

Tentative Translation<sup>1</sup>**ANIMAL EPIDEMICS ACT,****B.E. 2558 (2015)**

BHUMIBOL ADULYADEJ, REX.

Given on the 25th Day of February B.E. 2558;

Being the 70th Year of the Present Reign.

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

Whereas it is expedient to revise the law on animal epidemics;

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

**Section 1.** This Act is called the “Animal Epidemics Act, B.E. 2558 (2015)”.

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

**Section 3.** The following shall be repealed:

- (1) Animal Epidemics Act, B.E. 2499 (1956);
- (2) Animal Epidemics Act (No. 2), B.E. 2542 (1999).

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<sup>1</sup> Translated by Ms. Arriya Phasee under contract for the Office of the Council of State of Thailand's Law for ASEAN project. –Initial version– pending review and approval.

**Section 4.** In this Act:

“animal” means:

(1) elephant, horse, cow, buffalo, donkey, mule, goat, sheep, deer, pig, wild boar, dog, cat, rabbit, monkey, gibbon, and shall include semen used for breeding and embryos of these animals;

(2) poultry in the categories of bird, chicken, duck, goose, and shall include semen used for breeding and eggs used for reproduction;

(3) other kinds of animals as prescribed in the Notifications by the Minister, and shall include semen used for breeding, embryos and eggs used for reproduction of such kinds of animals;

“embryo” means an animal embryo which has not grown to the stage where organs exist and which has not yet implanted in the uterine wall of the animal;

“carcass” means a body or part of a body of a dead animal or anything derived from living or dead animals, and shall include cooked food comprised of, made or prepared from carcasses, or finished artificial items made from carcasses as prescribed in the Notifications by the Minister;

“epidemic” means duck plague, avian influenza, salmonellosis, trichinosis, Newcastle disease, brucellosis, foot and mouth disease, rabies, rinderpest, leptospirosis, equine infectious anemia, mad cow disease, Nipah encephalitis, swine fever, anthrax, hemorrhagic septicemia, tuberculosis and other diseases as prescribed in the Notifications by the Minister;

“carrier of an epidemic” means:

(1) an animal which does not exhibit clinical signs of epidemics but has epidemic pathogens, or is reasonably suspected to get infected with epidemic pathogens, which are transmissible to other humans or animals;

(2) a carcass of the animal infected with an epidemic or of the animal under (1);

(3) a carcass which is reasonably suspected to have epidemic pathogens;

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“epidemic control zone” means a locality in which prevention and control have been implemented to ensure that any one or more kinds of epidemics or epidemic pathogens do not exist so as to be designated as an epidemic free zone;

“epidemic free zone” means an epidemic control zone in which the control is effective to the extent that any one or more kinds of epidemics or epidemic pathogens do not exist in animals or carcasses;

“epidemic buffer zone” means a locality in which prevention and control have been implemented to ensure that any one or more kinds of epidemics or epidemic pathogens do not spread to epidemic free zones or to the Kingdom;

“animal identification mark” means a mark made by competent officials, inspectors or veterinarians, or ordered by the same to be made by owners on animals or carcasses or on vehicles, buildings, places, containers, wrappers or confiners for the purpose of classification or examination of animals or carcasses;

“owner” means a person having ownership and an occupier and, in the case of an animal of which the owner could not be identified or found, shall include a person feeding, controlling or providing shelter to such animal;

“animal quarantine station” means a place for confinement of animals or carcasses for examination of epidemics as prescribed in the Notifications by the Director-General;

“seize” means to be prohibited from disposition, distribution, transfer or movement;

“veterinarian” means:

(1) a veterinary physician and a veterinarian of the Department of Livestock Development;

(2) a person appointed by the Minister to be a veterinarian to execute this Act, who shall have qualifications as prescribed in the Notifications by the Minister;

“inspector” means a person appointed by the Minister to be an inspector to execute this Act, who shall have qualifications as prescribed in the Notifications by the Minister;

“registrar” means a person appointed by the Minister to be a registrar;

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“competent official” means a person appointed by the Minister to execute this Act;

“Provincial Governor” includes the Governor of Bangkok;

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

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

**Section 5.** The Minister of Agriculture and Cooperatives shall have charge and control over the execution of this Act and shall have the power to appoint competent officials, registrars, inspectors and veterinarians, issue Ministerial Regulations prescribing fees not exceeding the rates provided in the Annex of this Act, exempting fees and prescribing other acts, and issue Ministerial Regulations and Rules for the execution of this Act.

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

**Section 6.** The Director-General shall have the power to issue Notifications and Rules for the execution of this Act.

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

## CHAPTER I

### PREVENTION AND CONTROL OF EPIDEMICS

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#### Part 1

#### General Provisions

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**Section 7.** For the purpose of prevention and control of epidemics, an owner of the following animals shall comply with the prevention and control system for epidemics:

- (1) elephant, horse, cow, buffalo, goat, sheep, deer, pig, wild boar;
- (2) dog, cat;
- (3) bird, chicken, duck, goose;
- (4) other kinds of animals as prescribed in the Notifications by the Minister.

The prevention and control system for epidemics under paragraph one shall be in accordance with the criteria, procedures and conditions prescribed in the Ministerial Regulations. Such Ministerial Regulations shall take into account appropriateness of the conditions of animals and objectives in feeding each kind of animal.

**Section 8.** For the purpose of prevention and control of epidemics, an owner of the following animals or carcasses shall comply with the criteria, procedures and conditions prescribed in the Notifications by the Director-General with respect to the number of animals or carcasses and the characteristics of vehicles and equipment used for moving animals or carcasses:

- (1) elephant, horse, cow, buffalo, goat, sheep, deer, pig, wild boar;
- (2) bird, chicken, duck, goose including eggs used for reproduction;
- (3) a carcass of the animals under (1) or (2);
- (4) other kinds of animals or carcasses as prescribed in the Notifications by the

Minister.

**Section 9.** In any locality where the Director-General finds it appropriate to prevent and control epidemics in any kinds of animals, the Director-General shall announce to require such kinds of animals or carcasses in all or part of such locality to be placed with animal identification marks.

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The placing of animal identification marks, the characteristics, prices and price exemption for animal identification marks and the pre or post implementation of placing animal identification marks shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

In the case where the Notification under paragraph two requires owners of animals or carcasses to place animal identification marks or carry out the pre or post implementation, the owners of animals or carcasses shall comply with such Notification.

**Section 10.** No person may:

(1) make a fake animal identification mark or modify or alter a genuine animal identification mark to make understanding that it is an animal identification mark under this Act;

(2) use a fake animal identification mark or a modified or altered animal identification mark;

(3) destroy an animal identification mark or use or allow other persons to use an animal identification mark to mislead about the classification or examination of animals or carcasses.

**Section 11.** An owner of animals shall notify a competent official, inspector or veterinarian within twelve hours from the time of acknowledgement of the sickness or death of the animals upon the following events:

(1) there is an animal, which is known to be infected with an epidemic, sick or dead;

(2) there is an animal sick or dead from an unknown cause;

(3) in the same village or adjacent area, there is an animal sick or dead with the same symptoms during a seven-day period.

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The notification and the handling of sick or dead animals under paragraph one and the determination of the kinds, number and sickness or death characteristics of animals under (2) and (3) shall be as prescribed in the Notifications by the Director-General.

In the case of sickness of the animals under paragraph one, the owner shall confine all sick animals within the area where they are and the owner or any other persons may not move the sick animals from that area, and in the case of death of the animals under paragraph one, the owner shall keep the carcasses at their place of death and the owner or any other persons may not move, dissect or carry out any other act on the carcasses, unless the sick or dead animals are dealt with according to the Notifications prescribed by the Director-General under paragraph two or a veterinarian has examined and proved that the sickness or death of such animals is not caused by an epidemic or a veterinarian has instructed otherwise.

**Section 12.** When the notification has been made under section 11 or there are reasonable grounds to suspect that an animal becomes sick or dies of an epidemic, a competent official or an inspector shall have the power to issue a written order requiring an owner of the animal to do the following:

- (1) to confine, isolate or move the animal being sick or suspected of being sick to be within the area in accordance with the prescribed methods;
- (2) to bury or burn the carcass at a specified place or, if the burial or burning is impracticable, to destroy it by other methods as deemed appropriate;
- (3) to confine, isolate or move the animals being or used to be in the same group with the animal being sick or suspected of being sick or with the dead animal to be within the area in accordance with the prescribed methods.

**Section 13.** When the notification has been made under section 11 or it is found or there are reasonable grounds to suspect that an animal becomes sick or dies of an epidemic, a veterinarian, in addition to having the power under section 40, shall have the

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power to examine the animal or the carcass, and to issue a written order requiring an owner of the animal or the carcass to do the following:

(1) to confine, isolate or move the animal being sick or suspected of being sick to be within the area in accordance with the prescribed methods, or to have it receiving the treatment as deemed appropriate;

(2) to bury or burn all or part of the carcass at a specified place or, if the burial or burning is impracticable, to destroy it by other methods as deemed appropriate;

(3) to confine, isolate or move the animals being or used to be in the same group with the animal being sick or suspected of being sick or with the dead animal to be within the area in accordance with the prescribed methods, or to have them receiving the protection against epidemics as deemed appropriate;

(4) to destroy animals infected with an epidemic or reasonably suspected of being infected with an epidemic or animals or carcasses which are carriers of an epidemic in accordance with the criteria and procedures prescribed in the Notifications by the Director-General. In this regard, the owner shall be compensated with the value of the animals or carcasses in the amount of not less than three quarters of the price of the animals or carcasses which may be charged in a local market before the outbreak of the epidemic in accordance with the criteria and procedures prescribed in the Ministerial Regulations, except where the owner intentionally commits an offence against the provisions of this Act;

(5) to eliminate pathogens in animal feed or carcasses which are carriers of an epidemic in accordance with the prescribed methods;

(6) to clean up and disinfect epidemic pathogens in the area where epidemic pathogens exist or are suspected of existing, in accordance with the prescribed methods.

**Section 14.** When an animal, of which the owner could not be identified, becomes sick or dies whereas such animal is known to be infected with an epidemic or becomes sick or dies from an unknown cause on land of any person, an owner of that land shall have a

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duty to notify a competent official, inspector or veterinarian within twelve hours from the time of acknowledgement of the sickness or death of the animal, and the provision of section 11, paragraph two shall apply, *mutatis mutandis* to the owner of the land.

No person may move, dissect or carry out any other act on the animal or the carcass under paragraph one, unless the sick or dead animal is dealt with according to the Notifications prescribed by the Director-General under section 11, paragraph two or a veterinarian has examined and proved that the sickness or death of such animal is not caused by an epidemic or a veterinarian has instructed otherwise.

In the case where the animal or the carcass under paragraph one is infected with an epidemic or is reasonably suspected of being infected with an epidemic, a veterinarian shall destroy such animal or carcass and other animals or carcasses which are carriers of the epidemic or deal with them by other means as deemed appropriate in order to prevent the epidemic from spreading.

If thereafter the owner of the animal could be identified, the Department of Livestock Development or the owner of the land shall have the right to claim the necessary expenses actually paid from the owner of the animal in accordance with the criteria and procedures prescribed in the Notifications by the Director-General.

**Section 15.** When a competent official, inspector or veterinarian has been notified or found that an animal, which is known to be infected with an epidemic, becomes sick or dies or an animal becomes sick or dies from an unknown cause in the public or on land of which the owner could not be identified, the competent official, inspector or veterinarian shall have the power to confine the sick or dead animal as deemed appropriate within such area.

No person may move, dissect or carry out any other act on the animal or the carcass under paragraph one until a veterinarian has examined and proved that the sickness or

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death of such animal is not caused by an epidemic or a veterinarian has instructed otherwise.

In the case where the animal or the carcass under paragraph one is infected with an epidemic or is reasonably suspected of being infected with an epidemic, a veterinarian shall destroy such animal or carcass and other animals or carcasses which are carriers of the epidemic or deal with them by other means as deemed appropriate in order to prevent the epidemic from spreading.

If thereafter the owner of the animal could be identified, the Department of Livestock Development shall have the right to claim the necessary expenses actually paid from the owner in accordance with the criteria and procedures prescribed in the Notifications by the Director-General.

**Section 16.** No person may dig out the carcass buried in accordance with the provisions of this Act, unless a written permission from a veterinarian is obtained or such act is performed by a veterinarian.

## Part 2

### Epidemic Free Zone

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**Section 17.** In any locality where the Minister finds it appropriate to prevent the occurrence of any epidemic in any kinds of animals, the Minister shall announce the designation of all or part of such locality as an epidemic free zone or epidemic buffer zone for such epidemic in such kinds of animals, and shall also indicate in the announcement the kinds of animals and carcasses which are prohibited from moving.

Before announcing the designation of any locality as an epidemic free zone under paragraph one, the Minister shall announce the designation of such locality as an epidemic

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control zone, and shall also indicate in the announcement the kinds of animals and epidemics concerned, including the kinds of animals and carcasses which are prohibited from moving.

Upon the announcement of an epidemic control zone under paragraph two, the Director-General shall prescribe in the Notifications the criteria, procedures and conditions on the designation of such zone as an epidemic free zone.

**Section 18.** Upon the announcement of an epidemic control zone, epidemic free zone or epidemic buffer zone under section 17, no person may move the animals or carcasses specified in such announcement into or through such zone, unless a written permission from the Director-General or a veterinarian entrusted by the Director-General is obtained for each move.

**Section 19.** Within an epidemic control zone, epidemic free zone or epidemic buffer zone, if it appears that there is an epidemic or there are reasonable grounds to suspect that there is an epidemic, a veterinarian may announce the designation of a temporary epidemic zone under section 20 or the Provincial Governor may announce the designation of an epidemic zone or epidemic surveillance zone under section 21, as the case may be.

When such epidemic in the epidemic zone becomes under control or there are no reasonable grounds to suspect that there is such an epidemic in the epidemic surveillance zone, as the case may be, the Provincial Governor shall order to cancel the announcement of the epidemic zone or the epidemic surveillance zone under paragraph one at prompt and post notifications to allow the public in such locality to know. If such area is used to be an epidemic free zone under section 17, paragraph one, such area shall be deemed to be an epidemic control zone under section 17, paragraph two.

### Part 3

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## Epidemic Zone

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**Section 20.** In the case where a veterinarian views that an epidemic found in the locality under his or her responsibility will spread out or an epidemic found in other localities adjacent to such locality will spread into the locality and his or her locality of responsibility has not yet been announced as an epidemic zone or epidemic surveillance zone under section 21, the veterinarian shall have the power to announce the designation of his or her locality of responsibility as a temporary epidemic zone covering a radius of not exceeding five kilometers from the place where the epidemic is found, and shall indicate in such announcement the kinds of animals and epidemics concerned, including the kinds of animals and carcasses which are prohibited from moving.

The announcement under paragraph one shall be effective for thirty days from the date of announcement and shall be posted at the District Office, the Offices of the Subdistrict Administration Organisations, the Municipality Offices, the Subdistrict Headman Offices, the Village Headman Offices and public meeting places of that locality.

**Section 21.** If there is, or there is a suspicion of an epidemic in an area of any province, the Provincial Governor shall have the power to announce the designation of all or part of such area as an epidemic zone or epidemic surveillance zone, as the case may be, and shall indicate in such announcement the kinds of animals and epidemics concerned, including the kinds of animals and carcasses which are prohibited from moving.

The announcement under paragraph one shall be posted at the Provincial Hall, the Bangkok City Hall, the Pattaya City Hall, the District Offices, the Office of the Provincial Administration Organisation, the Offices of the Subdistrict Administration Organisations, the Municipality Offices, the Subdistrict Headman Offices, the Village Headman Offices, public

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meeting places of such area and other offices of local administrative organisations established by laws.

**Section 22.** Upon the announcement of a temporary epidemic zone under section 20 or the announcement of an epidemic zone or epidemic surveillance zone under section 21, no person may move the animals or carcasses specified in such announcement into, out of, through or within such zone unless a written permission from the veterinarian who is responsible for such area is obtained for each move.

**Section 23.** Within an epidemic zone or epidemic surveillance zone under section 21, when the epidemic in the epidemic zone becomes under control or there are no reasonable grounds to suspect that there is such an epidemic in the epidemic surveillance zone, as the case may be, the Provincial Governor shall order to cancel the announcement of the epidemic zone or the epidemic surveillance zone at prompt and post notifications to allow the public in such locality to know.

## CHAPTER II

### APPLICATION FOR AND ISSUANCE OF LICENSE AND DUTIES OF LICENSEE

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**Section 24.** For the purpose of prevention and control of epidemics from the animal or carcass trade, any person who trades or seeks profit in the form of an intermediary from the following animals or carcasses shall obtain a license from a registrar:

- (1) elephant, horse, cow, buffalo, goat, sheep, deer, pig, wild boar, dog, cat;
- (2) bird, chicken, duck, goose including eggs used for reproduction;
- (3) a carcass of the animals under (1) or (2);

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(4) other kinds of animals or carcasses as prescribed in the Notifications by the Minister.

The application for, and the issuance of a license shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

**Section 25.** For the purpose of prevention and control of epidemics from semen used for breeding or embryos of animals, any person who sells, disposes of, distributes, dispenses, exchanges or possesses for sale of semen used for breeding or embryos of elephant, horse, cow, buffalo, goat, sheep, deer, pig, wild boar or other kinds of animals as prescribed in the Notifications by the Minister, or has male breeders of such animals for providing services for natural breeding for animals of other persons, shall obtain a license from a registrar.

The application for, and the issuance of a license shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

**Section 26.** A license under section 24 and section 25 shall have a term of one year from the issuance date. If the licensee wishes to renew the term of the license, he or she shall file the application before his or her license has expired. When the application has been filed, he or she may continue his or her operation until the registrar has given an order of non-renewal of the license.

The application for a license renewal and the permission of renewal shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

**Section 27.** If a licensee wishes to transfer the license under section 24 or section 25, he or she shall file the application with a registrar, and the transfer shall be effective upon obtaining permission from the registrar.

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The application for transfer of a license and the permission of transfer shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

**Section 28.** In the case where a licensee under section 24 or section 25 is deceased and his or her heir or a person consented to by the heir(s) has filed with a registrar a request expressing his or her intention to continue the business operation under the deceased's license within thirty days from the date of the licensee's death, upon receipt of permission from the registrar, the person expressing such intention may continue to operate such business until the license has expired. In this case, the person expressing the intention shall be deemed to have become a licensee under section 24 or section 25, as the case may be, from the date of the licensee's death.

The request for expression of intention and the permission shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

**Section 29.** In the case where a license under section 24 or section 25 is lost or materially damaged or destroyed, the licensee shall notify a registrar and apply for a replacement license within thirty days from the date of acknowledgement of such loss, damage or destruction.

The application for, and the issuance of a replacement license shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

**Section 30.** In the case where a licensee under section 24 or section 25 wishes to amend a particular in the license, he or she shall file the application with a registrar.

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The application for, and the permission of amendment of particulars in a license and the details of particulars proposed to be amended shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

**Section 31.** For the purpose of prevention and control of epidemics, any person who imports, exports or transits an animal or carcass through the Kingdom shall obtain a license from the Director-General or a person entrusted by the Director-General for each import, export or transit through the Kingdom.

The application for, and the issuance of a license and the procedures on import, export or transit through the Kingdom shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

**Section 32.** A licensee under section 31 shall perform the following actions:

(1) to place an animal identification mark before importing, exporting or transiting an animal or carcass through the Kingdom, and the provisions of section 9, paragraph two and paragraph three shall apply, *mutatis mutandis*;

(2) to import, export or transit the animal or carcass which has been marked under (1) at a port of entry or a port of exit as prescribed in the Notifications by the Minister, and to comply with the criteria, procedures and conditions prescribed in the Ministerial Regulations.

**Section 33.** If it appears that any locality within the Kingdom has or is suspected of having an epidemic, the Director-General shall have the power to announce to suspend the import into or transit through the Kingdom of animals or carcasses from such locality for a period of not exceeding ninety days each time. If the Minister finds it appropriate, the Minister may announce to prohibit the import into or transit through the Kingdom of animals or carcasses from such locality.

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**Section 34.** Subject to section 18 and section 22, for the purpose of prevention and control of epidemics, any person who intends to take the following animals or carcasses to an area of other provinces shall place an animal identification mark on them and the provisions of section 9, paragraph two and paragraph three shall apply, *mutatis mutandis*, and shall obtain a license from a local veterinarian at the place of departure each time:

- (1) elephant, horse, cow, buffalo, goat, sheep, deer, pig, wild boar or semen used for breeding or embryos of such animals;
- (2) bird, chicken, duck, goose or semen used for breeding or eggs used for reproduction;
- (3) a carcass of the animals under (1) or (2);
- (4) other kinds of animals or carcasses as prescribed in the Notifications by the Minister.

The application for, and the issuance of a license and the examination and disinfection of pathogens from animals or carcasses under paragraph one shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

In issuing a license under paragraph two, the veterinarian may prescribe in the license conditions on vehicles and usage of routes or other conditions as necessary.

**Section 35.** A licensee under section 34 shall take the animal or carcass through an animal quarantine station in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

**Section 36.** Any person who desires the application for a license under this Act to be processed in a foreign country or outside a normal place of work during holidays or outside official working hours, shall arrange for vehicles and pay compensation and other

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expenses necessary for such performance of work at the rate prescribed in the Ministerial Regulations.

Payment of compensation and other expenses necessary for the performance of work to the person performing such work under paragraph one shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Director-General.

**Section 37.** The fees charged for licenses to import, export or transit animals or carcasses through the Kingdom and the lodging charges for animals or carcasses imported into or to be exported out of the Kingdom, shall be deducted for payment of expenses for examination or control of the import, export or transit of animals or carcasses through the Kingdom in the amount of not exceeding fifty percent of such fees and charges, and the remaining amount shall be remitted as State revenue in accordance with the Rules prescribed by the Director-General with the approval of the Ministry of Finance.

### CHAPTER III

#### SUSPENSION AND REVOCATION OF LICENSE

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**Section 38.** When it appears that a licensee under section 24 or section 25 violates or fails to comply with the criteria, procedures and conditions prescribed in the Notifications by the Director-General under section 24 or section 25, as the case may be, if a veterinarian finds it appropriate, he or she may recommend a registrar to consider ordering to suspend or revoke the license, and the registrar shall have the power to order to suspend a license for not exceeding ninety days each time. In this regard, such order may specify necessary conditions to be abided by the person whose license has been suspended.

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In the case where such licensee is prosecuted in the court for a violation or non-compliance with the criteria, procedures and conditions prescribed by the Director-General under section 24 or section 25, as the case may be, the registrar may suspend the license pending the final judgment of the court.

The licensee under section 24 or section 25 whose license has been suspended may not operate the business under such license.

A registrar shall have the power to order to revoke a license in the case where the licensee violates an order of suspension of a license under paragraph one or where serious damage will occur as prescribed in the Notifications by the Director-General.

**Section 39.** A registrar shall have the power to cancel the order of suspension of a license before the expiration of the period when it appears that the licensee has complied with the criteria, procedures and conditions prescribed in the Notifications by the Director-General under section 24 or section 25 and the conditions prescribed by the registrar under section 38, paragraph one.

#### CHAPTER IV

#### POWER AND DUTIES OF VETERINARIAN AND INSPECTOR

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**Section 40.** For the purpose of prevention and control of epidemics, if it appears that there is, or there is a suspicion of an epidemic pathogen or carrier of an epidemic, a veterinarian shall have the following power:

(1) to issue an announcement or written order for an owner of animals or carcasses to notify the number of animals or carcasses and, if deemed appropriate, to take such animals or carcasses to the veterinarian for examination, sample collection, protection of epidemics or placing of animal identification marks;

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(2) to issue a written order for an owner of animals or carcasses to confine the animals or carcasses at an appropriate place as may be necessary for examination;

(3) to summon vehicles for inspection or enter buildings or any other places for disease examination, sample collection, protection of epidemics or placing of animal identification marks. In this regard, the veterinarian shall have the power to issue a written order requiring an owner of vehicles, buildings or any other places to clean up and disinfect epidemic pathogens or carriers of an epidemic in the area where epidemic pathogens exist or are suspected of existing in accordance with the prescribed methods. The entry of such buildings or places shall be conducted during the period from sunrise to sunset or during office hours of such buildings or places, and if action is not completed, it may be further taken until its completion;

(4) to examine animals or carcasses or any physical items which are exhibits and are confiscated or seized under this Act or other laws. In the case where such animals or carcasses have been infected with an epidemic or are carriers of an epidemic, the veterinarian shall have the power to handle such animals or carcasses in accordance with the Rules prescribed by the Director-General. Expenses for the examination or the handling shall be borne by an owner of such animals or carcasses;

(5) to destroy any physical items that have or are reasonably suspected of having epidemic pathogens in accordance with the criteria and procedures prescribed in the Notifications by the Director-General, provided that the owner shall be compensated with the value of such items in accordance with the criteria and procedures prescribed in the Ministerial Regulations, except where the owner intentionally commits an offence against the provisions of this Act.

In the implementation by the veterinarian under paragraph one, the person concerned shall render appropriate facilities.

In the execution of this Act, the veterinarian shall be an officer under the Criminal Code.

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**Section 41.** In the execution of this Act, an inspector shall have the power as follows:

(1) to enter the office or business facility of a licensee under section 24 or section 25 for the purpose of inspection or control to ensure compliance with this Act;

(2) to enter buildings or any other places in the case where there are reasonable grounds of a suspicion of violation or non-compliance with this Act in order to search and confiscate or seize animals or carcasses involved in the commission of an offence under this Act or any other related evidence, or arrest an offender against this Act without a warrant of search in the following cases:

(a) where a flagrant offence is being committed in such buildings or places;

(b) where the person having committed a flagrant offence is, whilst being pursued, taking refuge in such buildings or places, or there is a firm suspicion that the said person is concealing himself or herself in the same;

(c) where there is justifiable evidence supporting that an animal or carcass involved in the commission of an offence under this Act or other related evidence is being concealed or is in such buildings or places, and there is a reasonable belief that, by cause of the delay in obtaining a warrant of search, such animal or carcass or such evidence is likely to be removed, destroyed or transformed from its original condition;

(d) where the person to be arrested is an owner of such buildings or places and the arrest is to be carried on a warrant thereof or can be conducted without a warrant according to the provisions of the Criminal Procedure Code;

(3) to instruct an owner or operator of vehicles to stop or park for inspection or control to ensure compliance with this Act, or for searching of such vehicles in the case where there are reasonable grounds of a suspicion of violation or non-compliance with this Act;

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(4) to arrest an offender against this Act without a warrant of arrest when the offence is flagrant or there are other causes prescribed in the Criminal Procedure Code in order to hand over the arrestee to an inquiry official for further action under the Criminal Procedure Code;

(5) to examine animals or carcasses, documents or any other related evidence to ensure compliance with this Act or in the case where there are reasonable grounds of a suspicion of violation or non-compliance with this Act;

(6) to confiscate or seize animals or carcasses, vehicles, documents or any other evidence related to the commission of an offence under this Act, except for animals or carcasses under section 42, paragraph three.

In this regard, the inspector shall have the power to inquire into facts or call for documents or other related evidence from an owner of the buildings or places or an owner or operator of the vehicles.

The implementation under (1) or (2) shall be carried out during the period from sunrise to sunset or during office hours of the office or business facility of a licensee under section 24 or section 25 or of the buildings or places, and if the action is not completed, it may be further taken until its completion;

The implementation under (1) shall be in accordance with the Rules prescribed by the Director-General. Such Rules shall at least require a demonstration of innocent intention upon entering a premise, a provision of a note establishing a reason to enter a premise to an owner of the office or business facility, and a report of the execution to the superior.

The inspector shall conduct a search and arrest under this section in accordance with the Criminal Procedure Code.

In the implementation by the inspector under this section, the person concerned shall render appropriate facilities.

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**Section 42.** An inspector shall have the power to confiscate or seize an animal or carcass imported into or transited through the Kingdom if such animal or carcass is reasonably suspected of being infected with an epidemic or being a carrier of an epidemic.

In the case where the animal or carcass under paragraph one is infected with an epidemic or is a carrier of an epidemic, the veterinarian shall destroy such animal or carcass or deal with it by other means in accordance with the Rules prescribed by the Director-General.

In the case where the animal or carcass under paragraph one has been imported into or transited through the Kingdom without a license under section 31 or without compliance with section 32 or section 33, the following measures shall apply:

(1) in the case where such animal or carcass is not infected with an epidemic or is not a carrier of an epidemic, the inspector shall have the power to instruct an owner or a person importing or transiting such animal or carcass to return the same to the country from which it is imported or transited. The return procedures shall be in accordance with the criteria and methods prescribed in the Notifications by the Director-General;

(2) in the case where the examination may not be easily conducted or it is not worthy to prove if such animal or carcass is infected with an epidemic or is a carrier of an epidemic or not, the veterinarian shall destroy such animal or carcass or deal with it by other means in accordance with the Rules prescribed by the Director-General.

Expenses in relation to the confiscation, seizure or destruction shall be borne by an owner or a person importing or transiting such animal or carcass.

**Section 43.** The animal or carcass under section 42, paragraph three (1) shall be vested in the Department of Livestock Development in the following cases:

(1) the owner or the person importing or transiting the same could not be identified or no person claimed to be an owner or a person importing or transiting the same within forty-five days from the date on which an announcement of a search for such person has

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been made. Such announcement shall be made in accordance with the criteria and procedures prescribed in the Notifications by the Director-General;

(2) the owner or the person importing or transiting the same did not or could not return the animal or carcass to the country from which it is imported or transited within forty-five days from the date of acknowledgement of the order of return.

In the case where the animal or carcass under section 42, paragraph three (1) is perishable or will, if retained, be exposed to a risk of damage or incur maintenance expenses exceeding its value, an inspector entrusted by the Director-General may sell it by public auction before it becomes property of the Department of Livestock Development. The provision of section 46, paragraph two shall apply, *mutatis mutandis*.

Upon the expiry of the prescribed period under paragraph one, an inspector entrusted by the Director-General shall have the power to conduct a sale by public auction of the animal or carcass under paragraph one. The provision of section 47 shall apply, *mutatis mutandis*.

**Section 44.** In the execution of this Act, the inspector shall be an administrative or police official under the Criminal Procedure Code.

**Section 45.** In the execution of the duties of a veterinarian or an inspector under this Act, he or she shall produce his or her identification card to the persons concerned.

The identification card under paragraph one shall be in accordance with the form prescribed in the Notifications by the Director-General.

## CHAPTER V

### SALE BY PUBLIC AUCTION AND PAYMENT OF CASH REWARDS

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**Section 46.** The confiscated or seized item under section 41 (6) shall be vested in the Department of Livestock Development in the following cases:

(1) the owner could not be identified or no person claimed ownership within forty-five days from the date on which an announcement of a search for the owner has been made. Such announcement shall be made in accordance with the criteria and procedures prescribed in the Notifications by the Director-General;

(2) there is no legal proceeding and the owner did not make a request for the return of such item within forty-five days from the date of receipt of an order of non-legal proceeding;

(3) there is a legal proceeding and a public prosecutor issues a final order of non-prosecution or the court does not order to forfeit such item and the owner did not make a request for the return within forty-five days from the date of acknowledgement of the final order of non-prosecution or the date of the court's issuance of the final judgement, as the case may be.

In the case where the confiscated or seized item under section 41 (6) is perishable or will, if retained, be exposed to a risk of damage or incur maintenance expenses exceeding its value, an inspector entrusted by the Director-General may sell it by public auction before the case becomes final or before such item becomes property of the Department of Livestock Development. The net proceeds of such item, after deducting expenses, shall be seized in lieu of the item and deposited in a State bank or a commercial bank as agreed upon with the Ministry of Finance.

**Section 47.** With regard to the confiscated or seized item under section 41 (6) vested in the Department of Livestock Development under section 46, paragraph one, an inspector entrusted by the Director-General shall have the power to sell it through public auction and deduct from the proceeds of such sale the expenses actually paid for carrying out any action to keep the evidentiary animal or carcass free from epidemics, and not more

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than one-half of the remaining amount shall be deducted for payment of cash rewards and the remaining amount shall be remitted as State revenue. The payment of cash rewards shall be in accordance with the Rules prescribed by the Minister with the approval of the Ministry of Finance.

**Section 48.** In the case where an offender is arrested, upon the request of a public prosecutor, the court shall order the payment of cash rewards to the person leading to the arrest for twenty-five percent of the net proceeds from the sale by public auction of the exhibit that the court has ordered its forfeiture, and the remaining amount shall be remitted as State revenue.

**Section 49.** The sale by public auction under section 46, paragraph two, section 47 or section 48 shall be in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Minister.

**Section 50.** In the case where there is an exhibit under section 47 or section 48 but it could not be sold through public auction or where there is no exhibit, the payment of cash rewards shall be made from the fine paid to the court or the settled amount of the fine for not exceeding one-half of the amount of such fine. The payment of cash rewards shall be in accordance with the Rules prescribed by the Minister with the approval of the Ministry of Finance.

**Section 51.** In the case where no person has come to receive the payment of cash rewards under section 47, section 48 or section 50 within five years, it shall be remitted as State revenue.

## CHAPTER VI

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## APPEALS

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**Section 52.** In the case where a registrar rejects to issue a license under section 24 or section 25 or renew the term of a license under section 26 or rejects to issue a replacement license under section 29, the applicant shall have the right to file an appeal in writing against such order with the Minister within thirty days from the date of receipt of the written notice of such order.

The decision of the Minister shall be final.

In the case where the registrar rejects to renew the term of a license, before the Minister has issued an appeal decision under paragraph two, the Minister may consider allowing business operation to continue on a provisional basis if requested by the appellant.

**Section 53.** In the case where a registrar orders to suspend or revoke a license under section 38, the licensee whose license has been suspended or revoked shall have the right to file an appeal in writing with the Minister within thirty days from the date of acknowledgement of the order.

The appeal under paragraph one shall not be cause to suspend the enforcement of the order of suspension or revocation of a license.

The decision of the Minister shall be final.

**Section 54.** The Minister shall complete the consideration of the appeal under section 52 and section 53 within thirty days from the date of receipt of the appeal. If the consideration cannot be completed within such period of time due to a cause of necessity, a written notice shall be given to the appellant before the expiry of such period. In this regard, the period of time for the consideration of the appeal may be extended not more than twice, each time for not more than thirty days from the expiry date.

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**CHAPTER VII**  
**PENALTY PROVISIONS**

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**Section 55.** Any owner of animals who fails to comply with section 7 shall be liable to imprisonment for a term of not exceeding one month or to a fine not exceeding ten thousand baht or to both, and to an additional fine at a daily rate of not exceeding one thousand baht until due compliance with legal requirements.

**Section 56.** Any owner of animals or carcasses who fails to comply with section 8 shall be liable to imprisonment for a term of not exceeding one month or to a fine not exceeding ten thousand baht or to both.

**Section 57.** Any owner of animals or carcasses who fails to comply with section 9, paragraph three shall be liable to a fine not exceeding ten thousand baht.

**Section 58.** Any person who violates section 10 shall be liable to imprisonment for a term of not exceeding one year or to a fine not exceeding twenty thousand baht or to both.

**Section 59.** Any owner of animals who fails to comply with section 11, paragraph one, fails to take the actions as required under section 11, paragraph two or fails to comply with section 11, paragraph three shall be liable to imprisonment for a term of not exceeding one month or to a fine not exceeding ten thousand baht or to both.

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**Section 60.** Any person who violates section 11, paragraph three, section 14, paragraph two or section 15, paragraph two shall be liable to imprisonment for a term of not exceeding one month or to a fine not exceeding ten thousand baht or to both.

**Section 61.** Any owner of animals who fails to comply with the order of a competent official or an inspector under section 12 shall be liable to imprisonment for a term of not exceeding one month or to a fine not exceeding ten thousand baht or to both.

**Section 62.** Any owner of animals or carcasses who fails to comply with the order of a veterinarian under section 13 or the announcement or the order of a veterinarian under section 40 (1) or (2) shall be liable to imprisonment for a term of not exceeding one year or to a fine not exceeding twenty thousand baht or to both.

**Section 63.** Any owner of land who fails to comply with section 14, paragraph one shall be liable to a fine not exceeding ten thousand baht.

**Section 64.** Any person who violates section 16 shall be liable to imprisonment for a term of not exceeding one year or to a fine not exceeding twenty thousand baht or to both.

**Section 65.** Any person who violates section 18 or section 22 shall be liable to imprisonment for a term of not exceeding two years or to a fine not exceeding forty thousand baht or to both.

**Section 66.** Any person who fails to comply with section 24, paragraph one or section 25, paragraph one shall be liable to imprisonment for a term of not exceeding one year or to a fine not exceeding twenty thousand baht or to both.

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Any licensee under section 24 or section 25 who fails to comply with the criteria, procedures and conditions prescribed in the Notifications by the Director-General under section 24, paragraph two or section 25, paragraph two, as the case may be, shall be liable to imprisonment for a term of not exceeding one month or to a fine not exceeding ten thousand baht or to both.

**Section 67.** Any licensee under section 24 or section 25 who fails to comply with section 29, paragraph one or section 30 shall be liable to a fine not exceeding ten thousand baht.

**Section 68.** Any person who imports, exports or transits an animal or carcass through the Kingdom without obtaining a license under section 31, paragraph one shall be liable to imprisonment for a term of not exceeding two years or to a fine not exceeding two hundred thousand baht or to both.

**Section 69.** Any licensee under section 31 who fails to comply with section 32 or violates the announcement of the Director-General issued under section 33 shall be liable to imprisonment for a term of not exceeding one year or to a fine not exceeding twenty thousand baht or to both.

**Section 70.** Any person who violates the announcement of the Minister issued under section 33 shall be liable to imprisonment for a term of not exceeding two years or to a fine not exceeding forty thousand baht or to both.

**Section 71.** Any person who fails to comply with section 34, paragraph one shall be liable to imprisonment for a term of not exceeding one year or to a fine not exceeding twenty thousand baht or to both.

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Any licensee under section 34 who violates or fails to comply with the conditions prescribed in the license by a veterinarian under section 34, paragraph three shall be liable to imprisonment for a term of not exceeding one month or to a fine not exceeding ten thousand baht or to both.

**Section 72.** Any licensee under section 34 who fails to comply with section 35 shall be liable to imprisonment for a term of not exceeding one month or to a fine not exceeding ten thousand baht or to both.

**Section 73.** Any licensee under section 24 or section 25 who violates section 38, paragraph three shall be liable to imprisonment for a term of not exceeding one year or to a fine not exceeding twenty thousand baht or to both.

**Section 74.** Any owner of vehicles, buildings or places who fails to comply with the order of a veterinarian under section 40 (3) shall be liable to imprisonment for a term of not exceeding one year or to a fine not exceeding twenty thousand baht or to both.

**Section 75.** Any person who resists or obstructs the performance of duties of a competent official, inspector or veterinarian under this Act shall be liable to imprisonment for a term of not exceeding one year or to a fine not exceeding twenty thousand baht or to both.

Any person who fails to render appropriate facilities for the performance of duties of a veterinarian under section 40, paragraph two or an inspector under section 41, paragraph six, or fails to give statements or furnish documents or other related evidence under section 41, paragraph two, shall be liable to imprisonment for a term of not exceeding one month or to a fine not exceeding ten thousand baht or to both.

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**Section 76.** In the case where the offender liable under this Act is a juristic person, if the commission of the offence of such juristic person is originated by an order or an act of any person, or by omission of an order or an act, which is the duty of the managing director, manager or any person who is responsible for the operation of such juristic person, such person shall also be liable for the punishment prescribed for such offence.

**Section 77.** An offence under this Act which is only punishable by a fine or by imprisonment for a term of not exceeding one year may be settled by the Director-General or a person appointed by the Director-General. Upon payment by the accused of the settled amount of the fine within a specified period of time, the case shall be deemed settled under the provisions of the Criminal Procedure Code.

The settlement under paragraph one shall be in accordance with the Rules prescribed by the Director-General.

**Section 78.** When the court has imposed punishment on any person for committing an offence under section 58, section 65, section 66, section 68, section 69, section 70, section 71 or section 72, the court shall have the power to order the forfeiture of all animals, carcasses, vehicles, animal identification marks, tools, appliances, containers or equipment involved in the commission of the offence, unless such property belongs to the other person who does not connive at the commission of the offence.

In the case where the court has ordered the forfeiture of the properties under paragraph one, if it appears thereafter by the submission of the actual owner that he or she has not connived at the commission of such offence, the Court shall order for the return of the properties, provided that the submission of the actual owner shall be made to the court within thirty days from the date of the final judgment.

The forfeited items under paragraph one shall be vested in the Department of Livestock Development, and an inspector entrusted by the Director-General shall have the

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power to sell them by public auction in accordance with the criteria, procedures and conditions prescribed in the Notifications by the Minister under section 49 or take other measures in accordance with the Rules prescribed by the Director-General.

#### TRANSITORY PROVISIONS

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**Section 79.** A license which has been issued under the Animal Epidemics Act, B.E. 2499 (1956) shall continue to be valid until its expiration date, and if the license is to be renewed under this Act, the application shall be filed before the license has expired.

**Section 80.** Any request for permission filed under the Animal Epidemics Act, B.E. 2499 (1956) and pending consideration shall be deemed as a request for permission under this Act, *mutatis mutandis*. In the case where the content in such request is different from the content in a request for permission under this Act, a registrar shall have the power to order an amendment of such request in order to be in conformity with this Act.

**Section 81.** All Ministerial Regulations, Notifications or Rules issued under the Animal Epidemics Act, B.E. 2499 (1956) applicable on the effective date of this Act shall continue in force insofar as they are not in conflict or inconsistent with the provisions of this Act until the Ministerial Regulations, Notifications or Rules issued under this Act come into force.

The issuance of Ministerial Regulations, Notifications or Rules under paragraph one shall be completed within one year from the effective date of this Act. If the deadline cannot be met, the Minister shall report the reasons for such inability to the Council of Ministers for acknowledgement.

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Countersigned by:

General Prayut Chan-o-cha

Prime Minister

*Office of the Council of State*

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RATE OF FEES

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- |   |          |             |
|---|----------|-------------|
| (1) Application for a license or application for renewal of a license under section 24 or section 25  | per copy | 100 baht    |
| (2) License to trade or seek profit in the form of an intermediary from animals under section 24:   |          |             |
| (a) by importing into the Kingdom   | per copy | 20,000 baht |
| (b) by exporting out of the Kingdom   | per copy | 20,000 baht |
| (c) by importing into and exporting out of the Kingdom  | per copy | 30,000 baht |
| (d) within the Kingdom  | per copy | 4,000 baht  |
| (e) within a province   | per copy | 1,000 baht  |
| (3) License to trade or seek profit in the form of an intermediary from carcasses under section 24:   |          |             |
| (a) by importing into the Kingdom   | per copy | 4,000 baht  |
| (b) by exporting out of the Kingdom   | per copy | 4,000 baht  |
| (c) by importing into and exporting out of the Kingdom  | per copy | 5,000 baht  |
| (d) within the Kingdom  | per copy | 1,000 baht  |
| (e) within a province   | per copy | 200 baht    |
| (4) License to sell, dispose of, distribute, dispense, exchange or possess for sale of semen used for breeding or embryos, or to have male breeders of animals for providing services for natural breeding for animals of other persons under section 25: |          |             |

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(a)	by exporting out of the Kingdom	per copy	8,000 baht
(b)	within the Kingdom	per copy	2,000 baht
(5)	License to import animals into the Kingdom:		
(a)	elephant	each	2,500 baht
(b)	horse, cow, buffalo, donkey, mule, goat, sheep, pig	each animal	1,000 baht
(c)	dog, cat, rabbit, monkey, gibbon	each animal	500 baht
(d)	ostrich, emu	each animal	2,000 baht
(e)	chicken, duck, goose and other poultry	each animal	50 baht
(f)	other kinds of animals	each animal	1,000 baht
			In case of inconvenience, the number of animals may be determined in kilograms at 1,000 baht per kilogram.
(g)	semen used for breeding	per dose	100 baht
(h)	embryo	each	1,000 baht
(i)	ostrich egg, emu egg used for reproduction	each	500 baht
(j)	egg used for reproduction	each	50 baht
(6)	License to export animals out of the Kingdom:		
(a)	elephant	each	500,000 baht
(b)	horse, cow, buffalo, donkey, mule, goat, sheep, pig	each animal	500 baht
(c)	dog, cat, rabbit, monkey, gibbon	each animal	250 baht
(d)	ostrich, emu	each animal	500 baht

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(e)	chicken, duck, goose and other poultry	each animal	25 baht
(f)	other kinds of animals	each animal	500 baht
			In case of inconvenience, the number of animals may be determined in kilograms at 500 baht per kilogram.
(g)	semen used for breeding	per dose	50 baht
(a)	embryo	each	500 baht
(b)	ostrich egg, emu egg used for reproduction	each	50 baht
(c)	egg used for reproduction	each	25 baht
(7)	License to transit animals through the Kingdom:		
(a)	elephant	each	200,000 baht
(b)	horse, cow, buffalo, donkey, mule, goat, sheep, pig	each animal	1,000 baht
(c)	dog, cat, rabbit, monkey, gibbon	each animal	500 baht
(d)	ostrich, emu	each animal	250 baht
(e)	chicken, duck, goose and other poultry	each animal	50 baht
(f)	other kinds of animals	each animal	500 baht
			In case of inconvenience, the number of animals may be determined in kilograms at 500

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		baht per kilogram.
(g)	semen used for breeding	per dose 50 baht
(d)	embryo	each 200 baht
(e)	ostrich egg, emu egg used for reproduction	each 50 baht
(f)	egg used for reproduction	each 5 baht
(8)	License to import carcasses into the Kingdom	per kilogram 100 baht
(9)	License to export carcasses out of the Kingdom	per kilogram 5 baht
(10)	License to transit carcasses through the Kingdom	per kilogram 5 baht
(11)	Replacement license under section 24 or section 25	per copy 100 baht
(12)	Renewal of a license under section 24 or section 25	each renewal Equal to the fee of the license
(13)	Transfer of a license under section 24 or section 25	each transfer 100 baht
(14)	Amendment to a particular in a license under section 24 or section 25	each amendment 100 baht
(15)	Disinfection charge at an animal quarantine station:	
(a)	animals	each 50 baht
		In case of inconvenience, the number of animals may be determined in kilograms at 50 baht per kilogram.
(b)	carcasses	per kilogram 1 baht
(16)	Lodging charge for animals imported into or to be exported out of the Kingdom:	
(a)	elephant	each 5,000 baht

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(b)	horse, cow, buffalo	each animal	500 baht
(c)	pig	each	300 baht
(d)	dog, cat	each animal	1,000 baht
(e)	goat, sheep	each animal	200 baht
(f)	chicken, duck, goose and other poultry	each animal	50 baht
(g)	other kinds of animals	each animal	500 baht

In case of inconvenience, the number of animals may be determined in kilograms at 500 baht per kilogram.

(17) Lodging charge for carcasses imported into or to be exported out of the Kingdom:

(a)	cow, buffalo, pig	per kilogram	10 baht
(b)	goat, sheep	per kilogram	5 baht
(c)	chicken, duck, goose and other poultry	per kilogram	5 baht
(d)	other kinds of animals	per kilogram	10 baht

(18) Other requests per copy 50 baht

In calculating the weight, fraction (if any) of one kilogram from 500 grams or more shall be counted as 1 kilogram. If less than 500 grams shall be disregarded.

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