

Non-Smokers' Health Protection Act,

Office of the Council of State

B.E. 2535 (1992)

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา BHUMIBOL ADULYADEJ, REX. สำนักงานคณะกรรมการกฤษฎีกา

Given on the 30th Day of March B.E. 2535;

Being the 47th Year of the Present Reign.

Office of the Council of State

Office of the Council of State

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim

that:

สำนักงานคณะกรรมการกฤษฎีกา

สำนักงานคณะกรรมการกฤษฎีกา

Whereas it is expedient to have a law on the health protection of non-smokers;

Office of the Council of State

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:

follows:

สำนักงานคณะกรรมการกฤษฎีกา

สำนักงานคณะกรรมการกฤษฎีกา

Section 1. This Act is called the “Non-Smokers’ Health Protection Act, B.E. 2535”.

Office of the Council of State

Office of the Council of State

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

สำนักงานคณะกรรมการกฤษฎีกา

สำนักงานคณะกรรมการกฤษฎีกา

Section 3. In this Act,

Office of the Council of State

“cigarette” means a cigarette, cigar, other cigarettes, tobacco or modified tobacco under the law on tobacco;

“smoking” includes any act which results smoke from the cigarette burning;

สำนักงานคณะกรรมการกฤษฎีกา

สำนักงานคณะกรรมการกฤษฎีกา

^o Published in the Government Gazette, Vol. 109, Part 40, dated 7th April B.E. 2535 (1992).

Office of the Council of State

Office of the Council of State

Remark: This translation is made by Office of the Council of State. Reference to Thai legislation in any jurisdiction shall be made to the Thai version only. This translation has been made so as to establish correct understanding about this Act to foreigners.

สำนักงานคณะกรรมการกฤษฎีกา

สำนักงานคณะกรรมการกฤษฎีกา

“public place” means a place or any vehicle to which member of the public is entitled to access;

“operator” means an owner, manager, supervisor or a person who responsible for the operation of the public place;

“non-smoking area” means an area where smoking is prohibited;

“smoking area” means an area where smoking is allowed;

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

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

Section 4. The Minister shall have the power to notify the following matters in the Government Gazette:

(1) the names or types of public places where the health protection of non-smokers shall be provided;

(2) any part of or the entire public places under (1) to be the smoking or non-smoking areas;

(3) condition, characteristic and standard of ventilation system of non-smoking and smoking areas;

(4) rules and procedures on the sign display in smoking or non-smoking areas.

Notification under (3) or (4) shall specify date, time, or period of time in which the operator must complete the compliances.

Section 5. After notifying under section 4, the operator shall have the following duties:

(1) to arrange any part of or the entire public place to be the smoking and non-smoking areas;

(2) to arrange a smoking area being in condition, category and standard prescribed by the Minister;

(3) to post signs in smoking or non-smoking areas in accordance with rules and procedures prescribed by the Minister.

Section 6. No person shall smoke in a non-smoking area.

Section 7. The competent official shall have the power to enter into public places prescribed by the Minister under section 4 (1) and (2) between sunrise and sunset or during working hours of such places for examining or supervising compliance with this Act.

สำนักงานคณะกรรมการกฤษฎีกา

สำนักงานคณะกรรมการกฤษฎีกา

Section 8. In performing duties, the competent official shall produce identification card to persons concerned.

The identification card of the competent official shall be in accordance with the form prescribed by the Minister and published in the Government Gazette.

สำนักงานคณะกรรมการกฤษฎีกา

สำนักงานคณะกรรมการกฤษฎีกา

Section 9. The operator and persons concerned in public places shall render appropriate facilities to the competent official who performs his duty under section 7.

สำนักงานคณะกรรมการกฤษฎีกา

สำนักงานคณะกรรมการกฤษฎีกา

Section 10. In the execution of this Act, the competent official shall be the official under the Penal Code.

Section 11. Any operator who fails to comply with section 5 (1) shall be liable to a fine not exceeding twenty thousand Baht.

Any operator who fails to comply with section 5 (2) shall be liable to a fine not exceeding ten thousand Baht.

Any operator who fails to comply with section 5 (3) shall be liable to a fine not exceeding two thousand Baht.

Section 12. Any person who violates section 6 shall be liable to a fine not exceeding two thousand Baht.

Section 13. Any person who obstructs or fails to render facilities to the competent official in the execution of his duties under section 7 shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding two thousand Baht, or to both.

Section 14. With regard to the offences under this Act, the enquiry official shall have the power to settle them under the Criminal Procedure Code.

สำนักงานคณะกรรมการกฤษฎีกา

สำนักงานคณะกรรมการกฤษฎีกา

Section 15. The Minister of Public Health shall have charge and control of the execution of this Act and shall have the power to appoint competent officials as well as the power to issue Notifications for the execution of this Act.

Such Notification of the Minister shall come into force upon their publication in the Government Gazette.

Countersigned by:
Anand Panyarachun
Prime Minister

สำนักงานคณะกรรมการกฤษฎีกา
Certified translation

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา

Office of the Council of State

(Mr. Chukiert Ratanachaichan)
Deputy Secretary-General
Acting for Secretary-General of the Council of State

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา

Office of the Council of State

สำนักงานคณะกรรมการกฤษฎีกา