

**HAJJ AFFAIRS PROMOTION ACT,  
B.E. 2524 (1981)<sup>\*1</sup>**

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BHUMIBOL ADULYADEJ, REX.

Given on the 22<sup>nd</sup> Day of July, B.E. 2524;  
Being the 36<sup>th</sup> Year of the Present Reign.

His Majesty the King is graciously please to proclaim that:

Whereas it is expedient to have a law on promotion of *Hajj* affairs;

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 “*Hajj* Affairs Promotion Act, B.E. 2524 (1981)”.

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

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\* As last amended by the Promotion of *Hajj* Affairs Act (No.2), B.E. 2532 (1989).

<sup>1</sup> Translated by Mr. Tohpong Smiti under contract for the Office of the Council of State of Thailand's Law for ASEAN project.- Initial version- pending review and approval.

<sup>2</sup> Published in the Government Gazette, Vol. 99, Part 18, Page 23, dated 9<sup>th</sup> February B.E. 2525.

**Section 3.** The Annoucement of the Revolutionary Council No. 111, dated 3<sup>rd</sup> April B.E. 2515 (1972) shall be repealed.

All other laws, regulations, rules and by-laws in so far as they have already been provided herein or are contary to or inconsistent with the provisions of this Act shall be replaced by this Act.

**Section 4.** In this Act:

“ *Hajj affairs*” means any activity concerning a pilgrimage of Thai Muslims to perform the ritual of *Hajj* at Mecca, Saudi Arabia, including provision of facilitation or safety services before the pilgrimage, during the pilgrimage, during performance of *Hajj* ritual or the travel back to the domicile, including activities related thereto as prescribed by the Committee;

“ *Amirul Hajj*” or “*Ra-Is BisatulhajAr-Rasamiyah*” (head of the official *Hajj* delegation)<sup>3</sup> means a person performing duties of being the head of the official *Hajj* delegation of Thailand who leads Thai Muslims to perform the ritual of *Hajj* at Mecca, Saudi Arabia;

“provision of transportation service” means providing transportation or gathering persons and belongings in providing transportation by any vehicle from one place to another in *Hajj* affairs;

“Committee” means the *Hajj* Affairs Promotion Committee of Thailand;

“Secretary-General” menasi the Secretary-General of the *Hajj* Affairs Promotion Committee of Thailand.

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<sup>3</sup>The definition of the term “*Amirul Hajj*” or “*Ra-Is BisatulhajAr-Rasamiyah*” (head of the official *Hajj* delegation) is added by the *Hajj* Affairs Promotion Act (No.2), B.E. 2532 (1989).

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**Section 4 bis.**<sup>4</sup> The *Sheikhul Islam* shall be the *Amirul Hajjor Ra-Is BisatulhajAr-Rasamiyah*(head of the official *Hajj* delegation). In a year where the *Sheikhul Islam* does not wish to travel as the *Amirul Hajjor Ra-Is BisatulhajAr-Rasamiyah*(head of the official *Hajj* delegation), the Central Islamic Council of Thailand shall consider and select three persons deemed suitable to be the *Amirul Hajj* or *Ra-Is BisatulhajAr-Rasamiyah*(head of the official *Hajj* delegation) for the *Sheikhul Islam* to submit their names to the Council of Ministers for considering, selecting and appointing one amongst them to be the *Amirul Hajj* or *Ra-Is BisatulhajAr-Rasamiyah*(head of the official *Hajj* delegation).

**Section 4 ter.**<sup>5</sup> The *Amirul Hajjor Ra-Is BisatulhajAr-Rasamiyah*(head of the official *Hajj* delegation) shall have the powers and duties as follows:

(1) to be the head of the official *Hajj* delegation of Thailand to lead Thai Muslims to carry out activities necessary to be done in connection with the performance of ritual of *Hajj* in Saudi Arabia;

(2) to be a person who controls, supervises and facilitates the Thai Muslims travelling to perform the ritual of *Hajj*;

(3) to be the coordinator for the performance of works of a group of officials of relevant State agencies which travels to Saudi Arabia for the purpose of *Hajj* affairs;

(4) to provide consultation to the Committee;

(5) to perform any other act as prescribed in ministerial regulations.

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<sup>4</sup>Section 4 *bis* is added by the *Hajj* Affairs Promotion Act (No.2), B.E. 2532 (1989).

<sup>5</sup>Section 4 *ter* is added by the *Hajj* Affairs Promotion Act (No.2), B.E. 2532 (1989).

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**Section 5.** Permission from the Committee must be obtained for the following activities:

- (1) provision of transportation service;
- (2) provision of other services pertaining to *Hajj* affairs as prescribed by the Committee and published in the Government Gazette;
- (3) advertisement or any other act with the characteristics of persuasion to use or accept the services under (1) or (2) which is done for the purpose of seeking business benefits for himself or herself or for other person, where the person doing the act is not an agent or a staff of the person granted permission to do the activities under (1) and (2).

The permission of the Committee shall be in accordance with the rules, procedures and conditions prescribed in a ministerial regulation.

**Section 6.** There shall be a committee called the “*Hajj* Affairs Promotion Committee of Thailand” consisting of the Minister of Culture as the Chairperson, the Permanent Secretary for Culture as the Deputy-Chairperson, the Permanent Secretary for Transport, the Permanent Secretary for Internal Affairs, a representative from the Ministry of Foreign Affairs, a representative from the Ministry of Public Health, a representative from the Department of Provincial Administration, a representative from the Royal Thai Police Headquarters, a representative from the Office of the Permanent Secretary for Social Development and Human Security, a representative from the National Intelligence Agency, a representative from the Office of the National Security Council, a representative from the Central Islamic Council of Thailand and not exceeding four other qualified members appointed by the Council of Ministers as members.

The Secretary-General shall be a member and secretary.

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**Section 7.** The qualified members shall be in office for a term of two years.

A member who vacates office may be reappointed.

**Section 8.** A qualified member vacates office before the expiration of the term upon:

- (1) death;
- (2) resignation;
- (3) being dismissed by the Council of Ministers.

In the case where there is an appointment of a member of the Committee during the time in which the members already appointed are in office, irrespective of whether it is an appointment of an addition of a member or an appointment to fill a vacancy, the person appointed shall be in office for an unexpired term of office of the members already appointed.

**Section 9.** At a meeting of the Committee, the presence of not less than one-half of members is required to constitute a quorum.

A decision of the meeting shall be made by a majority of votes. In casting a vote, each member shall have one vote. In the case of an equality of votes, the presiding member shall have an additional vote as the casting vote.

**Section 10.** At a meeting of the Committee, if the Chairperson is not present at the meeting or is unable to perform the duties, the Vice-Chairperson shall preside over the meeting; if the Chairperson and the Vice-Chairperson is not present at the meeting or is unable to perform the duties, the members present shall elect one among themselves to preside over the meeting.

**Section 11.** The Committee shall have the duties as follows:

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(1) to prescribe any rule, regulation, condition or measure to lay down practices for providing protection to persons wishing to travel to perform the ritual of *Hajj* and providing assistance, safety and securities thereto;

(2) to prescribe any rule, regulation, condition or measure in controlling the activities for which a permission must be obtained under section 5;

(3) to perform any other act within the scope of *Hajj* affairs as provided by this Act or as authorised by other law.

Rules, regulations, conditions or measures under (2) shall come into force upon their publication in the Government Gazette.

**Section 12.** The Committee shall have the power to appoint a sub-committee to perform any act within the scope of *Hajj* affairs as entrusted by the Committee.

**Section 13.** Section 9 and section 10 shall apply to the meeting of a sub-committee *mutatis mutandis*.

**Section 14.** The Director-General of the Department of Religious Affairs shall be the *ex officio* Secretary-General; the Department of Religious Affairs shall perform the duties of Secretariat of the *Hajj* Affairs Promotion Committee of Thailand, having the powers and duties as follows:

(1) to implement a resolution of the Committee or to perform an act as entrusted by the Committee;

(2) to perform the duty as a centre for coordinating with the relevant agencies on matters related to *Hajj* affairs promotion;

(3) to perform any other act as prescribed by this Act, including to act to

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ensure the compliance with ministerial regulations issued under this Act and with rules and regulations of the Committee;

(4) to perform secretarial work of the Committee.

**Section 15.** Any person who fails to comply with section 5 (1) or (2) shall be liable to imprisonment for a term not exceeding five years or to a fine of not exceeding one hundred thousand baht, or to both.

**Section 16.** Any person who fails to comply with section 5 (3) shall be liable to imprisonment for a term not exceeding three years or to a fine of not exceeding sixty thousand baht, or to both.

**Section 17.** Any person who contravenes or fails to comply with any rule, regulation, condition or measure issued under section 11 (2) shall be liable to a fine of not exceeding one hundred thousand baht.

**Section 18.** In the case where the offender liable under this Act is a juristic person, the representative of such juristic person shall also be deemed offender and liable for the punishment as imposed upon such juristic person, except where such person can prove that he or she does not connive at the commission of such offence, or has already taken reasonable steps in preventing such offence.

**Section 19.** The Minister of Culture shall have charge and control of the execution of this Act, and shall have the power to issue ministerial regulations for the execution of this Act.

Such ministerial regulations shall come into force upon their publication in the Government Gazette.

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Countersigned by:

General PremTinsulananda

Prime Minister

*Office of the Council of State*

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