.** A member appointed by the Council of Ministers holds office for a term of two years.

A member who vacates from office may be reappointed.

**Section 11.** Apart from vacating office under Section 10, a member vacates office upon:

- (1) Death;
- (2) Resignation;
- (3) Being dismissed by the Council of Ministers;
- (4) Being incompetent or quasi-incompetent;
- (5) Having been sentenced by a final judgment of the Court to a term of imprisonment, except for an offence committed through negligence or a petty offence.

In the case where a member vacates from office before term, the Council of Ministers may appoint another person to replace him or her.

A person appointed under the foregoing paragraph shall remain in office for an unexpired term of office of the member he or she replaces.

**Section 12.** In the case where the Chairperson is unable to attend a meeting, or is unable to perform his or her duty, the member shall select one among themselves to preside over at a meeting.

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A decision shall be made by a majority of votes.

In casting votes, each member shall have one vote. In case of an equality of votes, a person who presides over at a meeting shall cast an additional vote as a casting vote.

**Section 13.** At a meeting of the Committee, not less than half of a total number of its members must be presented to constitute a quorum.

**Section 14.** The Committee may appoint a sub-committee for consideration or execution any matter entrusted by the Committee.

**Section 15.** The Committee shall have a duty to give recommendation to the Minister in the following matters:

- (1) Determining land to be national park and extending or canceling a national park;
- (2) Protecting and conserving a national park;
- (3) Other matter as requested by the Minister.

### CHAPTER III PROTECTION AND CONSERVATION OF NATIONAL PARK

**Section 16.** Within the national park, no person shall:

- (1) Hold or possess land, including construct, destruct or burn forest;
- (2) Collect, find-out, take away, do any matter what so ever with purport to harm or decay timber, timber-gum, gum-turpentine, turpentine oil, mineral resources or other natural resources;
- (3) Take away or do any matter what so ever with purport to harm animal;
- (4) Do any matter what so ever with purport to harm or decay soil, stone, pebble, or sand;
- (5) Alter waterway or decrease water in waterway, rivulet, marsh, canal, swamp;
- (6) Close or obstruct water or land transportation way;
- (7) Collect, find-out, take away, doing any matter what so ever with purport to harm or decay orchid, honey, shellac, wood-charcoal, wood-bark, or bat dropping;
- (8) Collect or do any matter what so ever with purport to harm flower, leaf, or fruit;
- (9) Take vehicle in or out, or drive vehicle outside designated transportation way, without permission of competent officer;
- (10) Take off or land aircraft outside designated area without permission of competent officer;
- (11) Take or let livestock therein;
- (12) Take pet or beast of burden in without permission of competent officer;
- (13) Take advantage from land without permission of competent officer;
- (14) Affix notification, advertisement or otherwise therein;
- (15) Take any equipment for animal hunting or catching or any weapon therein without permission of, and comply with condition specified by, competent officer;
- (16) Shoot the gun, make explosion of any explosive, or fire any firework;
- (17) Make a loud noise or nuisance to any person or animal;
- (18) Lit garbage or any other thing outside designated area;
- (19) Leave inflammable material which may cause fire.

**Section 17.** No person shall move, blur, damage, or make useless of landmark, sign post or other signal material provided by competence officer under this Act.

**Section 18.** A person who enters into a national park shall comply with an order of competence officer made under Director-General's regulation which is approved by the Minister.

**Section 19.** The provision of Section 16 and Section 17 shall not apply to competence officer who act in compliance with Director-General's regulation which is approved by the Minister for the purpose of protection and conservation of national park, making technical research, facilitating tourist or dwelling, or making security or delivering knowledge to people.

**Section 20.** In suppression of a person who violates any provision of this Act, competence officer shall be deemed to be administrative officer or police under the Criminal Procedure Code.

**Section 21.** A competence officer shall have the power to order a person who violates a provision of Section 16 to leave or omit doing something in a national park.

**Section 22.** If any violation of the provision of this Act causes a new building or any other object that change national park's condition, a competence officer shall have the power to order a person who make such violation to destroy or demolish such building or object from a national park, or to rehabilitate a condition of a national park, as the case may be. In the case where a person who make such violation does not comply with such order or is not found, or for the protection to, or relief damage of, a national park, a competence officer shall act as aforesaid as he or she thinks fit. In this regards, a person who make such violation shall be responsible for all expenses caused in action of a competence officer.

#### CHAPTER IV MISCELLANEOUS

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**Section 23.** The Director-General shall have a power to impose, with approval of the Minister, rate and regulation on collection of service charge, fee or other allowance upon service or facility or permission to do business or living in the national park.

Money collected under paragraph one, donation, fine under Section 28, and other income shall be exempted from any tax and duty and shall be paid for conservation of a national park under rule and procedure prescribed by the Director-General with approval of the Minister.

#### CHAPTER V PENALTY

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**Section 24.** Any person who violates Section 16 (1) (2) (3) (4) or (5) shall be liable to imprisonment for a term of not exceeding five years, or to a fine for not exceeding twenty thousands Baht, or to both.

**Section 25.** Any person who violates Section 16 (6) (7) (9) (10) or (11), Section 17 or Section 18 shall be liable to imprisonment for a term of not exceeding one month, or to a fine for not exceeding one thousand Baht, or to both.

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**Section 26.** Any person who violates Section 16 (2) (3) (4) or (7), if it appears that price of animal or property kept or brought out is minimal or it causes minimal damage, shall be liable to a fine for not exceeding five hundreds 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 for not exceeding five hundreds Baht.

**Section 28.** An offense under Section 25, Section 26 and Section 27 shall be settled by competence officer.

**Section 29.** All weapons, equipments, and vehicles in which a person employed in destruction or burning of forest under Section 16 (1), making harm or decaying timber under Section 16 (2), making harm to animal under Section 16 (3), or making harm or decaying soil, stone, pebble, or sand under Section 16 (4) shall be forfeited irrespective of whether it belong to the accused or there is a convict under judgment of the court.

#### TRANSITORY PROVISION

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**Section 30.** A concession and logging license or a license for collecting forest product under the law on forest, a license to live in, or utilize of, land in restricted or reserved forest under the law on forest protection and conservation, a slaughter license, lease and permission under the law on mineral resources, and a concession under the Land Code granted to any person before an effective date of the Royal Decree enacted under Section 6 shall be in effect through out a period of such concession, slaughter license, lease and permission.

Countersigned by  
Field Marshal S. Dhanarajata  
Prime Minister