

Tentative Translation<sup>1</sup>

Commodities Hoarding Survey Act B.E. 2497 (1954)

BHUMIBOL ADULYADEJ, REX.

Given on the 10<sup>th</sup> of February B.E. 2497;

Being the 9<sup>th</sup> Year of the Present Reign

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

Whereas it is appropriate to have a law concerning commodities hoarding survey

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

**Section 1** This Act is called the “Commodities Hoarding Survey Act B.E. 2497.”

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

**Section 3** In this Act,

“commodities” means consumer goods and includes articles as specified by Ministerial Regulations issued under this Act;

“hoarding” means having commodities more than the necessary amount for personal usage and failing to distribute the commodities through regular commercial channels;

“Committee” means the Commodities Hoarding Survey Committee and the Local Committee;

“competent official” means a person appointed by the Committee under this Act;

“Minister” means the Minister in charge of this Act.

**Section 4** There shall be a Commodities Hoarding Survey Committee, consisting of the Minister of Interior as the Chairperson and no less than eight other persons appointed by the Cabinet as committee members. This Committee shall have Jurisdiction throughout the Kingdom.

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<sup>1</sup> Translated by Kullapat Taweekul, Legal Affairs Section, Investigation and Legal Affairs Bureau, Department of Provincial Administration

<sup>2</sup> Published in the Government Gazette, Vol 71, Part 14, Page 277, dated 23 February 1954

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**Section 5** There shall be a Commodities Hoarding Survey Committee at the local level called “Local Committee” as follows;

(1) For the locality where has attained municipal status, the Local Committee shall consist of the Provincial Governor or the Mayor appointed by the Minister as the Chairperson and no less than four other persons appointed by the Chairperson under the approval of the Minister as committee members.

(2) For the locality where has not attained municipal status, the Local Committee shall consist of the Provincial Governor as the Chairperson and no less than four other persons appointed by the Provincial Governor under the approval of the Minister as committee members.

The Local Committee shall have the power under this Act within its local administrative area and perform duties under the orders of the Commodities Hoarding Survey Committee.

**Section 6** The Committee shall have the power to appoint any person or any group of persons as the competent official to possess the powers and perform the duties, either entirely or partially in any area, on behalf of the Committee.

**Section 7** The Committee and the competent official shall be an officer under the Penal Code.

**Section 8** If deemed appropriate to survey the hoarding of commodities in any area, there shall be a Royal Decree to designate such area as an Area for Commodities Hoarding Survey.

**Section 9** In the Area for Commodities Hoarding Survey, the Committee shall have the following powers;

(1) to issue an inquiry letter to any person to provide facts related to commodities which the Committee determines to survey commodities hoarding and to order or give approval for the competent official to order any person to provide statements related to the commodities hoarding survey.

(2) to issue a notification to an owner or a person having commodities in possession, which the Committee determines to survey commodities hoarding, to declare the quantity and place of storage and prohibit the movement or modification of the conditions of such commodities, unless they have received a letter of permission from the Committee. The notification shall be publicised at the Provincial Hall, Municipal Office or other community areas, where the Committee deems appropriate.

(3) to enter or order the competent official to enter a place or dwelling place of any person which the Committee determines to survey commodities hoarding, receipt of sales and exchange, sales records, and any other documents related to those commodities between sunrise and sunset.

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In this regard, the owner or person who possesses that place or dwelling place shall facilitate the Committee or the competent official as necessary.

(4) to order or give approval for the competent official to order an owner or a person having commodities in possession which the Committee found hoarding to sell those commodities to any person or to the Committee in accordance with the procedure, price, and quantity prescribed by the Committee; or to order the competent official to seize and compulsory purchase those commodities in the case where the owner or possessor fails to observe the Committee's order, in accordance with the procedure, price and quantity prescribed by the Committee; and to have the power to prescribe timeframe, conditions of payment, and delivery of such commodities.

In case of the absence of the owner or the person having commodities in possession, the Committee shall have the power to post an order, prescribed in the preceding paragraph; at the place of commodities storage or the carriage vehicle of commodities. Upon the lapse of seventy-two hours from the time of displaying such post, if the owner or the person having commodities in possession fails to observe such order, the Committee shall have the power to seize and compulsory purchase those commodities as prescribed in the preceding paragraph.

Commodities that are owned by the government or government entities are exempted from the obligations under this section.

**Section 10** Whosoever refuses to provide the facts under section 9 (1) or violates the Committee's or the competent official's orders or notifications under section 9 (1), (2), or (4) shall be liable to a fine not exceeding ten thousand baht or to imprisonment for a term not exceeding one year or both.

**Section 11** Whosoever obstructs the Committee or the competent official to perform its duty or fails to facilitate under section 9 (3) shall be liable to a fine not exceeding ten thousand baht or to imprisonment for a term not exceeding six months or to both

**Section 12** Whosoever provides false statements to the Committee or the competent official under section 9 (1) or provides false statements related to the quantity or place of commodities storage under section 9 (2) shall be liable to a fine not exceeding ten thousand baht or to imprisonment for a term not exceeding two years or both.

**Section 13** The Minister of Interior shall be in charge of this Act and shall have the power to issue Ministerial Regulations for the execution of this Act.

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

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Countersigned by:  
Field Marshall P. Phibunsongkram  
Prime Minister

Annotation;- the reason for the promulgation of this Act is that it has appeared that several merchants have hoarded commodities causing the shortage and soaring price of commodities in the market, before selling those commodities. Such action is unjust to the society. It is deemed appropriate to establish the Commodity Hoarding Survey Committee to survey the hoarding of commodities and force the hoarders to sell those commodities to the public. Therefore, it is necessary to enact this law.

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