

VETERINARY FACILITIES ACT,
B.E. 2533 (1990)

BHUMIBOL ADULYADEJ, REX;
Given on the 12th Day of October B.E. 2533;
Being the 45th Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:
Whereas it is appropriate to revise the law on veterinary facilities;
Be it, therefore, enacted by the King, by and with the advice and consent of the
National Assembly, as follows:

Section 1. This Act is called the “Veterinary Facilities Act B.E. 2533”.

Section 2. This Act comes into force as from the day following the date of its
publication in the Government Gazette.¹

Section 3. In this Act:

“veterinary facility” means a place including a vehicle used to treat animal
diseases under the law on the control of veterinary practices in which it is conducted in
ordinary course of business regardless of payment or non-payment; however, it does not
include a place that sells medicines under the law on medicines where it specifically operates
medicine business;

“sick animal” means an animal that is admitted to receive services in a veterinary
facility;

* Translated by Mr. Watthana Suksiripakonchai, and reviewed by Ms. Siriphan Ponrob under
contract for the Office of the Council of State of Thailand's Law for ASEAN project. – Initial Version – pending
review and approval by the Office of the Council of State.

¹ Published in the Government Gazette, Volume 117, Part 214, Special Issue, dated 19th
October B.E. 2533 (1990).

“sick animal rest area” means a cage, a pen, or a place used to keep sick animals;

“animal owner” means an animal caretaker or a possessor of an animal;

“licensee” means a person who obtains a licence to establish a veterinary facility;

“manager” means a person who obtains a licence to manage a veterinary facility;

“veterinary practitioner” means a person who obtains a licence to be a veterinary practitioner under the law on the control of veterinary practices;

“competent official” means a person appointed by the Minister for the execution of this Act;

“grantor” means the Director-General or a person delegated by the Director-General to be a grantor of the licence;

“Director-General” means the Director-General of the Department of Livestock Development; and,

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

Section 4. This Act does not apply to veterinary facilities of a central administrative agency, a provincial administrative agency, a local administrative agency, a public organisation, the Red Cross Society, and other veterinary facilities announced by the Minister in the Government Gazette.

Section 5. The Minister of Agriculture and Cooperatives shall have charge and control of the execution of this Act and shall have the power to appoint competent officials and issue Ministerial Regulations prescribing fees not exceeding the rates of fees annexed to this Act, exempt any fees, and prescribe any other affairs, and issue Notifications for the execution of this Act.

Such Ministerial Regulations and Notifications shall come into force upon their publication in the Government Gazette.

CHAPTER I
Establishment and Management of Veterinary Facilities

Section 6. There are 2 types of veterinary facilities as follows:

- (1) a veterinary facility that has a sick animal rest area to keep animals overnight;
and,
(2) a veterinary facility that does not have a sick animal rest area to keep animals overnight.

Characteristics of each type of veterinary facilities under paragraph one shall be in accordance with the prescribed Ministerial Regulation.

Section 7. No person shall establish a veterinary facility without a licence from a grantor.

The application and permission shall be subject to the rules, procedure, and conditions prescribed in a Ministerial Regulation.

The licence may specify a branch and class of veterinary practices, and rules that a licensee must comply with.

Section 8. A grantor shall issue a licence to establish a veterinary facility when it appears to him or her that an applicant:

- (1) being with the qualifications and without the prohibited characters as follows:
(a) being at least twenty years of age;
(b) having a place of residence in Thailand;
(c) not having been imprisoned by a final judgment or a lawful order to imprisonment except for an offence committed through negligence or a petty offence;
(d) not being a person of unsound mind or a frantic person;
(e) not suffering from a disease prescribed by the Minister in the Government Gazette; and,
(f) not being a bankrupt.
- (2) having a veterinary facility with characteristics as prescribed in a Ministerial Regulation;

(3) having necessary equipment and tools as well as medicines and medical products at the veterinary facility in an adequate amount as prescribed in a Ministerial Regulation;

(4) having a manger; and,

(5) having veterinary practitioners of a branch and class for the veterinary facility in the number prescribed by the Minister in the Government Gazette.

In case a juristic person is an applicant, a manager or an agent of the juristic person must be with the qualifications and be without the prohibited characters under (1).

Section 9. No person shall be a manager of a veterinary facility without obtaining a licence from a grantor.

The application and permission shall be subject to the rules, procedure, and conditions prescribed in a Ministerial Regulation.

The licence may specify a branch and class of veterinary practices, and rules that the veterinary practitioner must comply with.

Section 10. A grantor shall issue a licence to manage a veterinary facility when it appears that an applicant:

(1) being a veterinary practitioner;

(2) not being an existing manager of two veterinary facilities; however, in case being an existing manager of a veterinary facility type that has a sick animal rest area, the permission to be a manager of another veterinary facility type that has a sick animal rest area shall not possible except if it is the permission to be a manager of a veterinary facility that does not have a sick animal rest area; and,

(3) being a person who is able to closely supervise the operations of the facility.

Section 11. A licensee, a manager, and a veterinary practitioner in a veterinary facility may be the same person.

Section 12. Issuance of the licence or rejection of the licence under section 7 or section 9 shall be completed within forty five days from the day a grantor receives an application with correct and complete details as prescribed in a Ministerial Regulation.

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In case of the rejection of the licence, the grantor shall notify the applicant of it within fifteen days from the day of rejection.

Section 13. The licence under section 7 or section 9 shall be valid for three years from the day of its issuance. If a licensee wishes to renew the licence, he shall submit an application before the licence expires. Upon submission and payment of the licence renewal fee, the licensee shall continue operating the business until the grantor issues an order rejecting the licence renewal.

The renewal and permission for renewal shall be subject to the rules, procedure, and conditions prescribed in a Ministerial Regulation.

In case the grantor issues an order rejecting the licence renewal, a partial refund of the licence renewal fee shall be returned to the licensee using a monthly calculation counting from the day of the rejection until the expiry date of the licence. However, in case there is an appeal on the rejection order of the licence renewal and the Minister issues an order allowing the operations for the time being, if the Minister issues an order dismissing the appeal, the refund shall be counted only on the day of the order dismissing the appeal. The remaining days of the month, if there are fifteen days or more it shall be counted as one month, but if there are less than fifteen days, it shall be discarded.

Section 14. In case a grantor rejects the issuance of the licence under section 7 or section 9, or rejects to renew the licence under section 13, an applicant for the licence or an applicant for the licence renewal shall have the right to appeal in writing to the Minister within thirty days from the day he receives the letter of rejection of issuance of the licence or rejection of the licence renewal.

A decision of the Minister shall be final.

In case the grantor rejects to renew the licence, before the Minister makes his decision on the appeal under paragraph two, the Minister shall have the power to order permission to operate the business for the time being if requested by the applicant for the licence renewal.

Section 15. In case the licence under section 7 or section 9 is damaged, lost, or substantially destroyed, a licensee shall notify a grantor and apply for a licence substitute within thirty days from the day he acknowledges the damage, the loss, or the destruction.

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The application for the licence substitute and permission for the licence duplicate shall be subject to the rules, procedure, and conditions prescribed in a ministerial regulation.

CHAPTER II

Control of Veterinary Facilities

Section 16. A licensee must arrange to have a name sign of the veterinary facility, and a name badge including details related to veterinary practitioners in the veterinary facility displayed in an open and easily visible area at the veterinary facility.

Characteristics and details to be displayed under paragraph one shall be subject to a Ministerial Regulation.

Section 17. A licensee must display the licensee to establish a facility, and the licence to manage a facility in an open and easily visible area at the facility.

Section 18. No licensee nor manager shall advertise or announce; or consent to have other persons advertise or announce, by any means, the name, the location, or the operation business of a veterinary facility; or qualifications or abilities of veterinary practitioners in a facility in order to persuade persons to bring sick animals to receive treatment at his or her own veterinary facility by using false or exaggerated texts or texts that are likely to cause misunderstanding of the essence related to the operation of the veterinary facility.

Section 19. No licensee shall change the operation of a veterinary facility from what is specified in the licence, or alter and add a veterinary facility building to be different from its original structure, or build a new building for uses in the operation of the veterinary facility except upon obtaining permission from a grantor.

Section 20. Changing the name of a veterinary facility, and changing managers shall be done upon obtaining permission from a grantor.

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Section 21. Relocating a veterinary facility to establish at another location other than what is specified in the licence shall be done upon obtaining permission from a grantor. In this case, the processes shall be as if the licensee applies to establish the veterinary facility for the first time.

Section 22. A licensee who wishes to cease veterinary facility business must notify a grantor of this in writing, and prepare a report on actions to be taken with sick animals and send it to the grantor not less than fifteen days in advance.

Upon notification under paragraph one, the grantor may order the licensee to take any actions before cessation of the business.

Section 23. A manager must ensure that there are no persons who are not veterinary practitioners performing veterinary practices in the veterinary facility that he or she is a manager and that they do not perform veterinary practices other than the type or class specified in the licence to establish a facility.

Section 24. A manager must supervise a veterinary facility so that there are no admissions of sick animals to stay overnight exceeding the amount of sick animal rest areas prescribed in the licence to establish a facility except in an emergency when no admission may result in harm to sick animals.

Section 25. A manager must supervise a veterinary facility to be clean, tidy, safe, and be with characteristics suitable for being used as a veterinary facility.

Section 26. A manager must arrange to have veterinary practitioners practising in the type and class, and in the number prescribed by the Minister in the Government Gazette throughout the business hours.

Section 27. A manager must arrange to have necessary equipment, tools, medicines, and medical products to use in a facility in an adequate amount.

Section 28. A manager must arrange to have evidence related to veterinary practitioners and sick animals as well as documents related to veterinary practices prescribed by

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the Director-General, and these items must be maintained in an examinable condition for not less than two years from the day of their arrangement.

Section 29. A manager shall have the duty to produce statistics of sick animals based on evidence of veterinary practices submitted to a competent official subject to the form and time period prescribed by the Director-General.

Section 30. In case there is a change of veterinary practitioners in a veterinary facility, a manager must notify a grantor of this in writing within fifteen days from the day the change occurs.

Section 31. If a manager is out of duties or unable to perform duties for more than seven days, the manager or the licensee must task a veterinary practitioner who has the qualifications under section 10 to perform the duties instead of him or her. In this case, the replacement person or the licensee shall notify a grantor of this in writing within fifteen days from the day the replacement person commences his duties.

The replacement person under paragraph one shall have the duties and responsibilities of the manager.

CHAPTER III Competent Officials

Section 32. In performing duties, a competent official shall have the power as follows:

- (1) to enter into a place or a vehicle that a competent official has a reasonable ground to suspect that a veterinary facility is not licensed under this Act;
- (2) to enter into a veterinary facility during business hours to examine and control it to be in compliance with this Act;
- (3) to issue a letter summoning a licensee, a manager, a veterinary practitioner in a veterinary facility, or a veterinary facility staff to provide a statement, or explain, or forward documents or evidence related to the offences under this Act for the benefits of taking legal action; and,

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(4) to seize or confiscate documents or objects related to the offences under this Act as evidence to take legal action.

Section 33. A licensee, a manager, a veterinary practitioner in a veterinary facility, and a person who has relevant duties in the veterinary facility shall facilitate a competent official in performing the duties under section 32.

Section 34. In performing duties, a competent official must produce his or her identification card when requested by a relevant person.

An identification card of a competent official shall be subject to the form prescribed in a Ministerial Regulation.

Section 35. In complying with this Act, a grantor, and a competent official shall be the official under the Penal Code.

CHAPTER IV

Closure of Veterinary Facilities and Revocation of the Licence

Section 36. When it appears that a licensee or a manager fails to act in compliance with this Act, Ministerial Regulations, or Notifications issued under this Act, a competent official shall have the power to issue an order on the licensee or the manager, as the case may be, to act in compliance with this Act within time period the competent official sees appropriate, but this shall not eradicate the offences under this Act.

Section 37. A grantor shall have the power to order a temporary closure of a veterinary facility when it appears that a licensee or a manager:

- (1) fails to comply with an order under section 36 issued by a competent official;
- (2) contravenes or fails to act in compliance with this Act, Ministerial Regulations, or Notifications issued under this Act on two or more occasions; and,
- (3) have been sentenced by a final judgment that he or she commits an offence under this Act.

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The order of closure of a veterinary facility under paragraph one shall have a time period as the competent official sees appropriate, but it must not exceed thirty days per closure from the day he or she notifies the licensee or the manager, as the case may be. However, a grantor may revoke the order of closure of a veterinary facility before its due date when there has been the compliance with this Act, Ministerial Regulations, or Notifications issued under this Act.

Section 38. In case a licensee or a manger lacks the qualifications or has the prohibited characters under section 8 or section 10, as the case may be; or there is a case under section 37 (1) (2) or (3); and a grantor sees that it is serious case, which may impact upon veterinary practices; the grantor shall have the power to revoke the licence of that person.

Section 39. In case a grantor issues an order of closure of a veterinary facility under section 37, or revokes the licence under section 38, the grantor may issue a letter of notification including the order and send it to a licensee or a manager, as the case may be.

The letter of notification under paragraph one must instruct the licensee or the manager to prepare a report on actions to be taken with sick animals and send it to the grantor immediately so that the grantor shall order the licensee or the manager to take any actions about the sick animals.

If the licensee or the manager cannot be found, or the licensee or the manager refuses to accept the order, a competent official shall display the order in a public place at the facility and it shall be deemed that the licensee or the manager acknowledges the order from the day the order is displayed.

The order of the grantor under paragraph one may be advertised in a newspaper or any other means.

Section 40. No licensee nor manager who is under the order of a temporary closure of a veterinary facility under section 37 or whose licence is revoked under section 38 may operate veterinary facility business from the day he acknowledges the order of a temporary closure of a veterinary facility or the order of revocation of the, as the case may be.

Section 41. A person whose licence is revoked shall not re-apply for the licence until one year passes from the day the licence is revoked.

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Section 42. For the order of a grantor issued under section 37 or section 38, a licensee or a manager, as the case may be, shall have the right to appeal in writing to the Minister within thirty days from the day he or she acknowledges the order.

A decision of the Minister shall be final.

An appeal under paragraph one shall not suspend the enforcement of the order.

CHAPTER V

Penalties

Section 43. A person who contravenes paragraph one of section 7 or paragraph one of section 9 shall be liable to imprisonment not exceeding three years or to a fine not exceeding thirty thousand baht or to both, and a court may order to confiscate any items used in the operation of a veterinary facility.

Section 44. A licensee or a manager who fails to comply with paragraph one of section 15, paragraph one of section 16, section 17, section 20, section 22, section 24, section 25, section 26, section 27, section 28, section 29, section 30, paragraph one of section 31, paragraph two of section 39 shall be liable to a fine not exceeding three thousand baht.

Section 45. A licensee or a manager who contravenes section 18 shall be liable to a fine not exceeding five thousand baht.

Section 46. A licensee who contravenes section 19 shall be liable to a fine not exceeding ten thousand baht.

Section 47. A licensee or a manager who fails to comply with section 21 or section 23 shall be liable to imprisonment not exceeding one year or to a fine not exceeding ten thousand baht or to both.

Section 48. A person who obstructs a competent official from performing the duties under section 32 (1) (2) or (4), or fails to comply with section 32 (3) shall be liable to

imprisonment not exceeding three months or to a fine not exceeding three thousand baht or to both.

Section 49. A person who fails to appropriately facilitate a competent official performing the duties under section 33 shall be liable to a fine not exceeding two thousand baht.

Section 50. A licensee or a manager who contravenes section 40 shall be liable to imprisonment not exceeding three years or to a fine not exceeding thirty thousand baht or to both.

Section 51. All offences under this Act which are only punishable by a fine may be settled by a grantor or a person delegated by the grantor by way of payment. Upon payment by the offender of the settled amount of the fine within thirty days, the case shall be deemed settled under the Criminal Procedure Code.

Transitory Provision

Section 52. A person who has established or operated veterinary facility business on the day this Act comes into force may apply for the licence to establish a veterinary facility or for the licence to operate veterinary facility business, as the case may be, within one hundred and twenty days from the day the Ministerial Regulations issued under section 5, section 7, and section 9 come into force. Within this specified time period, the person shall continue to operate the business for the time being, but if a grantor issues an order of rejection, it shall be deemed that the person does not have the right to operate the business from the day he or she acknowledges the order.

Countersigned by:

General Chatichai Junhavan
Prime Minister

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Rate of Fees

- | | | |
|-----|--|-----------------|
| (1) | Licence to establish a veterinary facility
Non-overnight stay without sick animal rest area type | 300 baht each |
| (2) | Licence to establish a veterinary facility
Overnight stay with sick animal rest area type | |
| | Not exceeding 10 areas | 500 baht each |
| | Exceeding 10 areas | 1,000 baht each |
| (3) | Fee for licence renewal to establish a veterinary facility, non-overnight stay without sick animal rest area type, the fee is equal to the licence fee under (1) | |
| (4) | Fee for licence renewal to establish a veterinary facility, overnight stay with sick animal rest are type, the fee is equal to the licence fee under (2) | |
| (5) | Licence to manage a veterinary facility
Non-overnight stay without sick animal rest area type | 200 baht each |
| (6) | Licence to manage a veterinary facility
Overnight stay with sick animal rest area type | 400 baht each |
| (7) | Fee for licence renewal to manage a veterinary facility, non-overnight stay without sick animal rest area type, the fee is equal to the licence fee under (5) | |
| (8) | Fee for licence renewal to manage a veterinary facility, overnight stay with sick animal rest area type, the fee is equal to the licence fee under (6) | |
| (9) | Licence substitute | 200 baht each |

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