

Provincial administration Act B.E. 2457 (1914)

By Royal Command of Phrabat Somdet Phra Poramenthra Maha Mongkut Phra Chom Klao Chao Yu Hua, it is publicly declared that the Provincial administration Act was enacted in B.E. 2440 (1897) during the Reign of His Majesty's father, Phrabat Somdet Phra Poraminthra Maha Chulalongkorn Phra Chunla Chom Klao Chao Yu Hua, and the aforementioned Act has been used as an administration method for provinces outside Bangkok throughout the Kingdom until the present time. Other Acts related to civil administration that have been subsequently enacted also rely on this Provincial Administration Act as a guiding principle, therefore, the Provincial Administration Act is deemed to be an important Act for the administration of the Kingdom.

Since the enactment of the Provincial Administration Act in B.E. 2440 (1897), several changes have been made to the administrative methods of the Kingdom, hence, His Majesty has deemed it appropriate to amend the Provincial Administration Act in line with the methods of the current administration and is graciously pleased to amend the old Provincial Administration Act Rattanskosin Era 116. However, the original Act shall remain in effect where it suits the localities; and if the administration method is outdated for certain localities, the original Act shall be amended in time for the Act to be compiled and enacted as follows:

Chapter 1

Titles and Applicability of the Act

Section 1 This Act is called the "Provincial Administration Act B.E. 2457 (1914).

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Section 2 This Act shall come into effect in all provinces, except the inner parts of Bangkok; once this Act comes into effect, the Provincial Administration Act Rattanakosin Era 116 shall be repealed and replaced by this Act.

Section 3 Any provisions made in previous Royal Decrees and laws that are contrary to this Act shall be repealed beginning from the day that this Act comes into effect.

Section 4 The authority and function of intendants stipulated in this Act shall be as follows: in Bangkok, the authority and function shall rest with the Minister of the Ministry of Metropolis or the senior officials of the Ministry of Metropolis. The Minister of Metropolis shall be empowered to have the specific authority and function as prescribed in the following parts of this Act; if it is provided in this Act that the governor shall act upon authorization of the minister, this shall not apply to Bangkok because the duties of the governor and the minister shall be included in the position of Minister of the Ministry of Metropolis.

Section 5 The ministers in charge of provincial administration shall be empowered to enact rules and regulations for the implementation of this Act. If said rules are granted royal permission and published in the government gazette, the said rules shall be deemed part of this Act.

Section 6 In prescribing village and Sub-district areas in any province, the governor of that province shall be empowered to prescribe for said areas upon approval of the intendant and the district areas shall be prescribed for by the intendant upon approval by the Minister of Interior. Therefore, the Minister of Metropolis shall have absolute power to prescribe for areas in Bangkok.

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Chapter 2
Explanation of terms used in this Act

Section 7 The terms house and householder stipulated in this Act shall be understood as follows:

Clause 1 The term house means a single house or several houses situated in an area owned independently by an owner and shall be deemed in this Act as one house, shop house and floating house or vendor vessel which is regularly parked at a location. If there is an owner or tenant who possesses one shop house, house, vessel or group of vessels by said owner or possessor, it shall be deemed as one house as well.

Clause 2 The term householder means a person who is the head of the house as mentioned in the previous clause, whether possessing the house as an owner or tenant or lawful inhabitant, they shall be deemed a householder in this Act.

Clause 3 Temples, hospitals, military barracks, schools, prisons, post offices, railway stations and different government locations under the administration of the head of said locations shall not be deemed as a house in this Act.

Chapter 3
Village Administration

Part 1
Village Establishment

Section 8 In a locality where several houses are situated and should be considered under the same administration, the characteristic of a village shall be prescribed by taking into consideration the convenience of administration as follows:

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Clause 1 If there are many people living together, even if the number of houses is low, a number of approximately 200 people shall be deemed a village.

Clause 2 If houses are situated far apart, even if the number of people is low, if the number of houses is not less than five, it may be established as a village.

Part 2

Appointment of Village Headman and Assistant Village Headman

Resignation of Village Headman and Assistant Village Headman

Section 9 In each village there shall be a Village Headman and an Assistant Village Headman in the administration, except if it is necessary to have more than two persons for one village, then authorization may be sought from the Minister of Interior.

One Assistant Village Headman, or more, for security maintenance in any village may be established as deemed appropriate by the Minister of Interior.

Village Headmen shall earn a salary, but not from the salary budget, and the Assistant Village Headman for security maintenance and the Assistant Village Headman for administration may earn compensation as prescribed by the Minister of Interior.

Section 10 Village Headmen shall be empowered with administrative power over the civilians in village areas.

Section 11 Civilians who are entitled to elect a Village Head must possess the following qualifications and not fall under any of the following prohibitions:

(1) having Thai nationality and no younger than eighteen years of age on 1 January of the election year;

(2) not being a Buddhist priest, novice, monk or clergy;

(3) not being of unsound mind or mental infirmity;

(4) having a regular domicile or residence and having his or her name registered on a house registration pursuant to the law on civil registration in said village for no less than three months from the election day.

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Section 12 Persons who are eligible to be elected as Village Headman must possess the following qualifications and not fall under any of the following prohibitions:

- (1) having Thai nationality by birth;
- (2) being no younger than twenty-five years of age on the election day;
- (3) having a regular domicile or residence and having his or her name registered on a house registration pursuant to the law on civil registration in said village for no less than two years from the election day.
- (4) having sincere belief in the constitutional ruling system;
- (5) not being a Buddhist priest, novice, monk or clergy;
- (6) not being disabled to the extent of not being to perform his or her duty, not being of unsound mind or mental infirmity, not addicted to narcotics or having any disease as prescribed by the Notification of the Minister of Interior published in the Government Gazette;
- (7) not being a member of parliament, member of a local assembly or local administrator, political official, permanent official, competent official, official, or employee of any government agency or state enterprise or provincial administration organization, employee of a government sector or employee of a private entity having a regular job;
- (8) not being an influential figure or infamous for bullying , dishonesty or being immoral;
- (9) not having been removed, discharged or dismissed from any government service, government agency, state enterprise or provincial administration organization because of malfeasance less than ten years since the day of removal, discharge or dismissal.
- (10) not being sentenced by a final judgment to imprisonment, except for an offence committed through negligence or a petty offence, and being discharged from the punishment less than ten years before;
- (11) not being sentenced by a final judgment for commission of an offence related to the laws on forests, laws on national reserved forests, laws on wildlife conservation and protection, laws on national parks, law on customs; laws on firearms, ammunition, explosives, fireworks or equivalent to firearms for an offence related to firearms, ammunition or explosives that a license cannot be issued by the registrar; laws on land for an offence related to public property;

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laws on narcotic drugs, laws on elections and laws on gambling for an offence related to being a dealer or keeping a gambling house;

(12) not being removed from a position pursuant to Section 14(6) or (7) and being removed no less than ten years from the day of removal;

(13) not being punished by removal, discharge or dismissal from the position of Village Headman, Sub-district Medical Practitioner or Assistant Village Headman pursuant to the law on civil service and being removed, discharged or dismissed no less than ten years from the day of removal, discharge or dismissal;

(14) having a level of education no lower than compulsory education or the equivalent of compulsory education set by the Ministry of Education, except in localities where persons with the required level of education are not available, the governor may issue a notification to exempt or relax said requirements by publishing in the government gazette upon approval from the Minister of Interior.

(15) Not being a person who lost his right by failing to exercise his or her election rights or whose election rights have been revoked.

Section 13 The election of Village Headmen must be carried out confidentially, justly and in good faith pursuant to the criteria and methods prescribed by the Minister of Interior as published in the Government Gazette.

For the benefit of the election of Village Headmen, there shall be one committee appointed by the District Chief Officer comprising no more than three government officials and no less than four and no more than seven civilians who are eligible to elect a Village Headman in the village and who are respected by the civilians in the village to perform the duty of inspecting the qualifications and limitations of Village Headman candidates.

The appointment of a committee, the selection of a committee president and the inspection method shall be pursuant to the regulations and methods prescribed by the Minister of Interior as published in the Government Gazette.

When the majority of civilians have elected someone as a Village Headman, the District Chief Officer shall issue an appointment order and said person shall be the Village Headman from the appointment date. If the elected persons have an equal number of votes, lots shall be drawn. After the District

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Chief Officer has appointed a Village Headman, he or she shall report to the Governor in order to issue a document as evidence.

If there is an objection that the person pursuant to paragraph four was elected dishonestly and unjustly, the District Chief Officer shall investigate and if the result of the investigation is in accordance with the objection, he or she shall report to the Governor and the Governor shall remove the elected person within ninety days from the day that the District Chief Officer issued the appointment order.

The removal of a person from the position of Village Headman pursuant to paragraph five shall not affect any of the acts performed by the Village Headman while he or she held the position.

Section 14 A Village Headman shall vacate the office for any of the following reasons:

- (1) being sixty years of age;
- (2) lacking qualifications or falling under prohibitions pursuant to Section 12, except by the granted permission of the Governor for ordination or to enter the priesthood according to the tradition which shall not be deemed to possess the prohibition pursuant to Section 12 (5);
- (3) death;
- (4) granted permission from the District Chief Officer to resign;
- (5) the village being administered is dissolved;
- (6) when more than half of the civilians who possess qualifications and do not fall under any of the prohibitions pursuant to Section 11 submit a petition for removal, the District Chief Officer shall order the Village Headman to be removed from the position;
- (7) the Governor orders removal from the position upon receiving an investigation report from the District Chief Officer that the Village Headman is conducting himself or herself in a manner that is not befitting the position or of being deficient in his or her work;
- (8) being away from the village he or she administers for more than three consecutive months, except when there are reasonable grounds and with granted permission from the District Chief Officer;

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(9) being absent from the monthly meeting of the Sub-district Headman, convened by the District Chief Officer on three consecutive occasions without reasonable grounds;

(10) being dismissed or expelled from the position for a gross breach of discipline;

(11) failing to pass the performance assessment conducted at least every five years from the appointment date, pursuant to the criteria and methods prescribed by the Minister of Interior as published in the Government Gazette. If the Village Headman vacates the office pursuant to (6), the District Chief Officer shall report to the Governor without delay.

The criteria and methods prescribed by the Minister of Interior pursuant to (11) must also include the participation of the civilians in the village in assessing the performance of the Village Headman as well.

Section 15 The local Village Headman and Sub-district Headman shall jointly select civilians who possess the qualifications pursuant to Section 16 to act as Assistant Village Headman for Administration and Assistant Village Headman for Peace Keeping.

Section 16 Persons who are eligible for selection as an Assistant Village Headman for Administration or Assistant Village Headman for Peace Keeping shall possess qualifications and not fall under any of the prohibitions pursuant to Section 12.

Section 17 When a person is selected as an Assistant Village Headman for Administration or Assistant Village Headman for Peace Keeping, the Sub-district Headman shall report to the District Chief Officer in order to issue a document as evidence. Said person shall be deemed the Assistant Village Headman for Administration or Assistant Village Headman for Peace from the day that the document is issued by the District Chief Officer.

Section 17 *bis* If any village has an Assistant Village Headman for Peace Keeping, the Governor may appoint the Assistant Village Headman for Administration to additionally be in the position of Peace Keeping and compensation shall be as prescribed by the Minister of Interior.

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Section 18 The Assistant Village Headman for Administration and the Assistant Village Headman for Peace Keeping shall hold the position for a term of five years.

Other than vacating the position when the term expires, the Assistant Village Headman for Administration and Assistant Village Headman for Peace Keeping must vacate the position due to a lack of qualifications or for falling under the prohibitions pursuant to Section 12 or for the same reasons that the Village Headman must vacate the office pursuant to Section 14 (2) to (7.)

A person selected pursuant to paragraph three shall hold the position according to the term of the person whom he or she replaces.

When the Village Headman must vacate the office for whatever reason, the Assistant Village Headman for Administration and Assistant Village Headman for Peace Keeping must vacate their offices as well.

Section 19 A Village Headman may be re-elected in one of the following cases:

(1) If a village has an increase in the population of civilians for whatever reason and the Sub-district Headman and Village Headman in said Sub-district have consulted and conclude that the number of civilians exceeds the capacity of the Village Headman to administer the village peacefully, then the Sub-district Headman shall report to the District Chief Officer to consider and propose his opinion to the Governor. If the Governor deems it appropriate, he may authorize the establishment of a new village and elect an additional Village Headman.

(2) If there is a vacancy for a Village Headman in any village, a Village Headman shall be elected within thirty days from the day of said vacancy.

In case of necessity and an election cannot be held within the prescribed time pursuant to (2), the Governor shall extend the time as necessary and during the time that the election for Village Headman has not been held, the Governor may appoint one of the Village Headmen in that Sub-district to act as the Village Headman or appoint a person who possesses qualifications and does not fall under any of the prohibitions pursuant to Section 12 to act as the Village Headman until the election is held.

Section 20 When a Village Headman has to vacate the office for whatever reasons, the Sub-district Headman of said Sub-district shall be responsible for recalling the establishment orders and census registration accounts made by said Village Headman for safe keeping. Once there is a person elected as Village Headman, the census registration and all registration accounts shall be passed along to the elected Village Headman and the Sub-district Headman shall deliver the establishment orders to the District Chief Officer without delay. If there is any obstacle in recalling said establishment orders and census registration accounts, the Sub-district Headman shall report to the Krom Kan Amphoe (referring to the District Chief, Assistant District Chief and District Accountant).

Section 21 If on any occasion the Village Headman is unable to perform his or her duty, he or she shall assign the duties to an Assistant Village Headman to act for him or her until he or she is able to resume duty and report to the Sub-district Headman. If the assignment of duty exceeds ten days, the Sub-district Headman shall report to the District Chief Officer.

Part 3

Temporary Establishment of a Village

Section 22 If there are any civilians establishing a community in another district in order to earn their living seasonally, and the number of civilians is sufficiently large to establish a village for the convenience of the administration pursuant to the Provincial administration Act, the District Chief Officer shall convene a meeting among said civilians in order to select one or several Acting Village Headmen as is appropriate as prescribed in the Provincial administration Act.

Section 23 A person who is to be the Acting Village Headman pursuant to Section 22 must possess the appropriate qualifications and not fall under the prohibitions pursuant to Section 12 (1), (2), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), and (14).

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Section 24 The said Village Headman shall be called the Acting Village Headman due to being in the position temporarily, but shall have the same authority and power of a Village Headman. If the civilians are able to select a person to be the Acting Village Headman, they shall apply for an establishment order from the City Governor.

Section 25 The City Governor shall issue a special order to establish an Acting Village Headman indicating the starting and ending months of their tenure according to the season that the civilians plan to establish a community in that area. When the civilians move out, the authority and the power of the Acting Village Headman shall end and a new selection shall be made for each subsequent season.

Section 26 A Village that has been temporarily established shall fall under the Sub-district Headman of said locality, except for a forest location that is remote from the Sub-district Headman and if there are many civilians settling there. If the City Governor deems it necessary to have a Sub-district Headman, an Acting Sub-district Headman shall be selected and appointed in the same manner as the aforementioned appointment of a Village Headman.

Part 4

Duties and Authority of Village Headman and Assistant Village Headman

Section 27 The Village Headmen shall have the duty of assisting the District Chief Officer in performing duties and to be a head of civilians in the village and shall have the authority and duties as follows:

- (1) Uphold justice and maintain order and safety for civilians in the village;
- (2) Foster reconciliation and unity in the village and promote local culture and traditions;

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(3) Coordinate or facilitate communications or provision of services provided by government sectors, government agencies or provincial administration organizations for civilians in the village;

(4) Listen to problems and convey the plights and needs of civilians in the village to government sectors, government agencies, provincial administration organizations or other relevant organizations in order to remedy or assist;

(5) Support, encourage and facilitate the performance of duties or provision of services by government sectors, government agencies or provincial administration organizations;

(6) Supervise that the civilians in the village comply with government laws or regulations by setting an example for the civilians pursuant to government suggestions;

(7) Train or explain to civilians about knowledge and understanding of government affairs, laws or regulations with meetings among the civilians which can be convened for this purpose as appropriate;

(8) Notify the civilians of opportunities to contribute to activities for the public benefit in order to prevent dangerous public emergencies and assist victims;

(9) Organize regular meetings for civilians and the village regularly, at least once a month;

(10) Comply with the orders of the Sub-district Headman or government and report any irregularities occurring in the village to the Sub-district Headman and District Chief Officer;

(11) Comply with tasks or any other work pursuant to government laws or regulations or as assigned by ministers, bureaus, other government agencies, the Provincial Governor or District Chief Officer.

Section 28 The Village Headmen shall have the following duties and authority regarding criminal matters:

Clause 1 Upon knowing that an offense was committed or suspecting that an offense occurred in the village, he or she shall notify the Sub-district Headman;

Clause 2 Upon knowing that an offense was committed or suspecting that the offense occurred in a nearby village, he or she shall notify the Village Headman of the said village;

Clause 3 Upon finding evidence that the offender has in his or her possession any item suspected to be obtained from committing the offense or any item used to commit the offense, said items shall be seized and brought to the Sub-district Headman without delay;

Clause 4 When it appears that a person is committing an offense or there is reasonable suspicion that a person has committed an offense, said person shall be arrested and brought to the Sub-district Headman without delay.

Clause 5 If there is a warrant or government order for the arrest of any person in the village, the Village Headman shall be responsible for arresting said person and bringing him or her to the Sub-district Headman or Krom Kan Amphoe, as appropriate.

Clause 6 When a competent official is responsible for issuing a warrant to search or seize, the Village Headman shall comply with such a warrant.

Section 28 *bis* The Assistant Village Headmen for Administration shall have the following authority and duties:

(1) Assist the Village Headman to perform his or her task pursuant to the assigned authority and duties.

(2) Propose suggestions and advice to the Village Headman regarding the affairs within his or her authority and duties.

The Assistant Village Headmen for Peace Keeping shall have the following authority and duties:

(1) Monitor and maintain order in the village;

(2) Upon witnessing or learning that an incident disturbing the order occurred or is going to occur in the village, he or she shall notify the Village Headman.

If said incident occurred or will occur in a nearby village, he or she shall notify the Village Headman of said locality and report to it to his or her own Village Headman;

(3) If there is a passerby in the village and it is suspected that he or she has not come with honest intentions, said passerby shall be brought to the Village Headman;

(4) If there is a mishap occurring in the village, it must be suppressed and the perpetrator must be pursued and arrested to the full extent;

(5) When any items provided by the law are used or possessed by any person for an offense or used to commit an offense or that are obtained from the commission of an offense are found or seized, said items shall be brought to the Village Headman without delay.

(6) When there is reasonable suspicion that a person has committed an offense and is about to abscond, said person shall be brought to the Village Headman;

(7) Comply with lawful orders given by the Village Headman.

Section 28 *ter* In each village there shall be a village committee comprising the following: Village Headman as president, Assistant Village Headman, members of the Provincial administration Organization who have domiciles in the village, any leaders or representatives of groups or organizations in the village as a Village Committee *ex officio* and a Savant Village Committee appointed by the District Chief Officer among persons chosen by the civilians to form the Savant Village Committee of no less than two persons and no more than ten persons.

The Village Committee is responsible for assisting, recommending and advising the Village Headman regarding affairs under the authority and duties of the Village Headman and performing other duties pursuant to the law or government regulations or as assigned by the District Chief Officer or as requested by the Village Headman.

The Village Committee shall be the main body responsible for integration of the village development plan and the administration of affairs undertaken in the village jointly along with other organizations from all sectors.

Any leader, or representative, or body shall be entitled to be part of the Village Committee under paragraph one pursuant to the criteria prescribed by the Ministry of Interior as published in the Government Gazette.

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The expenses incurred from organizing Village Committee meetings shall be paid as subsidy pursuant to the criteria prescribed by the Ministry of Interior upon approval by the Ministry of Finance.

Section 28 *quater* In performing duties related to peace keeping, the Village Headman and Assistant Village Headman for Peace Keeping shall be entitled to use official firearms.

The firearms shall be kept and used pursuant to the Regulation set by the Ministry of Interior.

Chapter 4 Sub-district Administration

Part 1 Sub-district Establishment

Section 29 Several villages combined of approximately 20 villages shall be established as one Sub-district, and the City Governor shall clearly prescribe the boundaries on all sides of said Sub-district upon approval of the Intendant. If any side of the boundaries does not have a brook, swamp, canal, marsh, stream or any significant natural marker, a landmark shall be demarcated.

Section 29 *bis* There shall be one Village Headman in a Sub-district having the authority and duties to administer to the civilians in that Sub-district, and a salary shall be paid to the Village Headman but not from the salary budget.

There shall be one Sub-district Committee in a Sub-district that has the responsibility of proposing recommendations and giving advice to the Sub-district Headman regarding the actions to be performed according to the authority and duties of the Sub-district Headman.

The Sub-district Committee shall comprise the local Sub-district Headmen, Village Headmen of all villages in the Sub-district and the Sub-district doctors as a Sub-district Committee *ex officio* and one local teacher from the Sub-district, and one Savant Village Committee from each village to serve as a

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Savant Sub-district Committee selected by the District Chief Officer and report to the Governor. A document will be issued as evidence that said person is to act as the Savant Sub-district Committee from the day that the document is issued by the Governor.

The Savant Sub-district Committee shall be in the position for a five year term.

Other than vacating the position according to the term limit, the Savant Sub-district Committee must vacate the office if discharged from the position of local teacher or Savant Sub-district Committee.

If the Savant Sub-district Committee position is vacant, a selection shall be made in order to fill the vacancy during the same term of the replaced person.

The selection of the Savant Sub-district Committee to fill the vacancy shall be conducted within sixty days from the day that the office is vacated, if the office is vacated no more than one hundred eighty days prior to the end of the term, a selection may not be conducted.

Section 29 *ter* The quorum of the meeting of the Sub-district Committee shall consist of no less than half of the committee members, the Village Headman shall serve as the chairman and a decision is to be made by a majority of votes, in case of an equal number of votes the chairman has the deciding vote.

Part 2

Appointment and Vacation of Village Headman Position

Section 30 The District Chief Officer shall serve as the chairman for the meeting of Village Headmen in that Sub-district to discuss or select one Village Headman in that Sub-district to be the Sub-district Headman. Once a Village Headman is selected by the Village Headmen at the meeting, the District Chief Officer shall nominate that person as Sub-district Headman.

If there is more than one suitable candidate for the Sub-district Headman position, the District Chief Officer shall conduct a vote. The Village Headman

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who receives the highest number of votes shall be selected as the Sub-district Headman, in the case of an equal number of votes, lots shall be drawn.

The vote shall be conducted honestly, fairly and confidentially pursuant to the criteria and methods prescribed by the Ministry of Interior as published in the Government Gazette.

When a person is selected as Sub-district Headman pursuant to paragraph one or two, the District Chief Officer shall report to the Governor to issue a document as evidence.

The quorum of the meeting of Village Headmen pursuant to paragraph one must be no less than half of the Village Headmen in that Sub-district. The provisions of paragraph five and six of Section 13 shall be applied *mutatis mutandis* to the selection of Sub-district Headmen.

Section 31 Sub-district Headmen must vacate the office due to any of the following reasons:

- (1) being discharged from the position of Village Headman;
- (2) being granted permission to resign;
- (3) the Sub-district being administered is dissolved;
- (4) being dismissed from the position by the Provincial Governor due to deficient conduct or insufficient ability to carry out official duties;
- (5) being dismissed or expelled from the position.

A person who vacates Sub-district Headman position shall vacate the Village Headman position as well, except when it is not required to vacate the Village Headman position upon vacating the position pursuant to (2), (3) and (4).

Section 32 If a position for Sub-district Headman is vacant, a new Sub-district Headman shall be selected within forty-five days from the day that District Chief Officer learns of said vacancy.

If the selection of Sub-district Headman cannot be performed within the time limit prescribed in paragraph one, the Provincial Governor shall extend the time as necessary and during the time that said selection has not yet been held, the Provincial Governor may appoint a person who possesses qualifications and has no prohibitions pursuant to Section 12 to serve as Acting Sub-district Headman until said selection can be held.

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Section 33 If the Sub-district Headman is unable to perform his or her duties temporarily such as due to travelling to a remote area, etc., authority and duties shall be delegated to one of the Village Headmen in the same Sub-district and this delegate shall have full power as Sub-district Headman. However, all Village Headmen in the same Sub-district and Krom Kan Amphoe shall be notified of said delegation of authority and duties.

Part 3

Duties and Authority of Sub-district Headmen

Section 34 The Sub-district Headman, all Village Headmen in the Sub-district and the Sub-district Doctors shall be jointly responsible for performing their duties appropriately as follows: monitoring and maintaining order in the Sub-district so the civilians in the Sub-district comply with Royal Decrees and laws; preventing danger; maintaining the well-being of the civilians in the Sub-district; conveying civilian complaints to Provincial Governor, Krom Kan Amphoe; notifying the civilians in the Sub-district of official affairs; and complying with Royal Decrees and laws such as inspecting and collecting taxes in the Sub-district.

Section 34 *bis* Other than the specific authority and duties of the Sub-district Headmen, in addition, the Sub-district Headmen shall have the same authority and duties as the Village Headmen.

Section 35 The Sub-district Headmen shall have the following authority and duties regarding criminal matters:

Clause 1 Upon learning that an offense was committed or suspecting that an offense was committed in the Sub-district, it shall be reported to the Krom Kan Amphoe;

Clause 2 Upon knowing that an offense was committed or suspecting that an offense was committed in a nearby Sub-district, it shall be reported to the Sub-district Headman of said Sub-district;

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Clause 3 When it appears that a person is committing an offense or there is reasonable suspicion that said person is an offender, said person shall be arrested and brought to the Krom Kan Amphoe;

Clause 4 If there is a warrant or official order for the arrest of a person in the Sub-district, the Sub-district Headman shall be responsible for arresting and bringing said person to the Krom Kan Amphoe as appropriate;

Clause 5 If the competent official responsible for issuing warrants gives an order to search or seize, the Sub-district Headman shall comply with said warrant;

Clause 6 If someone requests to detain a person, or attach property, or a person who was robbed wishes to file a complaint, or someone wishes to conduct a wound autopsy, the Sub-district Headman shall inquire for information and bring the requester and the person to be detained and all relevant property to the Krom Kan Amphoe without delay. If any property cannot be brought along, the Sub-district Headman shall investigate the relevant facts and report to the Krom Kan Amphoe.

Section 36 If the Sub-district Headman witnesses civilian plights or strange occurrences in the Sub-district, they shall be reported to the Krom Kan Amphoe without delay.

Section 37 If there is a riot, murder, robbery, gang robbery, fire or other serious incident in the Sub-district or a nearby Sub-district and assistance should be extended; or there are offenders from another place assembled for unlawful purposes in said Sub-district; or there is reasonable suspicion that some villagers in said Sub-district might be involved with the offenders, the Sub-district Headman shall be responsible for convoking the Village Headmen and villagers in the Sub-district to help pursue the offenders, retrieve evidence, extinguish the fire, or provide full effort in providing other appropriate assistance.

Section 38 The Sub-district Headman shall be responsible for providing lodging for travelers who are not suspected to be offenders, as appropriate.

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Section 39 If a person who travels on official business wishes to have a guide or lacks a supply of food during the trip and requests assistance from the Sub-district Headman, the Sub-district Headman shall provide any assistance as possible. If there are expenses incurred from providing such assistance, the Sub-district Headman shall collect from said traveler.

Section 40 The Sub-district Headmen shall cooperate and assist the District Chief Officers and Provincial administration Organizations in monitoring and protecting the public domain of the state and items of public interest in said Sub-district.

Section 41 The Sub-district Headmen shall maintain census accounts and government registration accounts in that Sub-district and shall amend them as necessary so that they are consistent with the accounts of the Village Headmen.

Section 42 The Sub-district Headmen shall prepare and submit accounts of items that are taxable in that Sub-district to the Krom Kan Amphoe and bring the civilians to pay taxes pursuant to the Revenue Act.

Section 43 In the performance of their duties, the Sub-district Headmen may request any person to consult with or assist them.

Section 44 There shall be two inspectors to assist and serve the Sub-district Headman in each Sub-district. The inspectors may be selected by the Sub-district Headman upon approval of the City Governor, and the Sub-district Headman shall be empowered to replace the inspectors.

Part 4

Appointment and Duties of Sub-district Doctors

Section 45 In a Sub-district, the Sub-district Headman and Village Headmen shall meet together in order to select a person who has medical

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knowledge to serve as the Sub-district Doctor to prevent and treat the illnesses of civilians in that Sub-district.

Section 46 The appointment of a Sub-district Doctor shall be made by the Provincial Governor among the Thai people who reside in that Sub-district, except that a person who is a Sub-district Doctor in a nearby Sub-district may be appointed by the Provincial Governor to perform as the Sub-district Doctor in two Sub-districts, if the Provincial Governor deems it to be appropriate.

Section 47 The Sub-district Doctors shall vacate the office on the same grounds as for the Sub-district Headmen vacating the office.

Section 48 The Sub-district Doctors shall have the following duties:

Clause 1 Assist the Assistant Sub-district Headmen in maintaining order in the Sub-district pursuant to Section 36 and 52 of this Act;

Clause 2 Monitor the illnesses occurring in the civilians in that Sub-district and nearby Sub-districts. If any serious illnesses occur such as cholera, plague or smallpox, preventative measures must be adopted by the Sub-district Headman and Village Headmen such as ordering civilians to take preventative measures such as cleaning, etc., and the Sub-district Doctors shall monitor and explain about the illnesses to the civilians.

Clause 3 The Sub-district Doctors, in collaboration with District Doctors, the Sub-district Headman and Village Headmen within the District, shall be responsible for the prevention of illnesses in that Sub-district by providing vaccinations to prevent smallpox, providing medicines for the Sub-district, and preventing the Sub-district from becoming contaminated with diseases.

Clause 4 If serious illnesses such as cholera, plague, smallpox, or livestock epidemics occur in a Sub-district, the Sub-district Doctors must immediately report to the Krom Kan Amphoe and continue to report until the illnesses are under control.

Section 49 The Sub-districts Doctors shall be under the supervision of the City Doctors, and the City Doctors shall be responsible for monitoring and advising the work of the Sub-district Doctors in general.

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Part 5

Meetings of Sub-district Headmen, Village Headmen, Sub-district Committees,
Village Committees and Sub-district Doctors; and
Discipline of Sub-district Headmen, Village Headmen, Sub-district Doctors
and Assistant Village Headmen

Section 50 If a Sub-district Headman is of the opinion that any matter relating to maintaining order in the Sub-district should be consulted on by all of the Sub-district Headmen, Village Headmen and Sub-district Doctors; the Sub-district Headman shall have the power to convene a consultation meeting, and any matters at the meeting shall be decided by a majority of votes.

Section 51 The Sub-district Headman shall convene a consultation meeting on the proper performance of duties among Village Headmen and Sub-district Doctors at least once a month.

The Village Headmen shall convene a Village Committee meeting from time to time as is deemed appropriate or when no less than half of the committee members request a meeting, but there must be no fewer than six meetings per year.

The Sub-district Headmen shall convene a Sub-district Committee meeting at least once a month.

Section 52 When there is reasonable cause to suspect that a person in a Sub-district expresses a grudge against other person or is a vagrant who has no occupation and is unable to explain his or her intention, the Sub-district Headman shall hold a meeting among the Village Headmen to investigate the facts, and if there is sufficient corroborating evidence, said person shall be brought to the Krom Kan Amphoe to be prosecuted pursuant to Section 30 of the Criminal Code.

Section 53 When the Village Headman brings a vagrant who is not listed in the Sub-district census to the Sub-district Headman pursuant to Section 27 Clause 6, the Sub-district Headman shall consult with the Village Headman and if they deem it to be appropriate, they may expel said person from the Sub-district.

Section 54 If a villager has built a hut or house in a desolate location in that Sub-district, which is at risk of danger from criminals or is suspected to be a dwelling for criminals, the Sub-district Headman and Village Headmen shall consult among themselves and if they deem it to be appropriate, said villager may be forced to move in among the other civilians in the village, and the matter shall be reported to the Krom Kan Amphoe.

Section 55 If a civilian leaves his or her house in a disorderly, ruined or dirty state that may cause danger to the residents living nearby or to passersby or that may be vulnerable to fire or diseases, the Sub-district Headman and Sub-district Doctors shall consult among themselves and if they deem it to be appropriate, they may force said civilian to rectify the situation, and if said civilian does not comply the Sub-district Headman shall report to the Krom Kan Amphoe.

Section 56 If there are incidents endangering the civilians as they are earning their livings in that Sub-district, such as a contagious disease or high levels of water or contaminated water, etc., the Sub-district Headman, Village Headmen and Sub-district Doctors shall consult among themselves in order to prevent and remedy the situation by providing recommendations to the civilians on how to take action or how to help. The Sub-district Headman shall be empowered to enforce such actions, and if the problem is beyond his or her capacity, the Krom Kan Amphoe and the Provincial Governor may be asked to request help from the government.

Section 57 In surveying census and registration accounts for government benefits, such as surveying census and farming accounts and the dutiable clauses in that Sub-district, the Sub-district Headman may convene a meeting among all Village Headmen in order to inspect and prepare the accounts accurately, and all

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may affix their signatures to the accounts as evidence before submitting said accounts to the proper official.

Section 58 In preparing any regular or incidental reports for submission to the Krom Kan Amphoe, the Sub-district Headman may convene a meeting among the Village Headmen and Sub-district Doctors in that Sub-district in order to inspect said reports, and they may affix their signatures to said reports as evidence.

Section 59 When the Provincial Governor or Krom Kan Amphoe receives an order to make an announcement on government affairs to the civilians, the Sub-district Headman may convene a meeting among the Village Headmen in that Sub-district in order to explain said government affairs and assign the Village Headmen to make said announcement to the civilians.

Section 60 Whenever there is a festival or big gathering in that Sub-district, the Sub-district Headman may convoke the Village Headmen and Sub-district Doctors to help maintain order at said location and if deemed necessary, assistance may be requested from the civilians.

Section 61 When senior government officials or direct supervisors come for a tour to inspect the locality, the Sub-district Headman may convene a meeting among the Village Headmen and Sub-district Doctors in order to provide information or listen to the government affairs.

Section 61 *bis* The Sub-district Headmen, Village Headmen and Sub-district Doctors shall always strictly abide by the code of discipline; anyone who violates the code of discipline shall be deemed an offender and shall be punished.

The civil service law shall be applied *mutatis mutandis* to discipline and disciplinary punishment.

The power to punish Sub-district Headmen, Village Headmen and Sub-district Doctors shall fall under the following hierarchy:

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(1) The Sub-district Headmen shall be empowered to put Village Headmen on probation.

(2) The District Chief Officer shall be empowered to punish Sub-district Headmen, Village Headmen and Sub-district Doctors as follows:

- (a) Salary step demotion by no more than one step;
- (b) Salary reduction by making a relative comparison of the District Chief Officer as a commander at the level of Section Head and the offender at a clerical level, as prescribed by the Law on Civil Service.
- (c) Probation.

When any Sub-district Headman or Village Headman is prosecuted in a criminal case, except for a petty offense or an offense committed through negligence, or is accused of a gross breach of discipline and is being investigated for expulsion or dismissal; if the District Chief Officer is of the opinion that having said person remain in the position will cause damage to the government, said person may be suspended and shall be reported to the Provincial Governor, and the Provincial Governor shall consider *mutatis mutandis* pursuant to the law on civil service whether or not said person should be permitted to rejoin the service and whether any salary should be paid during the suspension.

With regard to the punishment of dismissal or expulsion, if the Sub-district Headmen or Sub-district Doctors who are being punished are of the opinion that the punishment is unfair, they are entitled to file a petition to the Ministry of Interior.

The petition shall be signed by the petitioner(s) and submitted to the District Chief Officer within fifteen days from the day that the punishment order is acknowledged. The District Chief Officer shall forward the petition and the explanation, if any, to the Provincial Governor and the Ministry of Interior respectively; within fifteen days from the day the petition is received. The Minister of Interior shall be empowered to dismiss the petition, revoke the punishment order or reduce the punishment.

Section 61 *ter* The provision of Section 61 *bis* pertaining to the Village Headmen shall be applied *mutatis mutandis* to Assistant Village Headmen for Administration and Assistant Village Headmen for Peace Keeping.

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Chapter 5
District Administration

Part 1
Establishment of Districts and Minor Districts

Section 62 If several sub-districts are under the same administration, one district shall be established.

Section 63 In establishing districts, the Intendant shall manage the process as follows:

Clause 1 Prescribe district boundaries with landmarks around all sides of other districts, and no empty land shall be left outside of the district boundaries;

Clause 2 Prescribe the number of sub-districts which are to be combined as a district; and prescribe boundaries for the sub-districts that are consistent with the district boundaries. If there are empty areas of land, such as fields or forests near any district or the administrative mark can be easily inspected from any district, the Intendant shall prescribe said empty areas as the deposit lands in that district;

Clause 3 Prescribe a location for the district office in the area where it will be conveniently located to administer to the civilians in that district;

Clause 4 The Intendant shall inform the Minister about said regulations in time for the establishment of a new district. Once Royal Permission is granted, an announcement establishing a district can be made.

Section 64 If any district is too vast for the Krom Kan Amphoe to inspect thoroughly and said district does not have enough people to be established as a separate district, or if there are any districts with communities living far away from the district office and said communities are too small to be established as a separate district so that the Krom Kan Amphoe cannot inspect them appropriately, and these situations complicate the administration of civilians, then said areas may be divided into minor districts to increase the convenience

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of the administration. Minor districts are only to be established when it is necessary for the purposes of administration, and one district may have one or several minor districts.

Section 65 A minor district can be established, as if establishing another district office for the convenience of the administration. It must be prescribed which Sub-districts are to be under the administration of the minor district, and the Intendant may establish a minor district with the authorization of the Minister.

Part 2

Establishment of Krom Kan Amphoe

Section 66 In one district there shall be a group of administrative officials who are collectively called Krom Kan Amphoe and divided according to the following positions:

(1) District Chief Officer, if a special position can be called District Governor, this position shall be the general administration chief in a district and shall report directly to the Provincial Governor, and there shall be one in each district;

(2) Assistant District Chief Officer shall be an assistant and representative of the District Chief Officer and is under the supervision of the District Chief Officer, the number of Assistant District Chief Officer in each district can be increased or decreased as necessary depending on official tasks;

(3) District Chief Accountant shall be a government official under the Revenue Department responsible for assisting the District Chief Officer in collecting taxes and state benefits and is under the supervision of the District Chief Officer.

Section 67 The District Chief Officer, Assistant District Chief Officer and Chief Accountant are collectively called Krom Kan Amphoe. Although they hold different positions, they are collectively responsible for maintaining good order in administering the district. If any position has too large of a workload or

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has an excess of free time, Krom Kan Amphoe officials shall assist and replace each other in their duties, even though they are in different positions and they shall not be deemed to be different officials.

Section 68 The District Chief Officers shall have the authority in civilian administration over the permanent officials of all subdivisions of that district. Such authority shall not be bestowed upon a district where a city office is established or called Kan Monthon.

Section 69 In one district, other than the Krom Kan Amphoe, there shall be an appropriate number of officials in the position of clerk under the supervision of Krom Kan Amphoe for government tasks and there shall be an Assistant District Chief Officer assigned permanently to the Sub-districts who has authority over the Sub-district Headmen, Village Headmen and Sub-district Doctors in the Sub-district.

The Assistant District Chief Officer who is posted permanently to a Sub-district shall have the same authority as the Krom Kan Amphoe pursuant to the law on provincial administration, but shall only be responsible for the affairs of the Sub-district where he or she is posted.

Section 70 As for officials responsible for the administration of minor districts, there shall be an Assistant Krom Kan Amphoe, but the number of permanent District Chief Officers and clerks in a minor district shall be as many as appropriate to perform official tasks. The highest ranking official in a minor district must be under the supervision of the District Chief Officer and shall perform his or her duties while the District Chief Officer is not in the minor district, as he or she will be acting as a representative of the District Chief Officer.

Section 71 As for districts that have minor districts, the City Governor shall have the authority to prescribe which tasks are to be carried out separately in a minor district and which tasks are to only be carried out in the district office.

Section 72 The Intendant shall be empowered to elect or remove District Chief Officers given the authorization of the Minister.

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Section 73 The City Governor shall be empowered to elect or remove any District Chief Accountants with the authorization of the Intendant, and the Intendant shall report to the Minister to be granted such authorization each time.

Section 74 The City Governor shall be empowered to elect or remove any clerks from the district, but he or she shall report to the Intendant each time.

Section 75 When the position of Assistant District Chief Officer or District Chief Accountant is vacant, the District Chief Officer shall be empowered to assign a person from the Krom Kan Amphoe group or a clerk to work in said position temporarily, but he or she shall notify the City Governor without delay and shall continue to work in said position until a senior official orders otherwise.

When the position of clerk in a district is vacant, the District Chief Officer shall be empowered to assign a person to work in that position temporarily, but he or she shall seek authorization from the City Governor within one month, and the City Governor shall have the discretion to appoint said person or another person to fill said position.

Section 76 The District Chief Officers shall be empowered to grant all of the officials posted to District Offices to take leave of no more than fifteen days at a time.

Section 77 If any person has a problem and the District Chief Officer is of the opinion that if said person remains in the position it may be detrimental to official tasks, the District Chief Officer may suspend said person temporarily, but he or she shall report to the City Governor within fifteen days. The final decision on this matter shall rest with the official who has the authority to establish said position at the place of incident.

Section 78 There shall be an official seal of the District Chief Officer position and an official seal of the Minor District Officer position. Any other seal shall be used to stamp important documents and documents made on behalf and under the duty of Krom Kan Amphoe that must affix said officers'

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signatures, and said official seals may be used by any person acting on behalf of or holding said positions.

Section 79 When the position of District Chief Officer is vacant or the Assistant District Chief Officers are temporarily unable to perform their duties, if the Intendant or the City Governor has not issued an order otherwise, a Krom Kan Amphoe who has a higher rank than the others shall act for said officer.

Section 80 A person acting for an officer shall have the same authority and duties as the person he or she acts for, except for personal authority or in ways the acting person is prohibited to act.

Section 81 The duties of the Krom Kan Amphoe as prescribed in this Act or in other places, if they are not specified to be the duties of the District Chief Officer only or specific to the position of the Krom Kan Amphoe, they shall be deemed joint duties and responsibilities. The District Chief Officer may perform that act alone or assign any Krom Kan Amphoe to perform said act upon authorization of the District Chief Officer, but the District Chief Officer cannot evade his or her responsibilities by claiming that another person acted on his or her behalf.

Section 82 In the chain of command, Krom Kan Amphoe shall be under the direct supervision of the City Governor and cannot overrule any orders given by the City Governor, but the Monthon Governor or Minister of Ministry in Bangkok will usually have a section official from a city or Monthon inspecting the specific sections in said district office. If said inspector acts under the order and authorization of the City Governor or Monthon Governor or Minister of Ministry, the Krom Kan Amphoe shall obey the order as if it were given by the City Governor, Monthon Governor or Minister of Ministry. If said inspector acts on his or her own duty, said section shall comply with all orders given, but only if such orders are not contrary to the orders that have been approved by the City Governor and the District Chief Officer. If any officer gives any order, the Krom Kan Amphoe shall report to the City Governor on each occasion.

Part 3

Duties and Authority of Krom Kan Amphoe

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a. Provincial administration

Section 83 Krom Kan Amphoe shall monitor and administer the Sub-districts and villages successfully pursuant to this Act.

Other than the specific duties of Krom Kan Amphoe, Krom Kan Amphoe shall have the same authority and duties as the Sub-district Headmen and Village Headmen.

Section 84 Krom Kan Amphoe shall encourage local associations to be familiar with the Village Headmen and the Sub-district Doctors, and shall give advice and help them to solve problems.

Section 85 Krom Kan Amphoe shall convene meetings among Village Headmen and Sub-district Doctors, or only among Village Headmen when there are matters to be discussed or orders to be given as appropriate.

Section 86 Krom Kan Amphoe shall be responsible for maintaining the district offices, including books and accounts, to keep the areas around the district offices in good order.

Section 87 Krom Kan Amphoe shall allow civilians who have relevant business to visit them at any time. If a civilian wants to file a petition and Krom Kan Amphoe can assist, assistance must be given as appropriate.

Section 88 Krom Kan Amphoe shall regularly monitor the areas in their districts and nearby districts, so that its presence is known in those localities.

Section 89 All important documents must be prepared pursuant to the law, if the laws or regulations do not prescribe that a matter is the responsibility of other officials, it shall be the responsibility of Krom Kan Amphoe to act in that district.

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Section 90 Krom Kan Amphoe shall be responsible for providing travel documents for the civilians in that district for presentation in other locations visited.

Section 91 Krom Kan Amphoe shall have the duty of preparing registration accounts, i.e., census accounts, and all registration accounts that are necessary for official tasks.

Section 92 Official reports that must be prepared by Krom Kan Amphoe shall be categorized as follows:

Clause 1 Krom Kan Amphoe shall be vigilant in government monitoring and investigating for the well-being of civilians of any incidents occurring in their localities. Any matters that should be known by the government for the well-being of civilians and the benefit of the government, Krom Kan Amphoe shall deem it to be their duty to report these facts to the government.

Clause 2 Krom Kan Amphoe shall report to their City Governor if there is a specific order to report or any matter concerning any person or any incident that occurred. Krom Kan Amphoe is of the opinion that if a report to the City Governor may be too late for the benefit of the government, it may be reported to another agency that is deemed to be more helpful at that time than the government, but the City Governor shall be notified of each such incident.

Clause 3 Regular reports on incidents and official tasks in the district should be reported to the City Governor no less than once a month. Additional reports may be submitted as prescribed in the regulations or according to the incidents that should be reported. However, urgent reports on important incidents which occur suddenly shall be reported immediately by telegram or telephone call as soon as possible.

b. Preventing Danger to Civilians and Maintaining Local Order

Section 93 When there are many people gathering at any place such as a festival, etc., Krom Kan Amphoe, the Sub-district Headmen and Village Headmen shall be responsible for maintaining order at the gathering place.

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Section 94 Krom Kan Amphoe shall monitor and warn the Sub-district Headmen and Village Headmen to provide an alarm that alerts villagers to help with extinguishing a fire, suppressing any other dangers, or in arresting offenders in each village.

Section 95 After Krom Kan Amphoe has consulted with the Sub-district Headmen and Village Headmen in that locality and is of the opinion that any village is located in that place that should build a fence in order to prevent thieves, Krom Kan Amphoe shall explain and order the Village Headmen and civilians in said village to build a fence around the village with as many entrance and exit gates as the villagers deem appropriate. The Village Headmen shall arrange for civilians to guard the gates to prevent thieves at night by scheduling shifts among all of the members of the village.

Section 96 If any village is situated near a flammable forest area, Krom Kan Amphoe shall order the civilians in that village to mow the grass near houses in order to prevent fires in that village.

Section 97 If a Sub-district Headman of any Sub-district reports that the owner or dweller of an abandoned and run-down house does not comply with the order to repair said house, it shall be interpreted pursuant to Section 55, and Krom Kan Amphoe shall investigate and enforce as necessary. If the owner is not compliant with the enforcement, Krom Kan Amphoe shall be empowered to remove the house and request the expenses for the removal be paid by the owner.

Section 98 If any civilian builds a house in an isolated area that is exposed to thieves and criminals or is likely to be used as a hideout by offenders, after Krom Kan Amphoe has consulted with the Sub-district Headman in that locality and they jointly agree, said person shall be forced to move from the village.

Section 99 If there is a scarcity of food, Krom Kan Amphoe shall warn the civilians to store a sufficient amount of food for consumption.

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Section 100 If there is scarcity of rice for the civilians in any locality, Krom Kan Amphoe shall immediately report and estimate the quantity of the rice shortages that civilians are unable to acquire by themselves and report to the City Governor. If the government delivers government rice to solve the scarcity, Krom Kan Amphoe shall be responsible for distributing the rice according to the following appropriate methods:

(1) Whoever has enough money to purchase the rice, said person shall purchase at cost;

(2) Whoever does rice farming but does not have crops that have yielded, said person shall be allowed to borrow the rice by promising to pay the money once the new rice is sold in an equal amount to the rice received at that time or to pay it back with new rice crops. The price of new rice crops shall be calculated as equivalent to the cost of the rice that the government lent;

(3) Whoever cultivates or finds forest products that may be traded for rice, said products shall be traded by said person for rice according to a price that is reasonably calculated and to the satisfaction of both parties;

(4) Whoever can only perform labor, he or she shall be allowed to perform work for the public benefit such as digging ponds, building roads or repairing government offices, etc., Said person shall be employed and get paid in rice at cost as a labor fee at a rate of $\frac{1}{4}$ higher than the rate usually paid at that place, i.e. if the usual wage rate, is one Baht per day, rice will be given in an equivalent to 1.25 Baht, etc.;

(5) It is prohibited to give rice to any person who is unable to trade by any means, except to those are truly who are unable to trade, such as the sick, the elderly, the disabled or infants; government rice shall be given to such persons in sufficient quantity at that time of scarcity.

c. Civil and Criminal Matters

Section 101 The duties and authority of Krom Kan Amphoe related to civil and criminal matters are as follows:

Clause 1 Krom Kan Amphoe shall be empowered to exercise all of the authorities of Village Headmen and Sub-district Headmen as prescribed by law;

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Clause 2 If a criminal matter occurs in any district or a defendant comes to live in any district, Krom Kan Amphoe shall be empowered to order the arrest of said accused person for a preliminary inquiry on said matter;

Clause 3 During the preliminary investigation, acting in accordance with any warrant or court order or official order, Krom Kan Amphoe shall be empowered to summon a person to testify regarding a warrant for searching a house or a warrant for seizing property;

Clause 4 In searching a house or seizing property, if the District Chief Officer conducts the search or seizure by him or herself, a warrant shall not be required, if another person is appointed to conduct the search or seizure, the District Chief Officer shall issue a warrant ordering a competent official who holds the warrant to have the power to search and seize according to the warrant;

Clause 5 If a person who is accused in a criminal case is brought before the Krom Kan Amphoe, usually the District Chief Officer should grant bail, but if he or she is of the opinion that one of the following incidents has occurred, then said person shall be detained:

(a) a case of serious offense punishable with an imprisonment term of ten years or more or;

(b) if the accused person flees it will be difficult to arrest him or;

(c) it is conceivable that if said person is released, he or she may cause a serious incident or;

(d) if released, it will be difficult or troublesome to conduct a preliminary inquiry.

Clause 6 The first instance of preliminary inquiry in the court shall be conducted within forty-eight hours from the time that the accused person is arrested, the District Chief Officer shall proceed as quickly as possible and send the accused person to the city to be sent to the court, which has the duty to try said case by the following methods.

If that Sub-district has a court that has jurisdiction and a district office is situated at the same place, the accused person shall be brought to the court within forty-eight hours from the time that the accused person is in the custody of the Krom Kan Amphoe.

In other places, the accused person shall be brought to the court as quickly as possible, and it is prohibited to detain the accused person at the district office for more than forty-eight hours if it is not found to be a necessity.

If the accused person is brought to the court, but the District Chief Officer has not finished conducting the preliminary inquiry, the city official shall file a request to the court for an extension of time in order to conduct an appropriate inquiry;

Clause 7 In conducting a criminal inquiry, if the District Chief Officer is of the opinion that the plaintiff does not have any evidence, the accused person shall be released. If an arrest warrant has been issued against the accused person, the city official shall file a request to the court to order the accused person to be released.

Section 102 Krom Kan Amphoe shall arrange for officials to patrol and maintain order and conduct investigations in order to arrest offenders in their locality.

Section 103 If a person who was harmed and died in a district is found to be bruised or wounded or seriously sick, the person who was harmed, bruised or wounded is to be submitted for an autopsy. Krom Kan Amphoe shall have the duty to perform an autopsy pursuant to the law, record any statements from witnesses, and prepare the autopsy documents as evidence.

Section 104 If any person's property is damaged such as by being robbed, etc., Krom Kan Amphoe shall have the duty to register the damage according to the request of the property owner and to keep the paperwork as official evidence.

Section 105 As for any offense pursuant to the criminal code or other laws, such as a petty offense or offense in violation of the Revenue Act in which a penalty is prescribed in the Act which does not exceed two hundred baht; if Krom Kan Amphoe has conducted an inquiry and is of the opinion that the defendant behaves suspiciously, then Krom Kan Amphoe shall be empowered to settle the case. If the case cannot be settled, or Krom Kan Amphoe is of the opinion that the penalty for the defendant exceeds a fine of two hundred Baht, or

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the punishment is both imprisonment and a fine or only imprisonment, then the case shall be sent to the city.

Section 106 If there is a lawful request to detain a person or things, Krom Kan Amphoe shall have the duty to detain or prepare document as evidence of the said detention.

Section 107 Money or other evidence in a case that must be kept at a district or sent to the city, Krom Kan Amphoe shall have the duty to keep and deliver it.

Section 108 (repealed)

d. Prevention of Serious Diseases

Section 109 Krom Kan Amphoe shall be vigilant in preventing the spread of serious diseases in its communities. If diseases do occur, they must be monitored and cured in order to prevent them from spreading further.

Section 110 Lack of cleanliness is a source of dangerous diseases, i.e., cholera and plague, etc., Krom Kan Amphoe shall constantly monitor and warn the people in the locality not to allow dirtiness to occur which may lead to illness among the people.

Section 111 Krom Kan Amphoe shall constantly monitor and support the Sub-district Doctors in providing medical care, i.e., vaccinations to prevent small pox and distribution of government medicines, etc.; and shall provide protection and cures for diseases for the civilians as appropriately as possible.

Section 112 If serious diseases occur in that district or in other localities that may spread to that district, Krom Kan Amphoe shall warn the civilians so that they take preventive measures to against any diseases. Krom Kan Amphoe

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shall arrange as necessary for which preventive measures should be taken, or file a petition to their superiors for support.

Section 113 If serious diseases occur in any district, Krom Kan Amphoe shall spread the news as quickly as possible so that their superiors are informed, and reporting on any diseases shall be made continuously until the diseases become under control.

e. Maintaining Farming, Trading of Forest Products and Communication Routes

Section 114 Krom Kan Amphoe shall inspect whether the lands being used by the civilians in earning their living in the district consist of farm lands, garden lands, areas for aquatic animals, etc., and shall investigate to ascertain which sources of water these places rely on and which registration accounts should be prepared at the district office.

Section 115 Krom Kan Amphoe shall be responsible for regularly monitoring and consulting with the Sub-district Headmen and Village Headmen regarding maintaining benefits for means that civilians have of earning a living, preventing dangers to the ways that civilians earn their living, which require joint effort among civilians such as building dams or providing drainage for agriculture. If it is appropriate to act for the benefit of the civilians or to prevent damage, Krom Kan Amphoe shall request that civilians carry out said acts in time for the season.

Section 116 Krom Kan Amphoe shall convene a meeting among the Village Headmen in order to find ways that benefit both parties, or if they are not for the benefit of both parties then that they are for the benefit of the majority; in regard to maintaining benefits for civilians to be able to earn their living such as closing passages of water and draining water, as mentioned in the previous Section. This includes other necessary actions if civilians fight for their benefits, such as farmers wanting to close a waterway, but seafarers wanting to open the waterway for vessels, etc., Krom Kan Amphoe shall convene a meeting among the Village Headmen in order to find ways that benefit both parties or if

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both parties cannot gain any benefit, then the majority's benefit shall be maintained by sacrificing the minority's benefit as necessary.

Whether more or less is agreed upon, the District Committee shall proceed as agreed.

Section 117 Brooks, canals and different watercourses are to be protected by the government and Krom Kan Amphoe shall monitor them to prevent damage and prohibit anyone from damaging their public benefit. If any repair is deemed to be necessary, Krom Kan Amphoe shall request the help of civilians to close the waterway.

Section 118 Krom Kan Amphoe shall be responsible for inspecting and managing the land and waterways which are used by civilians for trading so that they can commute conveniently during all seasons. If it is found to be necessary to repair or solve any problems, Krom Kan Amphoe shall request that the civilians assist as aforementioned.

Section 119 Krom Kan Amphoe shall inspect forests which have been reserved by the government pursuant to forest regulations.

Section 120 Krom Kan Amphoe shall be responsible for monitoring and managing the empty lands that the government allows civilians to cultivate, and preventing conflicts among civilians who have cultivated before they have received the title deeds.

Section 121 Krom Kan Amphoe shall be responsible for monitoring and maintaining the waters used for the conservation of aquatic animals, in order to conserve the habitats of aquatic animals and plants.

Section 122 The District Chief Officer and provincial administration organization shall be jointly responsible for maintaining and protecting lands that are the public domain of the state which the people use for their common benefit as well as anything else for public benefit in the district area.

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The District Chief Officer and provincial administration organization have no authority to use or allow others to use the land specified in paragraph one, except with the approval of the Provincial Governor and in compliance with the Land Code and other relevant laws.

If there is a dispute or case concerning the land specified in paragraph one, the District Chief Officer and provincial administration organization shall jointly proceed, or either one of them shall have the authority to proceed, and the Ministry of Interior may issue practice regulations and criteria as well.

Any expenses incurred pursuant to paragraph one and three shall be paid from the budget of the provincial administration organization pursuant to the regulations prescribed by the Minister of Interior.

Section 123 Krom Kan Amphoe shall be responsible for monitoring and protecting temple lands or other places specified for public use from any encroachment.

f. Education Maintenance

Section 124 Krom Kan Amphoe shall consult with the Sub-district Headmen, Village Headmen and other patrons of education in the locality, such as Buddhist priests, etc., in order to advise and provide sufficient areas for designated for the education of the children in that district.

Section 125 Krom Kan Amphoe shall regularly monitor and consult with the Sub-district Headmen, Village Headmen and patrons of education in the locality in order to maintain quality teaching standards.

Section 126 Krom Kan Amphoe shall regularly advise and warn the Sub-district Headmen, Village Headmen, parents and caretakers of children of the necessity of sending their children to school.

g. Tax Collection

Section 127 Krom Kan Amphoe shall be responsible for collecting taxes in that Sub-district, except as other laws or regulations prescribe otherwise.

Section 128 In collecting taxes, Krom Kan Amphoe shall regularly monitor if there are any accidents or civilians who have difficulties during the tax collection period and shall submit a report, including an opinion on whether or not the tax collection period should be extended and how it should be submitted to the City Governor.

Section 129 Krom Kan Amphoe shall be responsible for sending taxes and other revenue collected to the treasury.

h. Miscellaneous Duties

Section 130 In order to perform their duties on all matters in the Sub-district appropriately, if Krom Kan Amphoe is of the opinion that there are some deficiencies in the method of working, it shall be reported to the City Governor with a request for authorization to rectify as is seen fit.

Section 131 Krom Kan Amphoe shall have the duty of assisting in the official affairs of nearby districts, although in different cities, and such assistance that can be provided without being requested, if it is known that by providing such assistance it would be useful for the government.

Section 132 Other than the duties of Krom Kan Amphoe as prescribed in this Provincial administration Act, Krom Kan Amphoe shall perform the other duties prescribed by the relevant Royal Decrees and laws to be their duties, even though said Royal Decrees and laws do not clearly stipulate whose duties they are, but it shall be understood as being the duty of Krom Kan Amphoe to be in charge and to take control of the execution of said Acts.

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Unofficial Translation*

Given on the 4th Day of July B.E. 2457; Being the 1332nd Day of the Present Reign.

Department of Provincial Administration

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