

Translation

NATIONAL FARMERS COUNCIL ACT

B.E. 2553 (2010)¹

BHUMIBOL ADULYADEJ, REX.

Given on the 16th Day of November B.E. 2553;

Being the 65th Year of the Present Reign

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

Whereas it is expedient to have a law on the National Farmers Council;

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 “National Farmers Council Act B.E. 2553(2010)”.

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

Section 3. In this Act

“Agriculture” means cultivation, animal husbandry, fisheries, and other related activities as prescribed by the Minister in the Government Gazette on the advice of the National Farmers Council.

“Farmer” means a person engaged in agricultural occupation.

“Farmer Organization” means a group of farmers registered under this Act.

“Master Plan” means a master plan for agricultural development.

¹ Published in Government Gazette, Vol. 127, Part 71a, dated 19th November B.E. 2553.

Remark: This translation is provided by The Office of the National Farmers Council as the competent authority for information purposes only. Whilst The Office of the National Farmers Council has made effort to ensure the accuracy and correctness of the translation, the original Thai text as formally adopted and published shall in all events remain the sole authoritative text having the force of law.

“Provincial Farmers Council” includes the Bangkok Farmers Council as well.

“Office” means the Office of the National Farmers Council.

“Office of Provincial Farmers Council” includes the Office of Bangkok Farmers Council.

“Chief of the Office of Provincial Farmers Council” includes the Chief of the Office of Bangkok Farmers Council.

“Secretary-General” means the Secretary-General of the National Farmers Council.

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

“Master Plan” means a master plan for agricultural development.

“Provincial Farmers Council” includes the Bangkok Farmers Council as well.

Section 4. The Prime Minister shall have charge and control of the execution of this Act, while the Minister of Agriculture and Cooperatives shall have charge and control of the execution of this Act only with respect to the implementation of the transitional provisions.

The Prime Minister and the Minister of Agriculture and Cooperatives shall have the power to issue notifications in the execution of this Act.

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

CHAPTER I

NATIONAL FARMER COUNCIL

Section 5. There shall be a National Farmers Council comprising the members as follows:

(1) Chairman of the Provincial Farmers Council being a member of the National Farmers Council by position

(2) 16 Members, elected by members under (1), from representatives of agricultural organizations in the fields of crops, livestock, fisheries and other agricultural fields, distributed according to their prominence and covering each agricultural occupational field, done in accordance with the criteria, methods and conditions prescribed by the National Farmers Council and published in the Government Gazette.

(3) 7 Executive Advisors elected by members under (1) and (2), from qualified applicants who have knowledge, expertise, and experience in agriculture in the fields of crops, livestock, and fisheries at least one person in each field, done in accordance with the criteria,

methods, and conditions specified by the National Farmers Council and published in the Government Gazette.

Members under (2) shall be members of farmers organizations registered with the Office in accordance with the criteria, methods, and conditions prescribed by the National Farmers Council.

Section 6. Within sixty days of the date of announcement of all Provincial Farmers Council members, each Provincial Farmers Council shall submit the name of the Chairman of the Provincial Farmers Council to the Secretary-General, and the Secretary-General shall convene a meeting of all Provincial Farmers Council Chairmen within thirty days of receipt of such names to elect members under Section 5 (2).

In the event that the Secretary-General does not receive one-hundred percent of the name of Chairman of the Provincial Farmers Council, but not less than ninety percent, it is presumed that the members under Section 5 (1) consist of these members, and these members may continue to select members under Section 5 (2).

Members under section 5 (1) and (2) acquired under paragraph two shall elect Executive Advisors under section 5 (3) to complete the composition of the National Farmers Council.

Section 7. Members of the National Farmers Council must possess the qualifications and must not be under any of the prohibitions as follows:

- (1) being of Thai nationality;
- (2) being not less than twenty-five years of age;
- (3) being a farmer who has been a member of a registered farmers organization for at least one year, that is only in the case of members under Section 5 (2);
- (4) not bankrupt;
- (5) not being a political Government official, a holder of a political position, a member of a local assembly, a local administrator, an executive member or a holder of any;
- (6) not being a Government official or State official holding a permanent position or having salaries;
- (7) not being a monk, novice, ascetic, or priest;

(8) not being a person expelled, dismissed or removed from the official service or employment by a State agency or a private organization on the ground of dishonesty in the performance of duties;

(9) not being a person of unsound mind or mental infirmity;

(10) never been sentenced by a final judgment to a term of imprisonment, unless the aforementioned prison term has been released for at least five years, or except for an offence committed through negligence or a petty offence.

Section 8. Members of the National Farmers Council shall serve for a four-year term beginning on the date of the declaration of their names under Section 15, and may not serve more than two consecutive terms.

Members of the National Farmers Council whose terms have expired may continue to perform their responsibilities until the declaration of the new members of the National Farmers Council.

Section 9. In addition to vacating office upon the expiration of his or her term under Section 8, a member of the National Farmers Council vacates office upon the following events:

(1) death;

(2) resignation;

(3) being disqualified or being under any prohibition under section 7;

(4) being vacate office by the resolution passed by the National Farmers Council with a vote of not less than two-thirds of the total number of existing members;

(5) resignation from the farmers organization that he represented in being elected as a member under Section 5 (2);

(6) being imprisoned due to a final judgment to a term of imprisonment, except for an offence committed through negligence or a petty offence;

(7) being absent or taking leave from the meeting more than once without reasonable cause.

Section 10. In the event that any National Farmers Council member vacates office prior to the expiration of his term, while more than one-half of the total members of the National Farmers Council remain, a replaced member shall be elected in accordance with the criteria, methods, and conditions set forth in Section 5, and the elected person shall serve out

the remainder of the term of the person he replaces, unless the remaining term of serving is less than ninety days.

During the vacancy of a member under paragraph one, the National Farmers Council shall consist of the remaining members.

In the event that more than one-half of the total members of the National Farmers Council vacate office prior to the expiration of their terms of serving, the National Farmers Council shall be considered to have ended and new members shall be elected within ninety days.

Section 11. The National Farmers Council has the powers and duties as follows:

(1) to present to the Council of Ministers a proposal to formulate policies to promote and develop farmer and farmer organization strength in accordance with the philosophy of self-sufficiency economy on production, processing, marketing, and protection of agricultural land;

(2) to propose to the Council of Ministers to formulate policies and guidelines for the promotion and development of integrated agriculture, agroforestry, natural farming systems, mixed farming systems, organic farming systems, and other forms of agriculture;

(3) to provide the Council of Ministers advice and proposals regarding the resolution of farmer issues, the development of agriculture, and the conservation and utilization of natural resources and environment;

(4) to propose the master plan to the Council of Ministers;

(5) to propose to the Council of Ministers to establish guidelines for promoting and supporting research and development on local plant and animal genetic information, agricultural products, and processed agricultural products;

(6) to propose to the Council of Ministers to determine guidelines for risk insurance of agricultural prices and products, including setting up welfare for farmers;

(7) to strengthen agricultural development cooperation and coordination with public and private sectors both domestically and internationally, as well as with international organizations;

(8) to develop and strengthen farmers and farmer organizations;

(9) to give opinions on concerned policies, laws or agreements that affect farmers;

(10) to provide guidance and advice to farmers, farmer organizations, and as proposed by the Provincial Farmers Council;

(11) to appoint committees, sub-committees, working groups, or advisors as necessary;

(12) to perform any other acts as prescribed by law as the National Farmers Council's powers and duties, or as assigned by the Council of Ministers.

Section 12. The Council of Ministers shall prepare and submit to the National Farmers Council a report on the results of consideration or the results of operations of the Council of Ministers on matters proposed by the National Farmers Council.

Section 13. The National Farmers Council may request to participate in proposing opinions to the Council of Ministers, the Prime Minister, or the relevant ministers on any matter relating to the common interests of farmers.

Section 14. The National Farmers Council has one Chairman and two Vice-Chairmen.

Section 15. In the event that the National Farmers Council has all the members required by Section 5 or is deemed to be completed under Section 6, the Secretary-General shall publish a list of members of the National Farmers Council in the Government Gazette.

Within thirty days of the date of announcement of the list of members of the National Farmers Council, the Secretary-General shall organize a first meeting of the National Farmers Council.

At its first meeting, the National Farmers Council shall appoint the person with the most seniority to preside over the selection of the National Farmers Council's Chairman and Vice-Chairmen among the members under Section 5 (1). A decision of a meeting shall be by a majority of votes.

Section 16. Chairman of the National Farmers Council shall convene the National Farmers Council every two months. Each meeting shall not exceed a total of seven days, except in case of urgent necessity, the Chairman of the National Farmers Council may call an additional meeting as a special agenda, or when at least one-third of the total members of the National Farmers Council submit a written request to the Chairman of the National Farmers Council to convene a meeting to discuss necessary issues.

Section 17. At a meeting of the National Farmers Council, the presence of not less than one-half of the total number of members is required to constitute a quorum.

If the Chairman of the National Farmers Council is absent or unable to perform his or her duties at a National Farmers Council meeting, the first or second Vice-Chairman of the National Farmers Council will preside over the meeting.

In the event that the Chairman and Vice-Chairmen of the National Farmers Council do not attend the meeting or are unable to perform their duties, the meeting shall elect one member to preside over the meeting pursuant to Section 5 (1). The meeting's decision shall be determined by majority of votes. Each member shall have one vote. In case of an equality of votes, the person presiding over the meeting shall have an additional vote as casting vote.

Section 18. The Chairman of the National Farmers Council has the authority and responsibility to carry out the activities of the National Farmers Council in accordance with the National Farmers Council's regulations, including the following authority and responsibility:

(1) to conduct the meeting and has the power to issue any order as necessary to maintain order in the meeting;

(2) to control and operate the activities of the National Farmers Council in accordance with the regulations and resolutions of the National Farmers Council;

(3) Other powers and duties as provided by law.

The Vice-Chairmen of the National Farmers Council shall have the powers and duties authority and responsibility assigned by the Chairman of the National Farmers Council and performs duties on his behalf when the Chairman of the National Farmers Council is absent or unable to perform his duties.

Section 19. Members of the National Farmers Council, committees, sub-committees, or working groups shall receive meeting allowances, allowances, expenses, and other benefits in accordance with regulations established by the National Farmers Council with the approval of the Ministry of Finance for the performance of duties under this Act.

CHAPTER II

THE OFFICE OF THE NATIONAL FARMERS COUNCIL

Section 20. The Office of the National Farmers Council shall be established as a state agency, having the status of a juristic person, and is neither a Government agency nor a state

enterprise under the law on budgetary procedures or other laws, abbreviated as “ONFC”. Its office is located in Bangkok or its vicinity with the following authority and duties.

(1) Responsible for administrative work and served as secretary of the National Farmers Council;

(2), to collect, study, research, develop and analyze information related to the operations of the National Farmers Council, the Provincial Farmers Council, and the Office of Provincial Farmers Council;

(3) to publicize the policies, master plans, and operations of the National Farmers Council to farmers and farmer organizations;

(4) to conduct registration of farmers and farmer organizations;

(5) to establish a database for farmers and farmer organizations, an information system, and the dissemination of information about agriculture and other related matters, in terms of management, research, production, processing, marketing, and prices, both domestically and internationally, including the use of geographic information;

(6) to coordinate operations with the Provincial Farmers Council and other relevant agencies;

(7) to prepare the annual report of the National Farmers Council;

(8) to perform any other duties assigned by the National Farmers Council.

The Office’s authority and responsibilities under the first paragraph must be exercised in accordance with the rules and procedures of good governance practice. This was announced in the Government Gazette by the Minister on the advice of the National Farmers Council.

Section 21. The Office’s operations are exempt from the labour protection law, the labour relations law, the social security law, and the compensation law. In this regard, the compensation for the Secretary-General, officers, and staff of the Office shall not be less than that specified by the laws on labour protection, social security, and compensation.

Section 22. The Chairman of the National Farmers Council shall appoint a Secretary-General who has the qualifications and is not under any of the prohibitions as follows:

(1) being Thai nationality;

(2) being Not less than thirty-five years of age but not more than sixty years of age on the date of application;

(3) possessing knowledge, expertise, manifest performances and experiences to be able to work for the office;

(4) not being under any prohibition under Section 7 (4) (5) (6) (7) (8) (9) and (10);

(5) not being employed in a private organization with a position and a regular salary.

Criteria, methods, and conditions for recruiting the Secretary-General shall be as stipulated by the National Farmers Council.

Section 23. The holding of office, the vacating of office, the setting of conditions for probation and the performance, and the evaluation of performance of the Secretary-General shall be in accordance with an employment contract prescribed by the National Farmers Council for a term of four years in maximum.

The Secretary-General shall receive salary, wages, or other remuneration as prescribed by the National Farmers Council.

Section 24. The National Farmers Council shall have the authority to issue rules and regulations regarding the administration of the Office and Provincial Farmers Council. Such authority shall encompass:

(1) Division of work within the Office and the Office of Provincial Farmers Council.

(2) Issuing rules or regulations regarding qualifications, selection, recruitment, appointment, determination of positions, determination of salary or wage rates, remuneration and other benefits, salary or wage increases, dismissal, disciplinary action, dismissal, grievances, and appeals against employee and worker disciplinary action.

(3) With the approval of the Ministry of Finance, issuing rules or regulations regarding the administration and management of finances, procurement, and property of the Office and the Office of Provincial Farmer Council.

Section 25. The Secretary-General the leader of officials and employees and is responsible for the administration of the Office and the Office of Provincial Farmers Council in accordance with the National Farmers Council's stated objectives, rules, regulations, and policies. This is under the supervision of the Chairman of the National Farmers Council.

Section 26. The Secretary-General shall be the representative of the Office in the affairs related to third parties.

Section 27. The Secretary-General shall appoint no more than two officers of the Office as the First and Second Deputy Secretaries-General to assist in the work of the Office. If the position of Secretary-General is vacant and no replacement has been named, or if the Secretary-General is temporarily unable to perform his duties, the Chairman of the National Farmers Council shall appoint the First Deputy Secretary-General as Acting Secretary-General. In the event that the Secretary-General and the First Deputy Secretary-General are unable to carry out their responsibilities, the Chairman of the National Farmers Council shall appoint the Second Deputy Secretary-General to serve in their stead.

The Acting Secretary-General shall have the same powers and duties as the Secretary-General.

Section 28. The Office shall have income as follows:

- (1) Subsidy under Section 29,
- (2) Grants from government or private agencies involved in the promotion and development of agriculture,
- (3) Money or property that is bequeathed,
- (4) Interest and other income.

Revenue of the Office is not subject to the Ministry of Finance under the law on treasury reserves, the law on budgetary procedures, or other laws.

Section 29. The Office shall submit a request for budget from the government according to the resolution of the National Farmers Council to allocate it to the National Farmers Council and the Provincial Farmers Council.

The government shall subsidize operating expenses sufficiently for the operations of the National Farmers Council and the Provincial Farmers Council.

The expenditure of subsidies under this section shall be in accordance with the regulations prescribed by the National Farmers Council with the approval of the Ministry of Finance.

Section 30. The Office must provide the auditor with balance sheets, financial statements, and accounts within ninety days from the end of the fiscal year.

The State Audit Office of the Kingdom of Thailand shall be the auditor of the Office and shall audit and certify all types of accounts and finances of the Office, including evaluating the Office's expenditures and assets by demonstrating whether such expenditures are in line

with their objectives, how cost-effective they are, and submitting an audit report without delay to the House of Representatives, the Senate, and the Council of Ministers.

CHAPTER III PROVINCIAL FARMERS COUNCIL

Section 31. There shall be Provincial Farmers Council consisting of

(1) sixteen elected members; if a province has more than sixteen districts, the number of farmers' representatives in that province will be increased proportionally;

(2) 5 executive Advisors elected by members under (1) from qualified applicants who have knowledge, expertise, and experience in agriculture in the fields of crops, livestock, and fisheries at least one person in each field.

The Office shall organize an election to obtain members under (1) and selection to obtain members under (2) in accordance with the criteria, methods, and conditions specified by the National Farmers Council and published in the Government Gazette.

Section 32. When the Provincial Farmers Council has all the members under Section 31, the Secretary-General shall publish the names of the Provincial Farmers Council members in the Government Gazette within fifteen days.

Section 33. The Provincial Farmers Council has the powers and duties as follows:

- (1) to develop and strengthen farmers and farmer organizations within the province;
- (2) to coordinate policies and operations between farmer organizations, farmers, research institutes, academic institutions, and government agencies;
- (3) to promote and support the integration of farmer organizations, farmer groups, and young farmers in the province in various forms;
- (4) to propose the provincial agricultural development plans to the National Farmers Council for integration into a master plan to be submitted to the Council of Ministers;
- (5) to support and promote education, training, and the transfer of technology to farmers and young farmers in order to increase their competency in holistic and sustainable agriculture;

(6) to propose to the National Farmers Council policies and guidelines for developing and resolving agricultural sector problems, including unfair prices for agricultural products;

(7) to provide advice and recommendations to farmers or farmer organizations;

(8) to appoint working groups to carry out any measures necessary to achieve the goals of this Act;

(9) to perform duties as assigned by the National Farmers Council.

Section 34. Members of the Provincial Farmers Council must have the qualifications and not be under any of the prohibitions as follows:

(1) being a farmer whose domicile is in the province;

(2) being Thai nationality;

(3) being not less than twenty-five years of age;

(4) not having prohibited characteristics under Section 7 (4) (5) (6) (7) (8) (9) and (10).

Section 35. The Provincial Farmers Council shall have one Chairman and two Vice-Chairman within thirty days from the date of announcement of the list of members of the Provincial Farmers Council under Section 32. The Office of the Provincial Farmers Council shall hold the first meeting of the Provincial Farmers Council to elect the Chairman and Vice-Chairman of each Provincial Farmers Council and the provisions of Section 15 paragraph three shall apply mutatis mutandis.

Section 36. The Chairman of the Provincial Farmers Council has the authority to carry out the activities of the Provincial Farmers Council in accordance with the regulations of the National Farmers Council and the Provincial Farmers Council.

The Vice-Chairman of the Provincial Farmers Council have the powers and duties as assigned by the Chairman of the Provincial Farmers Council and act on his behalf when the Chairman is absent or unable to perform his duties.

Section 37. The provisions of Section 8, Section 9, Section 10, Section 17, and Section 19 shall apply to the Provincial Farmers Council mutatis mutandis.

CHAPTER IV
OFFICE OF THE PROVINCIAL FARMERS COUNCIL

Section 38. There shall be the Office of the Provincial Farmers Council, abbreviated as “OPFC”, having the following powers and duties:

(1) responsible for administrative work and act as secretary of the Provincial Farmers Council;

(2) to collect, study, and analyze various information related to the operations of the Provincial Farmers Council;

(3) to publicize to farmers and farmer organizations the policy, the provincial agricultural development plans, and the operations of the Provincial Farmers Council;

(4) to provide a database system and disseminate information, research results and knowledge about production, processing of agricultural products, including both domestic and international markets;

(5) to coordinate operations with farmers, farmer organizations, and other relevant agencies;

(6) to prepare the annual report of the Provincial Farmers Council;

(7) to perform any other duties assigned by the National Farmers Council and the Provincial Farmers Council.

Section 39. The Secretary-General shall appoint an employee of the Office to be the Chief of the Office of the Provincial Farmers Council.

Section 40. The Chief of the Office of Provincial Farmers Council is the leader of staff and employees and is responsible for the administration of the Office of Provincial Farmers Council in accordance with the National Farmers Council's objectives, rules, regulations, and policies. This is under the supervision of the Secretary-General and the Provincial Farmers Council's Chairman.

CHAPTER V
MASTER PLAN FOR AGRICULTURAL DEVELOPMENT

Section 41. The National Farmers Council shall prepare a master plan through a stakeholder participation process, including linking it to a provincial master plan, and must contain at least the following essences:

(1) potential development, promotion, and support for the integration of farmers, farmer organizations, farmer groups, and young farmers according to the Philosophy of Sufficiency Economy;

(2) promotion, development, protection of agricultural areas, and solutions to soil and land problems by promoting and protecting farmers' rights to have ownership or rights in land for their own agriculture;

(3) creation of fair prices for agricultural products by taking into account the promotion of agricultural products to obtain the highest return;

(4) water resource development and irrigation system management for agriculture;

(5) conservation, restoration, and utilization of natural resources, environment, and biodiversity for agriculture;

(6) research and development of wisdom, genetics of local plants and livestock, appropriate technological innovation, and the transfer of knowledge obtained from research and development for the benefit of agriculture and industrial agriculture;

(7) proposing guidelines for accessing capital and resolving farmers' debt problems;

(8) promotion and protection of farmers' rights and increasing the rights and roles of farmers in relation to farming and access to resources necessary for agricultural operations;

(9) networking, linking, and fostering cooperation in agricultural production, processing; marketing, and subsistence consumption between the farmer network and the public and private sectors through farmer organization networking;

(10) supporting and promoting education, training, transferring knowledge and technology in agriculture, and managing farmers and young farmers;

(11) improvement of the management of existing agricultural-related funds to support comprehensive assistance to farmers and reduce redundancy, including the establishment of a fund for such purposes.

The master plan under paragraph one may also clearly prescribe details of implementation methods and duration of implementation.

Section 42. After the National Farmers Council has prepared a master plan, it shall be proposed to the Prime Minister for further consideration, analysis, and screening for submission to the Council of Ministers.

The consideration of the Prime Minister under paragraph one shall be completed within thirty days.

Section 43. The National Farmers Council shall have the powers and duties to follow up and inspect the implementation of the master plan, as well as report problems and obstacles that cannot be implemented according to the master plan, and propose solutions to such problems to the Prime Minister for consideration.

TRANSITIONAL PROVISIONS

Section 44. During the initial period, the Permanent Secretary of the Ministry of Agriculture and Cooperatives will serve as Secretary-General and Chief of the Office of Bangkok Farmers Council, while the Chief of Provincial Agriculture and Cooperatives Office will serve as Chief of Office of the Provincial Farmers Council. This, however, shall not exceed two years from the effective date of this Act.

The Permanent Secretary of the Ministry of Agriculture and Cooperatives shall temporarily assign officials of the Office of the Permanent Secretary for Agriculture and Cooperatives or the Provincial Agriculture and Cooperatives Office to assist with the work of the National Farmers Council or Provincial Farmers Council, whichever is applicable.

Section 45. The Permanent Secretary of the Ministry of Agriculture and Cooperatives and the Chief of Provincial Agriculture and Cooperatives Office shall hold elections for representatives of farmers under Section 46, Section 47, Section 48, and Section 49 in order to obtain the first Provincial Farmers Council members.

Section 46. The list of farmers who have the right to vote for farmers' representatives at the village level shall be compiled from the list of farmer households registered with the Ministry of Agriculture and Cooperatives. Regarding this, every sui juris farmer in each household shall have the right to vote for farmers representatives. It will include the list of farmers who have been additionally registered under paragraph two.

The Permanent Secretary of the Ministry of Agriculture and Cooperatives and the Chief of Provincial Agriculture and Cooperatives Office shall, within thirty days of the effective date of this Act, organize the registration of farmers who are sui juris and who have not registered their farmer households but wish to exercise their right to vote for a period of not less than thirty days.

Within sixty days since the date this Act comes into force, the Office of the Permanent Secretary of the Ministry of Agriculture and Cooperatives and the Office of Provincial Agriculture and Cooperatives shall publish a list of farmers who are eligible to vote for the representatives of farmers at the village level in each area.

Section 47. Within thirty days of announcing the list of farmers pursuant to Section 46, paragraph 3, the Permanent Secretary of the Ministry of Agriculture and Cooperatives and the Chief of Provincial Agriculture and Cooperatives Office shall organize an election of qualified village farmer representatives pursuant to Section 34, one for each village farmer.

The Permanent Secretary of the Ministry of Agriculture and Cooperatives and the Chief of Provincial Agriculture and Cooperatives Office shall publish the list of elected village representatives within fifteen days since the date of election.

Section 48. The Permanent Secretary for Agriculture and Cooperatives and Provincial Agriculture and Cooperatives shall hold an election for farmer representatives at the sub-district level within thirty days of the date of the announcement of the list of farmer representatives at the village level pursuant to Section 47 paragraph two. In each sub-district, the representatives of farmers at the village level elected one representative of the sub-district farmers from among themselves.

The Permanent Secretary of the Ministry of Agriculture and Cooperatives and Provincial Agriculture and Cooperatives shall publish the list of elected representatives of farmers at the sub-district level within fifteen days of the date of the election of such representatives.

Section 49. Within thirty days of announcing the list of representatives of farmers at the sub-district level pursuant to Section 48, paragraph two, the Permanent Secretary of the Ministry of Agriculture and Cooperatives and the Chief of Provincial Agriculture and Cooperatives Office shall conduct an election of representatives of farmers to serve on the Provincial Farmers Council. The representatives of farmers at the sub-district level in each district were elected by the farmers themselves so that each district would have one representative of the district farmers.

In the event that a province has fewer than sixteen districts, the Permanent Secretary of the Ministry of Agriculture and Cooperatives and the Chief of Provincial Agriculture and Cooperatives Office shall organize the election of representatives of farmers at the sub-district level pursuant to Section 48, paragraph two. There are sixteen representatives, with a minimum of one farmer representative per district.

Section 50. Within fifteen days of the date of election of representatives of farmers under section 49 paragraph one or paragraph two, the Permanent Secretary of the Ministry of Agriculture and Cooperatives and the Chief of Provincial Agriculture and Cooperatives Office shall publish the list of elected representatives of farmers as members of the Provincial Farmers Council in the Government Gazette as well as the list of names for the Minister of Agriculture and Cooperatives to appoint a member of the Provincial Farmers Council.

Section 51. Within forty-five days of publication in the Government Gazette pursuant to Section 50, the Permanent Secretary of the Ministry of Agriculture and Cooperatives and the Chief of Provincial Agriculture and Cooperatives Office shall call a meeting of members of the Provincial Farmers Council to elect the Chairman and Vice-Chairmen of the Provincial Farmers Council by allowing members of the Provincial Farmers Council in each province to vote among themselves.

Section 52. Initial period, the Minister shall prescribe criteria, methods, and conditions for the registration of farmer organizations and arrange for the registration of farmer organizations in accordance with such criteria, methods, and conditions within sixty days of the effective date of this Act, in order to implement and determine the criteria, methods, and conditions for the acquisition of members of the National Farmers Council under Section 5 (2) and first set of (3).

Section 53. The registration of an organization under Section 52 must be for a minimum of ninety days and a maximum of one hundred and fifty days from the date of the agricultural organization's first registration. The Permanent Secretary of the Ministry of Agriculture and Cooperatives shall have the authority to approve the registration of farmers organizations in Bangkok, while the Chief of Provincial Agriculture and Cooperatives Office shall have the authority to approve registration in other provinces.

Section 54. In case of problems arising from the election, the Chief of Provincial Agriculture and Cooperatives Office or the Director of the Office of Planning and Special Projects of the Office of the Permanent Secretary for Agriculture and Cooperatives shall make decisions, as the case may be.

The decision under paragraph one can be appealed to the Permanent Secretary of the Ministry of Agriculture and Cooperatives within fifteen days from the date of receipt of the decision.

The appeal decision of the Permanent Secretary of the Ministry of Agriculture and Cooperatives shall be final.

Countersigned by:

Abhisit Vejjajiva

Prime Minister

Note: The necessity of enactment of this Act is because the Constitution of the Kingdom of Thailand requires the State to protect and safeguard farmers' interests in production, processing, and marketing to encourage farmers to receive maximum returns, as well as promoting the integration of farmers in the form of a farmers council to plan agriculture and maintain the common interests of farmers to support the rights and participation of farmers in policy making for agricultural development. In terms of the economy, society, and politics, there must be a process to examine the use of state power in accordance with agricultural policies, which will lead to the sustainable development of the agricultural sector and the country's overall economic system. In order to attain the Constitution's goal of establishment of the National Farmers Council to serve as the farmers' representatives in various agricultural activities, this Act was enacted.

The Office of the National Farmers Council