

Ratchaphatsadu Land Act, B.E. 2518 (1975)

Translation

BHUMIBOL ADULYADEJ, REX.

Given on the 14th Day of February B.E. 2518;

Being the 30th Year of the Present Reign

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

Whereas it is expedient to have a law on Ratchaphatsadu land;

Be it, therefore, enacted by the King, by and with the advice and consent of the National Legislative Assembly, acting as the National Assembly, as follows:

Section 1

This Act is called the "Ratchaphatsadu Land Act, B.E. 2518 (1975)".

Section 2

This Act shall come into force as from the day following the date of its publication in the Government Gazette.

Section 3

All other laws, by-laws and regulations, insofar as they deal with matters provided herein or are contrary hereto or inconsistent herewith, shall be replaced by this Act.

Section 4

"Ratchaphatsadu land" means every kind of immovable property which is State property except the following domain public of State:

- (1) waste land and land surrendered, abandoned or otherwise reverted to the State according to the land law;
- (2) immovable property which is in use for the people or reserved for the common use of the people such as foreshores, water-ways, highways, lakes.

An immovable property of a State enterprise being a juristic person or an immovable property of a local government organization shall not be deemed as Ratchaphatsadu land.

Section 5

The Ministry of Finance shall hold the ownership over Ratchaphatsadu land.

The Ministry of Finance shall hold the ownership over any Ratchaphatsadu land which any Ministry, Sub-Ministry and Department acquires by expropriation, exchange or other means except the land acquired by expropriation in pursuance of the law on land reform for agriculture.

Section 6

There shall be a committee called "Ratchaphatsadu Land Committee" consisting of the Minister of Finance as Chairman, the Permanent Secretary for Finance as Vice Chairman, the Permanent Secretary for Defense, the Permanent Secretary for Agriculture and Co-operatives, the Permanent Secretary for Interior, the Permanent Secretary for Education, the Permanent Secretary for Industry, the Director-General of the Department of Land, the Director of Town and Country Planning Bureau as members. The Director-General of the Treasury Department shall be the member and secretary and the Director of Real Property Service Division of the Treasury Department shall be the member and assistant secretary.

The Committee shall have duties to lay down policies, rules and procedure concerning the supervision, maintenance, utilization and management of Ratchaphatsadu land.

The rules and procedure prescribed by the Committee shall be in the form of Ministerial Regulation.

Section 7

At a meeting of the Committee, the presence of not less than one-half of the total number of members is required to constitute a quorum. If the Chairman does not attend the meeting or is unable to perform his or her duty, the Vice-Chairman shall preside over the meeting. If the Chairman and the Vice Chairman do not attend or are unable to perform their duties, the members present shall elect one among themselves to preside over the meeting.

The decision of the meeting shall be by a majority of votes.

Each member shall have one vote; in case of an equality of votes, the person presiding over the meeting shall have an additional vote as casting vote.

Section 8

A transfer of Ratchaphatsadu land which is the domain public of State for special use of the State shall be made by an Act. The transfer of other types of Ratchaphatsadu land shall be in compliance with the rules and procedure prescribed in the Ministerial Regulation.

In enacting the Act under paragraph one, a map specifying the boundary of Ratchaphatsadu land shall be annexed thereto.

Section 9

When Ratchaphatsadu land which is the domain public of State for special use of the State has no longer been used for such purpose or ceased to be domain public of State, or when Ratchaphatsadu land which is reserved for official use has no longer been required to be reserved for such purpose, there shall be enacted a Royal Decree to annul its status as domain public of State or its reservation, as the case may be, and a map specifying its boundary shall be annexed thereto.

Section 10

Pending the Ministerial Regulations prescribing the rules and procedure in pursuance of Section 6 and Section 8, the Rule concerning the Supervision and Management of Ratchaphatsadu Land and Building B.E. 2485 shall continue to be in force insofar as it is not contrary to this Act until the Ministerial Regulations prescribing the said rules and procedure are issued; provided that the issuance of such Ministerial Regulations shall not be later than six months as from the day this Act comes into force.

Section 11

All Ratchaphatsadu land which the Ministries, Sub-Ministries, and Departments acquire by virtue of the law on expropriation of immovable property or in exchange of the ownership with a private sector or by other means prior to the day this Act comes into force shall be transferred to the Ministry of Finance.

Section 12

The Ministry of Finance 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.

Countersigned by Mr. Sanya Dharmasakti as Prime Minister

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