

Translation

STATE IRRIGATION ACT,  
B.E. 2485 (1942)

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IN THE NAME OF HIS MAJESTY KING ANADA MAHIDOL  
The Council of Regency  
(By virtue of the Notification of the President of the House of Representatives,  
dated 4<sup>th</sup> August B.E. 2480 and 10<sup>th</sup> December B.E. 2484)  
Aditya Dibabha;  
Pridi Banomyong;  
Enacted on the 1<sup>st</sup> Day of September B.E. 2485;  
Being the 9<sup>th</sup> Year of the Present Reign.

Whereas the House of Representatives passes a resolution that it is expedient to promote and control State irrigation to ensure its proper execution;

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

PRELIMINARY PROVISIONS

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Section 1. This Act shall be called the "State Irrigation Act, B.E. 2485 (1942)."

Section 2.<sup>1</sup> This Act shall come into force as from the date of its publication in the Government Gazette.

Section 3. The provisions of the Canal Conservation Act, R.S. 121 (1902) shall not apply to irrigation waterways under this Act.

All other laws, regulations and bylaws insofar as they have already been provided herein, or are inconsistent with the provisions of this Act, shall be repealed.

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<sup>1</sup> Published in the Government Gazette, Vol. 59, Part 62, Page 1676, dated 22<sup>nd</sup> September B.E. 2485 (1942).

Section 4.<sup>2</sup> In this Act:

“irrigation work” means any activity carried out by the Royal Irrigation Department in order to acquire water or to retain, store, maintain, control, supply, drain or allocate water for the purposes of agriculture, energy, public utilities or industry, and also includes the prevention of damage caused by water as well as navigation within an irrigation area;

“irrigation waterway” means a waterway declared as an irrigation waterway by the Minister under the provisions of section 5;

“irrigation area” means an area of arable lands benefited from irrigation works;

“working area” means an area of land used for construction and maintenance of irrigation works, the boundaries of which are determined by the competent official;

“navigation lock” means a structure built in a waterway to enable the passage of vessels and rafts through different levels of water;

“dam” means a structure built in a waterway to block water from flowing through or over it;

“weir” means a structure built to irrigate water in a waterway which will be supplied to an irrigation area, by way of allowing surplus water to overflow over it;

“barrage” means a structure with gates capable of shutting and opening built to irrigate or retain water in a waterway which is a source of water which will be supplied to an irrigation area;

“floodgate” means a structure with gates capable of shutting and opening built in a waterway to irrigate, retain, block or drain water at a place other than a source of water which will be supplied to an irrigation area;

“siphon” means a structure built to enable water to flow under or over an obstacle;

“flume” means a structure built to enable water to flow over a waterway or a low place;

“fall” means a structure built to force water to fall from one level of a waterway to another level of the waterway;

“embankment” means a mound of earth built in the form of longitudinal ridge along the line of a canal;

“berm” means an area between the bank and the embankment;

“levee” means a structure built in the form of longitudinal ridge on the surface of land to prevent flood;

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<sup>2</sup> The definition of the term “irrigation” of section 4 has been amended by the State Irrigation Act (No. 4), B.E. 2518 (1975).

“competent official” means an official of the Royal Irrigation Department having the duties to carry out acts in connection with irrigation works, and also includes a person appointed by the Director General in accordance with the provisions of this Act;

“irrigation engineer” means a competent official who is the chief responsible for control of the construction or maintenance of irrigation works;

“Director General” means the Director General of the Royal Irrigation Department;

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

## CHAPTER I GENERAL PROVISIONS

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**Section 5.** For the purpose of this Act, irrigation waterways are divided into 4 categories, namely:

Category 1: a waterway used for supplying, draining, retaining or blocking water for irrigation works;

Category 2: a waterway used for navigation as well as irrigation works, which is located within an area benefited from irrigation works;

Category 3: a waterway reserved for use for irrigation works;

Category 4: a waterway which is accessory to irrigation works.

The Minister shall publish in the Government Gazette as to which waterway is an irrigation waterway, and of which category such waterway is.

**Section 6.** An irrigation engineer has the power to occasionally use an area of land with no structure attached thereon in an irrigation area for a period which is necessary for irrigation purposes, by giving a written notice to the owner or possessor of the land not less than seven days in advance. However, if this results in any damage, compensation therefor shall be paid.

**Section 7.** In case of emergency with a view to preventing danger that may occur to irrigation works, the irrigation engineer has the power to use lands or items of any person in the vicinity or in the area in which the danger may occur insofar as it is necessary. However, if this results in any damage, compensation therefor shall be paid.

Section 8.<sup>3</sup> The Minister has the power to collect irrigation charges from the owner or possessor of lands within an irrigation area or from a person using water from an irrigation waterway, regardless of whether the water user is within or outside the irrigation area, by issuing a Ministerial Regulation to prescribe:

(1) each line or area of an irrigation waterway with respect to which irrigation charges will be collected, by attaching a map illustrating the boundaries thereof;

(2) area or locality of an irrigation area where irrigation charges will be collected, by attaching a map illustrating the boundaries thereof;

(3) rate of irrigation charges to be collected from owners or possessors of lands within an irrigation area or from persons using water for agricultural purposes outside the irrigation area;

(4) rate of irrigation charges to be collected from persons using water for activities of factories, water works or other activities within or outside the irrigation area;

(5) criteria, rules and procedures for collection or payment of irrigation charges, as well as exemption, reduction or instalment arrangements of the irrigation charges.

The rate of the irrigation charge to be collected from owners or possessors of lands within an irrigation area or from persons using water for agricultural purposes outside the irrigation area shall not exceed five baht per *rai* per annum.

The rate of the irrigation charge to be collected from persons using water for activities of factories, water works or other activities shall not exceed fifty satang per cubic meter.

Section 8 *bis*.<sup>4</sup> A revolving fund shall be established in the Royal Irrigation Department, called the "Revolving Fund for Irrigation Works."

Irrigation charges collected under section 8 shall be remitted to the account of the Revolving Fund for Irrigation Works, without having to be remitted to the Treasury as State revenue.

Money of the Revolving Fund for Irrigation Works shall be spent only for irrigation works in accordance with the Rules prescribed by the Minister with approval of the Ministry of Finance.

Within ninety days from the last day of every fiscal year, the Minister of Agriculture and Cooperatives shall publish a report on revenues and expenditures of the Revolving Fund for Irrigation Works in the Government Gazette.

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<sup>3</sup> Section 8 has been amended by the State Irrigation Act (No. 4), B.E. 2518 (1975).

<sup>4</sup> Section 8 *bis* has been added by the State Irrigation Act (No. 4), B.E. 2518 (1975).

When the State Audit Commission has examined the report on revenues and expenditures under paragraph four, the results of the examination shall be reported to the Council of Ministers for submission to the National Assembly for information.

**Section 9.** In order to secure benefits from irrigation works, if there is no other way to do so, an owner of a land far away from a waterway or a water source shall have the right to make a waterway through lands of other persons, provided that permission of the irrigation engineer, provincial governor or chief district official is obtained and the waterway, including the place for depositing the spoil, does not exceed ten meters in width. In this regard, compensation shall be paid to the owner and possessor of land through which the waterway passes.

In granting the permission and determining such waterway, regard shall be given to the interest of the owners and possessors of lands through which the waterway passes, and the place determined for making of such waterway shall be that causing minimum damage to the owner and possessor of the land.

## CHAPTER II CONSTRUCTION

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**Section 10.** A competent official, upon giving a prior written notice as may be appropriate, has the power to enter into a piece of land of any person for performing surveying and examining work in connection with irrigation works. However, if this results in any damage, compensation therefor shall be paid.

**Section 10 bis.**<sup>5</sup> (repealed)

**Section 11.**<sup>6</sup> In the case where it is necessary to acquire an immovable property for the purpose of irrigation works, if no agreement on transfer has been concluded otherwise, the expropriation shall be proceeded in accordance with the law on expropriation of immovable properties.

In transferring an immovable property acquired under paragraph one without any expropriation being proceeded under the law on expropriation of immovable properties, fees and stamp duties shall be exempted.

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<sup>5</sup> Section 10 *bis* has been repealed by the State Irrigation Act (No. 5), B.E. 2530 (1987).

<sup>6</sup> Section 11 has been amended by the State Irrigation Act (No. 5), B.E. 2530 (1987).

Section 12.<sup>7</sup> (*repealed*)

Section 12 *bis*.<sup>8</sup> (*repealed*)

### CHAPTER III MAINTENANCE

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Section 13.<sup>9</sup> The Director General has the power to appoint a person who is not an official of the Royal Irrigation Department to be a competent official having duties to collect irrigation waterway maintenance charges, or to take care and maintain irrigation waterways, embankments, berms, dams, levees, benchmarks or structures used in irrigation works as determined by the Director General. Such appointment shall also be posted up at the Irrigation Office in the area.

Section 13 *bis*.<sup>10</sup> Where it is deemed appropriate to transfer State irrigation works in any locality or in an area of any irrigation project to be private irrigation works, it may be done by issuing a Royal Decree determining the area of the State irrigation works to be transferred. Upon promulgation of the Royal Decree on such transfer, the State irrigation works so transferred shall be deemed private irrigation works under the law on private irrigation works as from the date of promulgation of the Royal Decree.

Section 13 *ter*.<sup>11</sup> The competent official having duties to collect irrigation waterway maintenance charges, or to take care and maintain irrigation waterways, embankments, berms, dams, levees, benchmarks or structures used in irrigation works shall have the powers as follows:

(1) to order a controller of a vessel or a raft which is passing or will pass through an irrigation waterway to stop or moor the vessel or raft, where there are reasonable grounds to suspect that an offence under this Act has been committed;

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<sup>7</sup> Section 12 has been repealed by the State Irrigation Act (No. 5), B.E. 2530 (1987).

<sup>8</sup> Section 12 *bis* has been repealed by the State Irrigation Act (No. 5), B.E. 2530 (1987).

<sup>9</sup> Section 13 has been amended by the State Irrigation Act (No. 3), B.E. 2507 (1964).

<sup>10</sup> Section 13 *bis* has been added by the State Irrigation Act (No. 2), B.E. 2497 (1954).

<sup>11</sup> Section 13 *ter* has been added by the State Irrigation Act (No. 3), B.E. 2507 (1964).

(2) to inspect a card of irrigation waterway maintenance charges or a permit to navigate the irrigation waterway;

(3) to arrest a person committing an offence under this Act *in flagrante delicto*.

**Section 13 *quater*.**<sup>12</sup> In carrying out an act under section 13 *ter*, the competent official shall produce his or her identification card upon request of the person concerned.

The identification card of the competent official shall be in the form prescribed by a Ministerial Regulation.

**Section 13 *quinquies*.**<sup>13</sup> No motor vessel nor steam vessel shall navigate a category 1 irrigation waterway, unless permission is obtained in writing from the competent official on an occasional basis as may be necessary. No motor vessel nor steam vessel shall be engaged to carry passengers or goods, or carry out towage operation in a category 2 irrigation waterway, unless a permit is obtained from a competent official.

The permit issued for motor vessels or steam vessels to engage in carrying passengers or goods or carrying out towage operation in a category 2 irrigation waterway shall be valid until the 31<sup>st</sup> day of December of the year of its issuance.

**Section 14.**<sup>14</sup> The Minister has the power to issue Ministerial Regulations to carry out the following acts:

(1) to prescribe conditions for the use of vessels and rafts in category 1 and category 2 irrigation waterways;

(2) to lay down rules on application for and granting of permission for a motor vessel or a steam vessel to navigate category 1 irrigation waterways, and on application for and issuance of a permit for a motor vessel or a steam vessel to engage carrying passengers or goods or carrying out towage operation in category 2 irrigation waterways;

(3) to determine irrigation waterway maintenance charges to be collected from users of vessels or rafts passing through a navigation lock or a floodgate, or passing through the area of a dam or a floodgate by means of slipway, the rates of which shall not exceed the rates specified in Table A annexed to this Act, and to exempt irrigation waterway maintenance charges for certain types of vessels;

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<sup>12</sup> Section 13 *quater* has been added by the State Irrigation Act (No. 3), B.E. 2507 (1964).

<sup>13</sup> Section 13 *quinquies* has been added by the State Irrigation Act (No. 3), B.E. 2507 (1964).

<sup>14</sup> Section 14 has been amended by the State Irrigation Act (No. 3), B.E. 2507 (1964).

(4) to determine irrigation waterway maintenance charges to be collected annually from a permittee who makes use of motor vessels or steam vessels to engage in carrying passengers or goods or carrying out towage operation in a category 2 irrigation waterway, the rates of which shall not exceed the rates specified in Table B annexed to this Act;

(5) to determine rates of fees not exceeding the rates specified in Table C annexed to this Act;

(6) to determine tools and methods to be used for catching aquatic animals, as well as the area in which catching of aquatic animals is prohibited, in an irrigation waterway, in order to prevent damage to the irrigation works.

**Section 15.**<sup>15</sup> In the interest of irrigation works, the Director General has the powers as follows:

(1) to intercept, block or open water in irrigation waterways;

(2) to dredge, repair or alter irrigation waterways, or to cause the construction of a structure in the irrigation waterways;

(3) to prohibit, restrict or prescribe conditions for the passage of vessels or rafts through the irrigation waterways under (1) or (2).

In exercising the power under this section, a notice thereon shall be posted up at a place of assembly in the locality not less than seven days in advance, except in case of emergency where the Director General shall have the power to proceed before posting up the notice.

**Section 16.**<sup>16</sup> The Director General has the power to prohibit, restrict or prescribe conditions for use of vessels or rafts, use of water, water drainage or other activities in category 4 irrigation waterways by posting up a notice thereon at a place of assembly in the locality not less than seven days in advance.

**Section 17.** A subdistrict head, village head or municipal mayor of the locality situated in an irrigation area has the duty to take care and maintain embankments and irrigation waterways within the area of such locality or municipality.

**Section 18.** The Director General has the power to grant exemption of irrigation charges, in whole or in part, to a subdistrict head, village head and municipal mayor as provided in the foregoing section, or to the person nominated by the subdistrict head, village headman or

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<sup>15</sup> Section 15 has been amended by the State Irrigation Act (No. 3), B.E. 2507 (1964).

<sup>16</sup> Section 16 has been amended by the State Irrigation Act (No. 3), B.E. 2507 (1964).



municipal mayor as the person eligible to the exemption on his or her behalf, at the following rates:

- a. subdistrict head and municipal mayor: fifty *rai* per person;
- b. village head: twenty-five *rai* per person.

**Section 19.** In digging or repairing an irrigation waterway, if there is no place to deposit the spoil, there shall be the power to deposit such spoil in the neighboring land as may be necessary. However, if this results in damage being caused to any existing crop or structure, compensation therefor shall be paid.

**Section 20.** When the competent official supplies, drains or pumps water into any piece of land for the purpose of agriculture, no person shall intercept or block water by any means so as to prevent water from flowing to the neighboring land or land of destination.

If it is deemed appropriate, the competent official, district chief or person acting on behalf of the district chief has the power to make an order in writing to the owner or possessor of the land or the person cultivating it to remove any object intercepting or blocking the water as may be determined, or to have it removed by himself or herself. In this regard, the competent official, district chief or person acting on behalf of the district chief has the power to enter into a piece of land for inspection and to carry out such act.

**Section 21.** When the competent official supplies or pumps water into any piece of land for the purpose of agriculture, the competent official, district chief or person acting on behalf of the district chief has the power to order the owner or possessor of the land or the person cultivating the land within the area where the water is to be received, to perform any act within the specified period of time, in order to retain such water in the interest of preventing it from flowing to waste so that the neighboring land is unable to reasonably receive the water.

**Section 22.** With regard to any owner or possessor of land who fails to comply with the provisions of section 20 paragraph one or fails to comply with the order under section 20 paragraph two or section 21, not only shall such person be subject to the penalty provided in this Act, but also the competent official shall have the power to arrange a person to perform the act in place of such person and to charge the owner or possessor of the land, as the case may be, labor costs at the rate prevailing in the locality.

**Section 23.**<sup>17</sup> No person shall construct, alter or add any structure, or erect any other thing, or cultivate land, which encroaches upon the irrigation waterway, berm or line of embankment or levee, unless permission is obtained in writing from the irrigation engineer. In case of contravention, not only shall the contravener be subject to the penalty provided in this Act, but also the Court may, upon request of the plaintiff, order the removal of such encroachment.

In case of emergency with a view to preventing danger that may occur to irrigation works, the irrigation engineer has the power to perform any act to rid the irrigation waterway, berm or line of embankment or levee of the encroachment.

**Section 24.** If a tree grown on a land of a person encroaches upon an irrigation waterway or causes damage to an irrigation waterway, the competent official shall have the power to order the owner or possessor of the land to cut down or remove such tree.

**Section 25.**<sup>18</sup> No person shall perform any act which results in obstruction of an irrigation waterway, unless permission is obtained in writing from the irrigation engineer. In case of contravention, not only shall the contravener be subject to the penalty provided in this Act, but also the Court may, upon request of the plaintiff, order the removal of such obstruction.

In case of emergency with a view to preventing danger that may occur to irrigation works, the irrigation engineer has the power to perform any act to rid the irrigation waterway of the obstruction.

**Section 26.**<sup>19</sup> No person shall dig a canal or waterway to connect with an irrigation waterway or with any other waterway connecting to an irrigation waterway, or perform any act to cause leakage of water from an irrigation waterway, the result of which may be detrimental to irrigation works, unless permission is obtained in writing from the Director General or a person entrusted thereby. In this regard, not only shall the contravener be subject to the penalty provided in this Act, but also the Court may order the canal or waterway to be closed or filled in order to stop any further leakage of water.

In the interest of preventing damage which may be caused to irrigation works, the Director General has the power to order the person performing any act in paragraph one to close or fill such waterway or perform any act to prevent further leakage of water. If he or she fails to

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<sup>17</sup> Section 23 has been amended by the State Irrigation Act (No. 3), B.E. 2507 (1964).

<sup>18</sup> Section 25 has been amended by the State Irrigation Act (No. 3), B.E. 2507 (1964).

<sup>19</sup> Section 26 has been amended by the State Irrigation Act (No. 2), B.E. 2497 (1954).

comply with the order, the Director General shall have the power to order a competent official to take action promptly, and, if use of land for this purpose is imperative, shall have the power to use the land adjacent to such canal or waterway insofar as may be necessary. The costs spent for this purpose, including the compensation to be paid to the owner of the land, shall be entirely imposed on the contravener.

With respect to any canal or waterway causing leakage of water in an irrigation waterway to the extent that may be detrimental to irrigation works prior to the date on which this Act comes into force, if the Director General deems it appropriate, he or she shall have the power to take action in accordance with the provisions of paragraph two *mutatis mutandis*.

**Section 27.** No person shall bring or allow beasts of burden to go down into a category 1 and category 2 irrigation waterway, or to stride onto the embarkment, berm or area in which structures relating to irrigation works are located, except in a certain area where permission is stipulated or upon obtaining permission in writing from the competent official.

**Section 28.**<sup>20</sup> No person shall dump solid wastes, carcasses, dead plants, ashes or ordure into an irrigation waterway, or render the water unsafe for cultivation or consumption.

No person shall discharge liquid that could render natural water poisonous, or poisonous chemical substances into an irrigation waterway to the extent that may render water therein unsafe for agriculture, consumption, utilization or health.

**Section 29.** No person shall cause damage to a navigation lock, weir, barrage, floodgate, water pipe, siphon, flume, fall, or telephone pole or wire used for irrigation works to the extent that may cause danger or obstruction to the use of such structure.

**Section 30.** No person shall perform any act which will cause damage to an embankment, berm, dam, levee or benchmark used for irrigation works.

**Section 31.** No person shall perform any act which will obstruct the path already surveyed or the working area, or cause the path already surveyed or the peg marking the working area to be dislocated or lost.

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<sup>20</sup> Section 28 has been amended by the State Irrigation Act (No. 4), B.E. 2518 (1975).

Section 32.<sup>21</sup> No person, other than the competent official in charge, shall close or open a navigation lock, barrage, floodgate, water pipe, siphon, flume or fall, or pull or push things on a slipway in the area of a dam or a floodgate.

Section 33. No person, other than the irrigation engineer or the person approved by the Director General, shall alter, modify or demolish any structure relating to irrigation works.

Section 34. No person shall dig or dredge an irrigation waterway in a manner which will be detrimental to the irrigation works, or block an irrigation waterway, unless permission is obtained from the Director General.

Section 35. A competent official has the power to make an order to prohibit a person from drawing or using water from an irrigation waterway, where he or she is of the opinion that it will cause damage to other persons.

#### CHAPTER IV PENALTY PROVISIONS

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Section 36.<sup>22</sup> Any person who fails to pay the irrigation charge as stipulated in the Ministerial Regulation issued under the provisions of section 8 (3) or (4) shall be liable to a fine not exceeding ten times the outstanding amount of the irrigation charge.

When the offender under paragraph one has paid the outstanding amount of the irrigation charge, plus the surcharge of one time the amount of such irrigation charge, to the competent official within the time determined by the competent official, the penalty in such case shall be exempted.

Section 36 *bis*.<sup>23</sup> Any person who fails to pay the irrigation waterway maintenance charge as stipulated in the Ministerial Regulation issued under the provisions of section 14 (3) shall be liable to a fine not exceeding twice the rate of the irrigation waterway maintenance charge payable.

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<sup>21</sup> Section 32 has been amended by the State Irrigation Act (No. 3), B.E. 2507 (1964).

<sup>22</sup> Section 36 has been amended by the State Irrigation Act (No. 4), B.E. 2518 (1975).

<sup>23</sup> Section 36 *bis* has been added by the State Irrigation Act (No. 3), B.E. 2507 (1964).

When the offender under paragraph one has paid the payable amount of irrigation waterway maintenance charge, plus the surcharge of fifty per cent the amount of such irrigation waterway maintenance charge, to the competent official within the time determined by the competent official, the penalty in such case shall be exempted.

**Section 36 *ter*.**<sup>24</sup> Any person who contravenes section 13 *quinquies* or section 20 paragraph one, or contravenes the Ministerial Regulation issued under the provisions of section 14 (1) or (6), or contravenes the prohibition, restriction or condition under section 15 (3) or section 16, or contravenes the order under section 13 *ter* (1), section 20 paragraph two or section 24, shall be liable to imprisonment for a term not exceeding one month, or to a fine not exceeding one thousand baht, or to both.

**Section 37.**<sup>25</sup> Any person who contravenes section 23 paragraph one, section 25 paragraph one, section 28 paragraph one, section 30 or section 31, shall be liable to imprisonment for a term not exceeding three months, or to a fine not exceeding two thousand baht, or to both.

Any person who contravenes section 28 paragraph two shall be liable to imprisonment for a term not exceeding two years, or to a fine not exceeding one hundred thousand baht, or to both.

**Section 38.**<sup>26</sup> Any person who contravenes the order issued under the provisions of section 21 or section 35 shall be liable to a fine not exceeding two thousand baht, or to imprisonment for a term not exceeding three months, or to both.

**Section 39.**<sup>27</sup> Any person who contravenes section 27 shall be liable to a fine for each animal at the rate of not less than five baht but not exceeding fifty baht per animal.

In the case where the arrest of the offender is led by another person, the public prosecutor shall submit a request to the Court. In such case, the Court shall have the power to order payment of a reward to the person providing lead to the arrest in the amount of one-half of the fine paid to the Court. However, if the case becomes final upon an order of the official having duties to make an inquiry and settle a criminal case, such settlement official shall pay one-half of the fine to the person providing lead to the arrest as a reward, and in the case where

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<sup>24</sup> Section 36 *ter* has been added by the State Irrigation Act (No. 3), B.E. 2507 (1964).

<sup>25</sup> Section 37 has been amended by the State Irrigation Act (No. 4), B.E. 2518 (1975).

<sup>26</sup> Section 38 has been amended by the State Irrigation Act (No. 2), B.E. 2497 (1954).

<sup>27</sup> Section 39 has been amended by the State Irrigation Act (No. 2), B.E. 2497 (1954).

there are several persons providing the lead, such reward shall be equally divided among such persons.

Section 40.<sup>28</sup> Any person who contravenes section 26 paragraph one or section 29 shall be liable to a fine not exceeding twenty thousand baht, or to imprisonment for a term not exceeding five years, or to both.

Section 41.<sup>29</sup> Any person who contravenes section 32, section 33 or section 34 shall be liable to a fine not exceeding ten thousand baht, or to imprisonment for a term not exceeding two years, or to both.

#### CHAPTER 5 CHARGE AND CONTROL OF THE EXECUTION OF THIS ACT

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Section 42. The Minister of Agriculture 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  
Field Marshal P. Phibunsongkhram  
Prime Minister

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<sup>28</sup> Section 40 has been amended by the State Irrigation Act (No. 2), B.E. 2497 (1954).

<sup>29</sup> Section 41 has been amended by the State Irrigation Act (No. 2), B.E. 2497 (1954).

TABLE A  
 RATES OF IRRIGATION WATERWAY MAINTENANCE CHARGES TO BE COLLECTED FROM  
 USERS OF VESSELS OR RAFTS PASSING THROUGH A NAVIGATION LOCK OR A FLOODGATE,  
 OR PASSING THROUGH THE AREA OF A DAM OR A FLOODGATE BY MEANS OF SLIPWAY<sup>30</sup>

No.	Items	Rate of Irrigation Waterway Maintenance Charges for Each Passage	
		Baht	Satang
1.	Motor vessels or steam vessels:		
	(1) not exceeding 1 meter in width: For each meter of length of the vessel	1	-
	(2) exceeding 1 meter but not exceeding 2 meters in width: For each meter of length of the vessel	1	50
	(3) exceeding 2 meters in width: For each meter of length of the vessel	2	-
	If the fraction is at least half a meter, it shall be counted as 1 meter, but if it is less than that, it shall be disregarded.		
2.	Vessels other than motor vessels and steam vessels:		
	(1) not exceeding 1.50 meters in width: For each vessel	-	50
	(2) exceeding 1.50 meters but not exceeding 2 meters in width: For each vessel	1	-
	(3) exceeding 2 meters but not exceeding 2.50 meters in width: For each vessel	1	50
	(4) exceeding 2.50 meters but not exceeding 3 meters in width: For each vessel	2	-
	(5) exceeding 3 meters but not exceeding 3.50 meters in width: For each vessel	4	-

<sup>30</sup> Table A Rate of Irrigation Waterway Maintenance Charges to Be Collected from Users of Vessels or Rafts Passing through a Navigation Lock or a Floodgate, or Passing through the Area of a Dam or a Floodgate by Means of Slipway has been amended by the State Irrigation Act (No. 3), B.E. 2507 (1964).

No.	Items	Rate of Irrigation Waterway Maintenance Charges for Each Passage	
		Baht	Satang
	(6) exceeding 3.50 meters but not exceeding 4 meters in width: For each vessel	6	-
	(7) exceeding 4 meters but not exceeding 5 meters in width: For each vessel	8	-
	(8) exceeding 5 meters but not exceeding 6 meters in width: For each vessel	10	-
	(9) exceeding 6 meters in width: For each additional meter	2	-
3.	If the fraction in (9) is at least half a meter, it shall be counted as 1 meter, but if it is less than that, it shall be disregarded.	-	25
	Rafts: For each square meter of the raft		
	If the fraction is at least half a square meter, it shall be counted as 1 square meter, but if it is less than that, it shall be disregarded.		
4.	The rates of irrigation waterway maintenance charges under 1, 2 and 3 are normal rates collected from a vessel or a raft passing during the time specified by the Government. If the passage is applied outside the time so specified, the irrigation waterway maintenance charge shall be collected at the rate which is three times the normal rate.		



TABLE B

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RATES OF IRRIGATION WATERWAY MAINTENANCE CHARGES TO BE COLLECTED FROM  
PERMITTEE GRANTED THE PERMIT TO MAKE USE OF MOTOR VESSELS OR STEAM VESSELS  
TO ENGAGE IN CARRYING PASSENGERS OR GOODS OR CARRYING OUT TOWAGE OPERATION  
IN A CATEGORY 2 IRRIGATION WATERWAY<sup>31</sup>

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For motor vessels or steam vessels engaged to carry passengers or goods or carry out towage operation in a category 2 irrigation waterway: 25 baht per horse power per annum.

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<sup>31</sup> Table B Rates of Irrigation Waterway Maintenance Charges to Be Collected from Permittee Granted the Permit to Make Use of Motor Vessels or Steam Vessels to Engage in Carrying Passengers or Goods or Carrying Out Towage Operation in a Category 2 Irrigation Waterway has been amended by the State Irrigation Act (No. 3), B.E. 2507 (1964).

TABLE C  
RATES OF FEES<sup>32</sup>

No.	Items	Rate of Fee		Remark
		Baht	Satang	
1.	Certificate of Vessel Measurement      each	5	-	
2.	Card evidencing exemption of irrigation waterway maintenance charge under section 14 (3)      each	1	-	
3.	Permit substitute      each	5	-	

<sup>32</sup> Table C Rates of Fees has been amended by the State Irrigation Act (No. 3), B.E. 2507 (1964).

State Irrigation Act (No. 2), B.E. 2497 (1954)<sup>33</sup>

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

**Remark:** The grounds for promulgation of this Act are as follows. Whereas the State Irrigation Act, B.E. 2485 (1942) currently in force still lacks several provisions and is unsuitable for the execution of operation and control of State irrigation works, which have at present been widely carried out, it is therefore expedient to make an amendment thereto so as to be more suitable to current circumstances.

State Irrigation Act (No. 3), B.E. 2507 (1964)<sup>34</sup>

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

**Remark:** The grounds for promulgation of this Act are as follows. At present, irrigation activities have been more widely carried out in order to implement the National Economic Development Plan. However, it appears that certain provisions of the law on State irrigation currently in force are not suitable to the construction, maintenance and control. In addition, penalty rates and powers of competent officials are also insufficient to deter and suppress offenders in a genuinely effective manner. It is therefore necessary to make an amendment so as to be more suitable to current circumstances.

Announcement of the Revolutionary Council, No. 146 dated 10<sup>th</sup> May B.E. 2515 (1972)<sup>35</sup>

Clause 3. This Announcement of the Revolutionary Council shall come into force as from the day following the date of its publication in the Government Gazette.

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<sup>33</sup> Published in the Government Gazette, Vol. 71, Part 64, Page 1483, dated 12<sup>th</sup> October B.E. 2497 (1954).

<sup>34</sup> Published in the Government Gazette, Vol. 81, Part 124, Special Issue, Page 1, dated 31<sup>st</sup> December B.E. 2507 (1964).

<sup>35</sup> Published in the Government Gazette, Vol. 89, Part 76, Special Issue, Page 3, dated 12<sup>th</sup> May B.E. 2515 (1972).

**Section 7.** The Minister of Agriculture and Cooperatives shall have charge and control of the execution of this Act.

**Remark:** The grounds for promulgation of this Act are as follows. Whereas the provisions on expropriation of immovable properties provided specifically in the State Irrigation Act, B.E. 2485 (1942) are partially inappropriate and redundant with the provisions of the law on expropriation of immovable properties which have already been newly revised, it is expedient to repeal such provisions. It is therefore necessary to enact this Act.