

Fund Raising Control Act

B.E. 2487 (1944)

In the name of His Majesty King Ananda Mahidol
The Regent
(By the Notification of the President of the House of Representatives
Dated 4 August B.E. 2480
and 16 December B.E. 2484)
Aditya Dibabha
Pridi Phanomyong
Given on the 31st Day of January B.E. 2487;
Being the 11th Year of the Present Reign.

Whereas the House of Representatives passed a resolution that it is expedient to improve the Fund Raising Act more concisely.

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

Section 1 This Act is called the “Fund Raising Control Act B.E.2487 (1944).”

Section 2¹ This Act shall come into effect after ninety days from the day it is published in the Government Gazette.

Section 3 On the day this Act comes into effect, the Fund Raising Control Act B.E.2480 (1937) and all laws, rules, and regulations that are contrary to this Act shall be repealed.

Section 4 In this Act:

“Fund raising” shall include buy and sell; exchange; compensation or service, express or implied, as not being common buy and sell, exchange, compensation or service; but carried out in order to collect all, or part of property, to be used in any other business as well.

“Ammunition” means ammunition pursuant to the meaning prescribed in the law on ammunition control.

“Printed Matter” means printed matter pursuant to the meaning prescribed in the law on printed matter.

Section 5 It is prohibited to organize a fund raising or to raise funds as follows:

(1) Fund raising organized to collect property to be given to, or to compensate, a defendant in order to pay a fine; except fund raising amongst the defendant’s relatives.

(2) Fund raising organized by prescribing a rate for money, or property to be collected, by calculation based on quantity of goods, benefit, or other materials.

(3) Fund raising that may undermine public order or good morals.

(4) Fund raising that seriously affects international relationships.

(5) Fund raising organized to acquire ammunition for a foreign country.

Section 6 Fund raisings that are claimed to be conducted for the benefit of government, municipality or the public, may be organized only upon authorization from a Committee on Fund Raising Control.

The preceding paragraph shall not be applied to fund raisings organized by ministries, bureaus or departments.

Section 7 There shall be a Committee on Fund Raising Control comprising Permanent Secretary of Minister of Interior as President and other directors, i.e., one representative from each of the following: Ministry of Defense, Ministry of Education, Ministry of Public Health, Ministry of Finance, Police Department and Department of Interior. The meeting quorum must comprise at least four committee members.

Section 8 A fund raising on public street or place; fund raising by advertising with printed matter, radio broadcast, or loud speaker; may be organized only upon authorization from the official.

The preceding paragraph shall not be applied to:

(1) Fund raisings authorized or exempted pursuant to Section 6.

(2) Fund raisings for charity on the occasion of gathering for religious activities.

(3) Fund raisings organized to sell goods at a fair, or at a meeting lawfully permitted, which the licensee is permitted to organize, or organized by the meeting organizer.

Section 9 If there is an application pursuant to Section 6, the Committee on Fund Raising Control shall be empowered to decline or to grant authorization under the following conditions:

- (1) The limit of the sum of money, or the value of property, that is allowed to be solicited;
- (2) The district, or place and time, allowed to raise funds;
- (3) The method of keeping and preparing monetary accounts, or property obtained from fund raising;
- (4) Fund raising methods

If the authorization is granted, the Committee shall prescribe an expiry date of the license, and if the authorization is declined, the Committee shall notify the reasons for declining to the applicant.

Section 10 Section 9 shall be applied *mutatis mutandis* to the applications for authorization under Section 8; if the authorization is declined, the official shall notify the reasons for declining to the applicant within ten days from the day the application is received.

If the authorization is declined, the applicant is entitled to appeal the official's order within fifteen days from the day the notification is received. In Bangkok and Thonburi, the appeal must be filed to the Committee appointed by the Minister; in other provinces, the appeal shall be filed to the Provincial Committee, and the decision of the Committee or Provincial Committee, as the case may be, shall be final.

Section 11 The following persons are prohibited to organize fund raising or to raise funds:

- (1) Persons who are under 16 years of age;
- (2) Persons who have mental infirmity, incompetent or quasi-incompetent persons.
- (3) Persons who have abhorrent infectious diseases.
- (4) Persons who were convicted for committing any of the following

offenses: theft, snatch, robbery, gang robbery, piracy, extortion, fraud, misappropriation, receiving stolen property, or malfeasance pursuant to the Criminal Law, and are discharged from the punishment less than five years.

(5) Persons deemed by the competent official to have unreliable behavior or evidence.

Section 12 A person authorized to organize a fund raising must possess the license with him during the fund raising and must allow the official, or a person who wishes to participate in the fund raising, to inspect the license upon request.

If the fund raising is authorized to be organized at a specific location, the licensee must clearly display the license at the said location.

Section 13 A receipt for money, or property received from a fund raising, must be issued to a donator with a stub as evidence, and the fund raising organizer shall announce the total money and property received and paid to the public from time to time as appropriate, and the announcement of the total account sum shall be announced again once the money and property are completely paid.

Section 14 It is prohibited to pay money or property received from a fund raising for any business other than for the specified purposes of the fund raising; except for expenses reasonably paid that were incurred from the fund raising itself.

Section 15 If the money or property received from the fund raising is not spent because the specified purposes of the fund raising cannot be achieved, or there is remaining money or property due to whatever reasons, the fund raising organizer shall report to the Committee on Fund Raising Control, or to the competent official, as the case may be, and the Committee, or the competent official, shall be empowered to order the said money or property to be sent for any charity or public benefit activity as he deems appropriate.

If the fund raising organizer dies, the duties of the fund raising organizer as prescribed in the preceding paragraph shall devolve to the person who possesses the said money and property.

Section 16 It is prohibited to use any words or means to coerce any persons into fund raising, whether directly or implicitly, or to cause apprehension or fear amongst the said persons.

Section 17 Whoever violates Section 5, Section 6 Paragraph one, or Section 8 Paragraph one, shall be liable to a fine not exceeding two hundred baht or to imprisonment for a term not exceeding 1 month, or to both.

Section 18 Whoever violates the conditions prescribed in the license by the Committee on Fund Raising Control pursuant to Section 9, or by the competent official pursuant to Section 10, or violates Section 12, shall be liable to a fine not exceeding one hundred baht.

Section 19 Whoever violates Sections 13, 14, or 15 shall be liable to a fine not exceeding five hundred baht or to imprisonment for a term not exceeding six months, or to both.

Section 20 Whoever violates Section 16 shall be liable to a fine not exceeding one thousand baht or to imprisonment for a term not exceeding one year, or to both.

Section 21 The Minister of Interior shall have charge and control of the execution of this Act and shall be empowered to issue Ministerial Regulations, appoint competent officials and other proceedings for the implementation of this Act.

The Ministerial Regulations shall come into effect once published in the Government Gazette.

Countersigned by:
Field Marshal Plaek. Pibulsongkram
Prime Minister