

LIST OF LAWS CONTAINING DIRECTORS' AND MANAGERS' CRIMINAL LIABILITY PROVISIONS

David Lyman
Chairman & Chief Values Officer
Tilleke & Gibbins
T: +66 2653 5599
E: david.l@tillekeandgibbins.com

Updated by:
Kobkit Thienpreecha and Weerawat Distapinyo
February 2011

Administrative, Environmental, and Miscellaneous

- Adoption Act B.E. 2522 (A.D. 1979)
- Agricultural Commodity Standard Act B.E. 2551 (A.D. 2008)
- Air Navigation Act B.E. 2497 (A.D. 1954)
- Anti Trafficking Act B.E. 2551 (A.D. 2008)
- Architects Act B.E. 2543 (A.D. 2000)
- Artesian Water Act B.E. 2520 (A.D. 1977)
- Building Control Act B.E. 2522 (A.D. 1979)
- Electric Train Mass Transit Authority of Thailand Act B.E. 2543 (A.D. 2000)
- Engineers Act B.E. 2542 (B.E. 1999)
- Environment Protection and Conservation Act B.E. 2535 (A.D. 1992)
- Excavation and Earth Filling Act B.E. 2543 (A.D. 2000)
- Escrow Act B.E. 2551 (A.D. 2008)
- Fossil Protection Act B.E. 2551 (A.D. 2008)
- Geographic Indications Protection Act B.E. 2546 (A.D. 2003)
- Hadj Business Promotion Act B.E. 2524 (A.D. 1981)
- Hazardous Substance Act B.E. 2535 (A.D. 1992)
- Land Appropriation Act B.E. 2543 (A.D. 2000)
- Management of Partners and Shares of Minister Act B.E. 2543 (A.D. 2000)
- Medical Premises Act B.E. 2541 (A.D. 1998)
- National Standard Act B.E. 2551 (A.D. 2008)
- Places of Service Act B.E. 2509 (A.D. 1966)
- Private Person Registration Act B.E. 2534 (A.D. 1991)
- Protection of Plant Varieties Act B.E. 2542 (A.D. 1999)

- Protection of Topographies (Layout-Design) of Integrated Circuits Act B.E. 2543 (A.D. 2000)
- Reforestation Act B.E. 2535 (A.D. 1992)
- Sports Authority of Thailand Act B.E. 2528 (A.D. 1985)
- Thai Public Broadcasting service Act B.E. 2551 (A.D. 2008)
- Wild Animal Preservation and Protection Act B.E. 2535 (A.D. 1992)

Banking and Finance

- Bankruptcy Act B.E. 2483 (A.D. 1940)
- Casualty Insurance Act B.E. 2535 (A.D. 1992)
- Chit-Fund Act B.E. 2534 (A.D. 1991)
- Deposit Protection Institution Act B.E. 2551 (A.D. 2008)
- Financial Institutions Business Act B.E. 2551 (A.D. 2008)
- Life Insurance Act B.E. 2535 (A.D. 1992)
- Money Laundering Prevention and Suppression Act B.E. 2542 (A.D. 1999)
- Royal Proclamation Governing Asset Management Company B.E. 2550 (A.D. 2007)
- Royal Proclamation Governing Fraudulent Borrowing B.E. 2527 (A.D. 1984)
- Royal Proclamation Governing Special Purpose Vehicle for Securitization B.E. 2540 (A.D. 1997)
- Securities and Exchange Act B.E. 2535 (A.D. 1992)
- The Trust for Transaction in Capital Market Act B.E. 2550 (A.D. 2007)

Commerce, Economic, and Industry Law

- Accounting Profession Act B.E. 2547 (A.D. 2004)
- Accounts Act B.E. 2543 (A.D. 2000)
- Act on Control of Auction and Antiques Sales B.E. 2474 (A.D. 1931)
- Act on Offenses Concerning Registered Partnerships, Limited Partnerships, Limited Companies, Associations, and Foundations B.E. 2499 (A.D. 1956)
- Agricultural Futures Market Act B.E. 2542 (A.D. 1999)
- Broadcasting and Television Business Operation Act B.E. 2551 (A.D. 2008)
- CD Product Manufacturing Act B.E. 2548 (A.D. 2005)
- Commercial Registration Act B.E. 2499 (A.D. 1956)
- Control of Fuel Oil Act B.E. 2542 (A.D. 1999)
- Credit Information Business Operation Act B.E. 2545 (A.D. 2002)
- Derivatives Act B.E. 2546 (A.D. 2003)
- Direct Sale and Direct Marketing Act B.E. 2545 (A.D. 2002)
- Electronic Transactions Act B.E. 2544 (A.D. 2001)
- Energy Business Operation Act B.E. 2550 (A.D. 2007)
- Energy Conservation Promotion Act B.E. 2535 (A.D. 1992)
- Factories Act B.E. 2535 (A.D. 1992)
- Fertilizer Act B.E. 2518 (A.D. 1975)
- Film and Video Act B.E. 2551 (A.D. 2008)
- Hotel Act B.E. 2547 (A.D. 2004)
- Industrial Products Standards Act B.E. 2511 (A.D. 1968)
- Islamic Bank of Thailand Act B.E. 2545 (A.D. 2002)

- Medical Device Act B.E. 2551 (A.D. 2008)
- Multimodal Transport Act B.E. 2548 (A.D. 2005)
- Oil Fuel Trading Act B.E. 2543 (A.D. 2000)
- Prices of Goods and Services Act B.E. 2542 (A.D. 1999)
- Private Weapon Manufacturing Factory Act B.E. 2550 (A.D. 2007)
- Public Company Act B.E. 2535 (A.D. 1992)
- Royal Proclamation Controlling the Goods along the Border B.E. 2524 (A.D. 1981)
- Sugar-Cane and Sugar Act B.E. 2527 (A.D. 1984)
- Telecommunication Business Operation Act B.E. 2544 (A.D. 2001)
- Thai Vessels Act B.E. 2481 (A.D. 1938)
- Trade Competition Act B.E. 2542 (A.D. 1999)
- Trade Secret Act B.E. 2545 (A.D. 2002)
- Travel Agency and Tourist Guide Businesses Act B.E. 2551 (A.D. 2008)
- Weights and Measures Act B.E. 2542 (A.D. 1999)

Education

- Private Schools Act B.E. 2550 (A.D. 2007)

Foreign Relations

- Foreign Business Act B.E. 2542 (A.D. 1999)
- Immigration Act B.E. 2522 (A.D. 1979)

Intellectual Property

- Copyright Act B.E. 2537 (A.D. 1994)
- Patent Act B.E. 2522 (A.D. 1979)
- Protection and Enhancement of Thai Traditional Medicine Wisdom Act B.E. 2542 (A.D. 1999)
- Trademark Act B.E. 2534 (A.D. 1991)

Labor

- Act on Safety, Occupational Health, and Working Environments B.E. 2554 (A.D. 2011)
- Employment Service and Job Seekers Protection Act B.E. 2528 (A.D. 1985)
- Labor Protection Act B.E. 2541 (A.D. 1998)*
- Protection of the Persons Who Bring the Work To Do At Home Act B.E. 2553 (A.D. 2010)*
- Social Security Act B.E. 2533 (A.D. 1990)

Public Health

- Animal Feed Quality Control Act B.E. 2525 (A.D. 1982)
- Consumer Protection Act B.E. 2522 (A.D. 1979)

- Tobacco Product Control Act B.E. 2535 (A.D. 1992)

Taxes and Duties

- Customs Act B.E. 2469 (A.D. 1926)
- Duties on Bird's Nest Act B.E. 2540 (A.D. 1997)
- Excise Tax Act B.E. 2527 (A.D. 1984)
- Petroleum Income Tax Act B.E. 2514 (A.D. 1971)
- Revenue Code B.E. 2481 (A.D. 1938)
- Revenue Code Amendment Act (No. 30) B.E. 2534 (A.D. 1991) (VAT)
- Sign Tax Act B.E. 2510 (A.D. 1967)
- Tax and Duty Compensation of Exported Goods Produced in the Kingdom Act B.E. 2524 (A.D. 1981)

NOTE: Thailand's legal system provides criminal penalties for so-called civil offenses. Even minor mistakes or late filing of reports to government may lead to directors facing harsh criminal penalties. In some cases, these penalties exceed those for arson or rape, whether non-compliance was intentional or not!

*Remark: The statutes marked with * are those which contain a provision that imposes liability on directors only when the offense is committed by the directors' order or act or failure to do so, whereas all other statutes impose strict liability on directors*