

FOREST PLANTATION ACT,  
B.E. 2535 (1992)

---

BHUMIBOL ADULYADEJ, REX.

Given on the 1<sup>st</sup> Day of March B.E. 2535;  
Being the 47<sup>th</sup> Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:  
Whereas it is expedient to have the law on forest plantations;  
Be it, therefore, enacted by the King, by and with the advice and consent of the  
National Legislative Assembly acting as the National Assembly, as follows.

**Section 1.** This Act is called the “Forest Plantation Act, B.E. 2535 (1992)”.

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

**Section 3.** In this Act:

“forest plantation” means lands registered under section 5 for planting and  
maintaining trees which are restricted under the law on forests;

“tree” means a tree which is grown or planted for the purpose of using its wood;  
the term shall also include a tree which is grown or planted for other purposes while its wood  
may be used as well;

“timber” means trees; the term shall also include:

---

\* Translated by Mr. Watthana Suksiripakonchai, and reviewed by Associate Professor Pisawat  
Sukonthapan under contract for the Office of the Council of State of Thailand’s Law for ASEAN project. –Tentative  
version –subject to final authorisation by the Office of the Council of State.

<sup>1</sup> Published in the Government Gazette, Vol. 109, Part 20, Page 1, dated 13<sup>th</sup> March B.E. 2535  
(1992)

(1) any part of the tree, whether it is cut, chopped, sawed, flatted, spitted, trimmed, dug, pressed or in any other manner of processing the tree;

(2) processed timber, artifacts, equipment or any other object made from a tree or any part of a tree;

“stamp” shall include any symbol or object produced for stamping, imprinting or sealing on timber;

“certificate of notification” includes a photocopy or photograph of the certificate of notification which the competent official has certified as an authentic copy;

“forest plantation operator” means a person who has obtained certification of land registration to be a forest plantation; the term shall also include an applicant for the transfer of registration of a forest plantation;

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

“Registrar” means the Director-General or a person assigned by the Director-General for Bangkok Metropolitan and *Changwat* Governor or a person assigned by the *Changwat* governor for other provinces;

“Director-General” means the Director-General of the Department of Forestry;

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

**Section 4.** The land to be registered as the forest plantation under this Act shall be one of the following lands:

(1) land with the title deed or with the certificate to utilise under the Land Code;

(2) land with the official certificate stating that such land is within the period which may be applied for the title deed or certificate to utilise under the Land Code as the possession and utilization of such land under the law on land consolidation for agriculture or the law on land consolidation for livelihood;

(3) land in the area of land reform, under the law on land reform for agriculture, with the evidence of permission, rent or hire-purchase;

(4) land with the permission letter, under the law on National Reserved Forest, allowing a person to reforest in the area of improved national reserved forest or to plant a forest plantation or perennial plants in the area of deteriorated forest;

(5) land already used for a forest plantation by a public body, State enterprise or other State agencies.

**DISCLAIMER:** THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE.

**Section 5.** A person who owns, possesses and utilises the land under section 4 who wishes to utilise such land as a forest plantation for commercial purposes shall submit an application for registration to the Registrar under the Rules prescribed by the Director-General. Upon submission of the registration application, the applicant may proceed with the forest plantation until the Registrar makes an order to register or not to register the forest plantation under section 6.

In cases where the applicant for such registration is the tenant or hirer of the land applied to be registered as the forest plantation and such land is the land in section 4 (1), the applicant must have the evidence of rent or hire-purchase of such land including the consent letter of the person who has the title or possessory right to such land which states that the permission to use the land as forest plantation is granted.

**Section 6.** The Registrar shall determine the result of a forest plantation registration application and notify the applicant within fifteen days from the date of receiving the application in section 5, or from the date of receiving the examination report's conclusion in section 7, as the case may be.

The order to register, and issuance of a certificate of registration, of the land to be a forest plantation shall conform to the Rules prescribed by the Director-General.

In cases where the Registrar orders not to register the land as a forest plantation under paragraph one, the applicant has the right to appeal to the Minister within thirty days from the date of being notified of such order. The decision of the Minister is final.

**Section 7.** Prior to registration of the land to be a forest plantation, if the land applied to be registered is the land under section 4 (5), the Registrar shall order the competent official to inspect the land and conduct a report on its location, land condition, type, size, volume and the amount of timber, including the details of the land applied to be registered as a forest plantation. In cases where it is restricted timber under the law on forests or timber which logging production has to be permitted under the law on National Reserved Forest, the competent official shall clearly state as such, in such a report and in accordance with the rules and procedures prescribed by the Director-General, with the approval of the Council of Ministers. The report of the examination shall be submitted to the Registrar within thirty days from the date of receiving such an order.

**DISCLAIMER:** THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE.

Upon receipt of the examination report in paragraph one, the Registrar shall order the applicant to collect forest products, reclaim, cut, chop down, seize, burn, destroy or reserve timber or forest products; the expenses incurred from doing so are to be paid by the applicant. This shall follow the rules, procedures and conditions prescribed by the Director-General, with the approval of the Council of Ministers.

Timber and forest products under paragraph two shall vest in the State.

**Section 8.** For the purpose of obtaining forestry academic data, collecting statistics of the growth of timber, evaluating the outcome of an operation of a forest plantation, and monitoring the implementation of this Act, competent officials shall have the power to enter forest plantations to inspect or to provide recommendations.

In performing duties under paragraph one, the competent official shall present his or her identification card to the concerned person who shall facilitate the competent official's performance of duties, as appropriate.

The identification card of the competent official shall conform to the format prescribed in the Ministerial Regulation.

**Section 9.** A forest plantation operator shall have a stamp in order to show the ownership of the timber obtained through operation of a forest plantation, and shall use such a stamp only after its registration.

The stamp used as the tool for stamping, imprinting or sealing the timber which the forest plantation operator is to cut or chop down shall be the stamp certified by the Registrar with the mark made by the Registrar affixed thereon.

The submission of the registration application, the order for registration, issuance of the certificate of notification, registration, mark certification, the means to stamp, imprint or seal or display of stamp under paragraph one and paragraph two shall be in accordance with the rules, procedures and conditions, as prescribed by the Director-General, with the approval of the Council of Ministers.

**Section 10.** In logging the timber obtained through operation of a forest plantation, the forest plantation operator may cut or chop down the timber, transform, trade, possess the timber and move the timber through forest stations. However, the establishment of a timber processing plant shall be in accordance with the law on forests.

**DISCLAIMER:** THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE.

**Section 11.** Before cutting or chopping down the timber obtained through operation of a forest plantation, the forest plantation operator shall notify, in writing, the competent official for the issuance of a certificate of notification and, upon receiving the notification, the forest plantation operator can proceed with the cutting or chopping down of the timber.

The notification and issuance of a certificate of notification under paragraph one shall be in accordance with the Rules prescribed by the Director-General. In this respect, the Registrar may specify any other conditions which the forest plantation operator must follow, relating to the cutting or chopping down of timber, or the stamping, imprinting, or sealing of the timber.

**Section 12.** In cutting or chopping down the timber, the forest plantation operator shall keep, during the time of cutting or chopping down the timber, the certificate of notification at the location of the forest plantation to present to the competent official.

**Section 13.** The timber to be moved out of the forest plantation must be stamped, imprinted or sealed or presented with the certificate of ownership. In moving of such timber, the forest plantation operator shall retain the certificate of notification, including the list of timber, at all times during the moving of timber, in accordance with the rules, procedures and conditions prescribed by the Director-General, with the approval of the Council of Ministers.

**Section 14.** All the timber obtained through operation of a forest plantation shall be exempted from the royalty and forest maintenance fees under the law on forests.

**Section 15.** For the purpose of examination of cutting or chopping down the timber within the forest plantation, including the removal of timber from the forest plantation, the forest plantation operator must retain the certificate of notification, the timber list and important documents relating to such matters at the forest plantation in order to present to the competent official in accordance with the rules and time period prescribed by the Director-General.

**DISCLAIMER:** THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE.

**Section 16.** In cases where the certificate of land registration to operate a forest plantation or the certificate of notification is lost, damaged or destroyed, the forest plantation operator shall submit an application for the replacement of such a certificate to the Registrar.

The application and issuance of the certificate replacement under paragraph one shall conform to the Rules prescribed by the Director-General.

**Section 17.** In cases where the forest plantation operator wishes to cancel the stamp, he or she shall notify the competent official, in writing, and brings the stamp to be destroyed in front of the competent official.

In cases where the stamp of the forest plantation operator has been lost, or the essential part of the stamp has been damaged, the forest plantation operator shall notify, in writing, the competent official within thirty days from the date of being informed of the loss or damage. In cases where the stamp has been damaged, it shall be brought to be destroyed in front of the competent official, along with the notification.

The notification of the cancellation of the stamp, the order of stamp cancellation, and correction of stamp registration shall be in accordance with the rules, procedures and conditions prescribed by the Director-General with the approval of the Council of Ministers.

**Section 18.** In cases where the forest plantation operator no longer wishes to continue operating the forest plantation, he or she shall notify, in writing, and bring the stamp to be destroyed in front of the competent official and the certificate of registration for the forest plantation shall be deemed terminated.

**Section 19.** If the forest plantation operator dies, the ownership or possessory rights to the land being operated as a forest plantation is transferred to another person, or the lease agreement or hire-purchase agreement for the land being used as a forest plantation of the forest plantation operator is terminated. If an heir, the administrator of the forest plantation operator's estate, the transferee of the ownership or possessory rights to the land, or the person having the ownership or possessory rights to the land which was rented out or hire-purchased, as the case may be, wishes to continue operating the forest plantation, he or she shall notify the Registrar of an application for accepting the transfer of forest plantation registration within one hundred and eighty days from the day of the death of the forest plantation operator, the transfer of ownership or possessory rights, or the termination of the lease agreement or hire-purchase agreement, as the case may be. If such a person fails to notify the Registrar within the specified

**DISCLAIMER:** THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE.

time period, the certificate of registration of the land operated as a forest plantation shall be deemed to be terminated.

The rights and duties of the original forest plantation operator shall be transferred to the transferee of the registration of the forest plantation under paragraph one; this shall conform to the Rules prescribed by the Director-General.

**Section 20.** The destruction of a stamp under section 17 and section 18 shall be in accordance with the rules and procedures prescribed by the Director-General, with the approval of the Council of Ministers.

**Section 21.** With respect to all timber obtained through operation of a forest plantation, any person who has been transferred thereon shall retain evidence to show that such timber has been obtained legitimately under this Act; this shall be in accordance with the Rules prescribed by the Director-General.

With regard to the timber transferred under paragraph one, the transferee may trade, possess or move it through the forest station. However, the processing of such timber shall be in accordance with the law on forests.

The timber obtained through operation of a forest plantation shall be deemed the timber that may be possessed by the licensee under Chapter 4 on control of processing of timber of the Act on Forests, B.E. 2484.

**Section 22.** In performing duties under this Act, the Registrar and competent official shall be officials under the Penal Code.

**Section 23.** Any person who obstructs or fails to facilitate the performance of duties of the competent official under section 8 shall be liable to imprisonment not exceeding one month or a fine not exceeding two thousand baht, or both.

**Section 24.** Any person who stamps, imprints, seals or shows that he or she is the owner of timber which is not obtained through operation of a forest plantation shall be liable to imprisonment not exceeding one year or a fine not exceeding twenty thousand baht, or both.

**DISCLAIMER:** THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE.

**Section 25.** Any person who stamps, imprints, or seals or shows that he or she is the owner of the timber obtained through operation of a forest plantation which is in violation of the rules issued under section 9 paragraph three, or conditions specified by the Registrar under section 11 paragraph two; or removes timber obtained through operation of a forest plantation without the stamp, imprint, seal or evidence of ownership or list of timber accompanying the timber removed under section 13, or violates the rules issued under section 13, shall be liable to imprisonment not exceeding six months or a fine not exceeding ten thousand baht, or both.

**Section 26.** Any forest plantation operator who fails to retain the certificate of notification at the forest plantation location under section 12, fails to keep the certificate of notification, list of timber, or any other important documents in accordance with the rules and time period prescribed by the Director-General under section 15, does not notify the serious damage or loss of the stamp, or does not take the damaged stamp to be destroyed in accordance with section 17 paragraph two, shall be liable to imprisonment not exceeding one month or a fine not exceeding two thousand baht, or both.

**Section 27.** In cases where the offender liable under this Act is a juristic person, the managing director, managing partner, a representative of such juristic responsible shall be liable for the punishment prescribed for such an offence, except where such a person can prove that he or she was not involved in, or did not give consent to the offending act committed by the juristic person.

**Section 28.** The Minister of Natural Resources and Environment shall have charge and control of this Act. The Minister shall have the power to appoint competent officials and prescribe the Ministerial Regulations for the execution of this Act.

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

Countersigned  
Anand Panyarachun  
Prime Minister

**DISCLAIMER:** THIS TEXT HAS BEEN PROVIDED FOR EDUCATIONAL/ COMPREHENSION PURPOSES AND CONTAINS NO LEGAL AUTHORITY. THE OFFICE OF THE COUNCIL OF STATE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE.