

LAND DEVELOPMENT ACT, B.E. 2526 (A.D. 1983)

BHUMIBOL ADULYADEJ REX

Given on the 1st day of October B.E. 2526
Being the 38th year of the Present Reign

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

Whereas it is deemed appropriate to have a law on land development;

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

Section 1. This Act is called “**Land Development Act, B.E. 2526**”

Section 2. This Act shall come into force as from the day after the date of its publication in the Government Gazette.

Section 3. In this Act:

“**Land Development**” means any act done to the soil or the land in order to increase the productivity or quality of the soil or the land, or to increase agricultural production, and shall increase the improvement of the soil or the land, which is infertile either naturally or due to its utilization and the conservation or soil and water to maintain natural balance or for suitable utilization of land for agriculture.

“**Policy and Planning of the utilization of land**” means the laying down of policy and planning of the utilization of land to suit the land condition and to conform with the category of land classified.

“**Soil**” shall include stone, gravel, sand, mineral, water and other organic materials as mixture of the soil.

“**Land**” means the land under the Land Code.

“**Land Census**” means the survey of condition of occupation of the land in detail, list of farmers and their activities relating to the utilization of land for agriculture, residence, commerce and industry.

“**Land Economics**” means the economic relationship between the population and the land.

“**Competent official**” means persons who have been appointed by the Minister for the execution of this Act.

“**Minister**” means the Minister having charge and control of the execution of this Act.

Section 4. There shall be a Board called the “Board of Land Development” consisting of the Minister of Agriculture and Cooperatives as Chairman, Permanent Secretary of Agriculture and Cooperatives as Deputy Chairman, Secretary-General of the office of National Economic and Social Development Board, Director-General of the Land Department, Director-General of the Public Welfare Department, Director-General of the Royal Forest Department, Director-General of the Royal Irrigation Department, Director-General of the Agricultural Extension Department, Director-General of the Department of Agriculture, Secretary-General of the Office of Land Reform for Agriculture, Secretary-General of the Office of Agricultural Economics, and not more than three qualified persons appointed by the Minister as members, and the Director-General of the Land Development Department as Member and Secretary.

Section 5. The Board shall have the following powers and duties:

- 1) to formulate the criteria for land classification, land use planning, and land development and to specify the area for land utilization for submission to the Council of Ministers for approval so that they may be carried out by the State Agencies concerned.
- 2) to prescribe the area for land survey under Section II.
- 3) to specify measures for the improvement of soil or land or measures for the conservation of soil and water so that the state agency concerned may employ, advise and promote it among the farmers.
- 4) to approve the establishment of land development agencies at various levels in any area in order to provide technical assistance, demonstration and advice directly to the farmers in cases where there are measures for the improvement of the land or the conservation of soil and water specified by the Board and where the said technique has to be employed and where it is not possible to provide the advice to farmers by other promotional activities.
- 5) to lay down regulations, terms or conditions relating to application for analysis of soil sample, for soil improvement or individual land development under Section 4.
- 6) to lay down regulations relating to the performance of duties by the sub-committees.
- 7) to carry out any other works prescribed by the law or assigned to it by the Council of Ministers.

Section 6. The Members appointed by the Council of Ministers shall hold office for a term of three years.

Section 7. Apart from retiring from office at the end of the term under Section 6, the members appointed by the Council of Ministers shall retire upon:

- 1) Death
- 2) Resignation
- 3) Being dismissed by the Council of Ministers on grounds of inability to perform the duty normally or of misconduct.

- 4) Being a bankrupt
- 5) Being an incompetent or quasi incompetent person
- 6) Having been sentenced to a term of imprisonment by a final judgment, except for offences committed through negligence or petty offences.

Section 8. At the Board Meeting, if the Chairman is absent or unable to perform his duty, the Deputy Chairman shall act as chairman of the meeting; if the Chairman and the Deputy Chairman are absent or unable to perform duty, the members present at the meeting shall elect one of their number as Chairman of the meeting. At every Board Meeting there shall be not less than half of the total number of members present to constitute a quorum.

The decision of the meeting shall be by majority vote. Each member shall have one vote. In case of equality of votes, the Chairman of the meeting shall have an additional vote as a casting vote.

Section 9. The board may appoint a sub-committee to consider or carry out any act as assigned by the Board.

Section 10. The Land Development Department shall have the duty to survey the land and to analyse the soil or land in order to determine the fertility and its suitability for utilization, classification, and development, and to prepare land census or conduct economic surveys of the land for the purposes of this Act and other tasks assigned to it by the Board.

The Land Development Board shall have the same powers relating to statistics as those provided in the law on statistics with regard to the law on statistics with regard to the taking of land census for the execution of this Act.

Section 11. In order to facilitate the determination of the fertility of land and its suitability for utilization, the Board may arrange for the survey of land.

When it is considered appropriate to survey the land in any area, the Board shall publish in the Government Gazette the area to be surveyed. The map of the area to be surveyed shall be attached and shall be considered an integral part of the announcement.

Section 12. In the area under survey under Section 11, the competent official shall have power to enter private land from sunrise to sunset and to collect such sample of soil or water or to make such survey marks as he deems to be suitable and necessary, but the owner or possessor of such land shall be informed in advance by adequate notice in writing, giving him reasonable time. If the owner or possessor cannot be contacted written notice shall be given to the owner or possessor in advance for a period of not less than fifteen days by the public display of such notice in the area where that land is situated, and the office of Khet or Amphoe and the office of the Kamnan or the Khwaeng where that land is situated. The notice shall also specify the performance required and the time of such performance.

In carrying out the duty under the Section, the person concerned shall accord the competent official reasonable facility and the competent official shall show his identity card to those concerned.

The identity card of the competent official shall be in the form as specified in the Ministerial Regulation.

Section 13. In the execution of his duty under this Act, the competent official shall be an official under the Penal Code.

Section 14. Any private individual who wants the Land Development Department to carry out soil analysis and/or the improvement of the soil, or the conservation of the soil and water shall submit an application to the local land development agency where that land is situated or, if there is no such agency to the Amphoe.

In carrying out the analysis or improvement of the soil or the conservation of soil and water under paragraph one, the applicant shall be liable to pay those expenses specified in the Ministerial Regulation.

In cases where the farmer wants the Land Development Department to analyse the soil in order to make improvement to the soil for agricultural purpose, and he himself brings the sample of the soil to the Land Development Department, he shall be exempted from paying expenses specified under paragraph two, and the Land Development Department shall inform the applicant of the result of such analysis within reasonable time and provide advice regarding the improvement of the soil for agricultural purpose.

Section 15. Whoever shall damage, destroy, alter, move or pull out the survey mark made by competent official under Section 12 without permission, he shall be sentenced to a term of imprisonment for a period of not more than one month or a fine of not exceeding one thousand Baht, or both.

Section 16. Whoever obstructs the competent official in the performance of his duty under Section 12 shall be liable to a fine not exceeding one thousand Baht.

Section 17. The Minister of Agriculture and Cooperatives shall have charge and control of this Act and shall have power to appoint competent officials and to issue Ministerial Regulation for the execution of this Act.

The Ministerial Regulation shall come into force on the date of its publication in the Government Gazette.

Countersigned by:

GENERAL P. TINSULANOND
PRIME MINISTER