

Plant Quarantine Act, B.E. 2507 (1964)

As Amended until Plant Quarantine Act (No.3), B.E.2551 (2008)

Translation

BHUMIBOL ADULYADEJ, REX

Given on the 13th day of March, B.E. 2507.

Being the 19th Year of the Present Reign

His Majesty King Bhumibol Adulyadej has been graciously pleased to proclaim that:

Whereas it is expedient to have a law on plant quarantine;

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

Section 1

This Act shall be called the "Plant Quarantine Act, B.E. 2507 (1964)"

(Amended until Plant Quarantine Act (No.3), B.E.2551 (2008))

Section 2

This Act shall come into force after the expiration of ninety days from the date of its publication in the Government Gazette.

Section 3

The Plant Diseases and Plant Pests Prevention Act, B.E. 2495 shall be repealed.

Section 4

In this Act,

"plant" means all species of plants including terrestrial, aquatic, and other kinds of plants, including any parts thereof such as the stems, buds, stocks, shoots, offshoots, branches, leaves, roots, rhizomes, bulbs, flowers, fruits, seeds, and cultures and spores of mushrooms, be they propagable or dead; including predators, parasites, silkworms, silkworm-eggs, silk-cocoons, bees, bee-hives, and microorganisms;

"controlled plant" means plants declared by the Minister in the Government Gazette as controlled plant;

"specific controlled plant" means plants declared by the Minister in the Government Gazette. It shall require protective measures and inspection on microorganisms or other articles that are harmful to human health, in compliance with the importing country requirements prior to exportation.

("specific controlled plant" shall be incorporated herein by Section 3 of the Plant Quarantine Act (No. 3), B.E. 2551)

"plant germplasm" means a group of cells with diverse inheritable genes that form pieces of plants which are alive and propagable, be they in a form of seeds, tissues, or any part of plants, including genetic materials that may inherit any characteristics controlled by them, herein specific only to those useful for breeding purposes;

"soil" means soil with organic matters or with livable conditions for plant pests.

"plant pest" means those which are harmful to plants, such as plant pathogens, insects, animals or plants which may do harm to plants.

"carrier" means planting materials, soil, sand, containers or other materials in which plants are packed, organic fertilizers or others which may serve as media for the plant pests;

"prohibited article" means plants, plant pests and carriers declared by the Minister in the Government Gazette as prohibited article;

"restricted article" means plants, plant pests and carriers declared by the Minister in the Government Gazette as restricted article;

"un-prohibited article" means other plants which are not prohibited or restricted articles;

"owner" includes agent of the owner, person in possession of the articles and person in charge of the conveyance transporting the articles;

"pest risk analysis" means the process of evaluating biological or other scientific and economic evidence to determine whether a pest should be regulated and the strength of any phytosanitary measures to be taken against it;

("pest risk analysis" shall be incorporated herein by Section 4 of the Plant Quarantine Act (No. 3), B.E. 2551)

"importation" means bringing or ordering into the Kingdom by any means whatsoever;

"bringing in transit" means bringing or sending through the Kingdom with or without transshipment;

("bringing in transit" shall be repealed by Section 5 of the Plant Quarantine Act (No. 3), B.E. 2551 and shall be replaced by the following definition.)

"exportation" means bringing or sending out of the Kingdom by any means whatsoever;

"plant quarantine station" means a station declared by the Minister in Government Gazette for inspecting plants, prohibited articles, restricted articles and plant germplasms imported or brought in transit;

"post-entry quarantine station" means a place declared by the Minister in the Government Gazette as a place for holding plants, prohibited articles, restricted articles, and plant germplasms for observation and research;

"plant pest controlled area" means a locality declared by the Director-General in the Government Gazette as area for prevention or eradication of plant pests;

"phytosanitary certificate" means an official document issued by the competent authority of exporting country to verify that plant, plant germplasm or carrier is free from pests, in compliance with the importing country requirements;

("phytosanitary certificate" shall be incorporated herein by Section 6 of the Plant Quarantine Act (No. 3), B.E. 2551)

"phytosanitary certificate for re-export" means an official document issued by the competent authority of exporting country to verify that plant, plant germplasm or carrier brought or sent into and transhipped out of the Kingdom to other countries is free from pests of re-exporting country, in compliance with the importing country requirements;

("phytosanitary certificate for re-export" shall be incorporated herein by Section 6 of the Plant Quarantine Act (No. 3), B.E. 2551)

"health certificate" means an official document issued by the competent authority of exporting country to verify that a specific controlled plant is free from microorganisms or other articles which are harmful to human health, in compliance with the importing country requirements;

("health certificate" shall be incorporated herein by Section 6 of the Plant Quarantine Act (No. 3), B.E. 2551.)

"Committee" means the Plant Quarantine Committee;

"Director-General" means the Director-General of the Department of Agriculture;

"plant quarantine official" means the Director-General and a person appointed by the Minister for the execution of this Act;

"Minister" means the Minister in charge of the execution of this Act.

Section 5

The plant quarantine official shall bear an identification card in the form prescribed in the Ministerial Regulation, and in the execution of this Act, upon request, shall provide the said identification card to the person concerned.

(Provisions of Section 5 bis shall be incorporated herein by Section 4 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 5 bis

There shall be a Committee called "The Plant Quarantine Committee," comprising the Permanent Secretary of the Ministry of Agriculture and Cooperatives as the chairman, Director-General of the Department of Fisheries or representative, Director-General of the Department of Livestock or representative, Director-General of the Royal Forestry Department or representative, Director-General of the Department of Agriculture or representative, Director-General of the Custom Department or representative, Director-General of the Department of Agricultural Extension or representative, Secretary-General of the Office of the Narcotics Control Board or representative, Director-General of the Port Authority of Thailand or representative, Managing Director of the Airport Authority of Thailand or representative, President of the Communications, Authority of Thailand or representative, Director of the National Center for Genetic Engineering and Biotechnology or representative, Representatives of the Ministry of Commerce and the Ministry of Interior, one for each Ministry, and no more than Experts appointed by the Minister as the Committee and the Director of Agricultural Regulatory Division of the Department of Agriculture as the Committee and Secretary.

The Department of Agriculture, for the Committee, shall be charged with the duties on technical, administrative, and procedural under the decision of the Committee.

(Provisions of Section 5 ter shall be incorporated herein by Section 4 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 5 ter

The Expert Committee shall be in office for a 2 year-term, nevertheless may be reappointed.

In case there is any reason for the Expert Committee to leave the office before the end of the term or in case the Minister appoints additional Expert Committee during the office term of the Committee, the substituted Expert Committee shall be in the office for as long as the term left for the earlier appointed Expert Committee.

(Provisions of Section 5 tetra shall be incorporated herein by Section 4 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 5 tetra

Notwithstanding the end of office term under Section 5ter, the Expert Committee appointed by the Minister shall leave the office in case of:

- (1) death;
- (2) resignation;
- (3) removed by the Minister;
- (4) become incompetent or quasi-incompetent person;
- (5) imprisoned by the final judgment to a term of imprisonment, except for an offence committed through negligence or a petty offence.

(Provisions of Section 5 penta shall be incorporated herein by Section 4 of the Plant Quarantine Act (No. 2), B.E. 2542.)

Section 5 penta

In a meeting of the Committee, the presence of not less than one-half of the total number of members of the Committee shall be required to constitute the quorum. In case where the

chairman is not present or is unable to perform the duty, the members of the Committee present shall elect a member among themselves to preside over the meeting as a chairman.

A decision of the meeting shall be met by a majority vote. Each member of the Committee shall have one vote. In case of equality of the votes, the presiding chairman shall have an additional vote as the final vote.

(Provisions of Section 5 hexa shall be repealed by Section 7 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented.)

Section 5 hexa

The Committee shall have the authority as follows:

- (1) provide recommendations to the Minister for the determination on name of plants, plant pests, or carriers to be prohibited or restricted articles, and of plant germplasms that shall be controlled, and of controlled plants and specific controlled plants;
- (2) provide recommendations to the Minister for the determination on plant quarantine station and post-entry quarantine station;
- (3) provide recommendations to the Director-General for the determination on type of business enterprises that are eligible to import or bring in transit of prohibited articles under Section 8 (2) as well as the determination on criteria, procedures and conditions for the importation or bringing in transit of prohibited articles through commercial channel or other business enterprises under Section 8 (2);
- (4) provide recommendations to the Director-General for the determination on criteria, procedures and conditions for importation or bringing in transit of prohibited or restricted articles under Section 10, and for the determination on plant pest inspection and treatment fees, the request for a phytosanitary certificate or phytosanitary certificate for re-export and the issuance of certificates under Section 15;
- (5) provide recommendations to the Director-General for the determination on inspection fees for exportation of specific controlled plants, including criteria, procedures and conditions on the request and issuance of health certificate under Section 15hexa;
- (6) provide recommendations to the Minister for the promulgation of the Ministerial Regulations under this Act;
- (7) make recommendations to the Minister or Director-General for the amendment of this Act, Ministerial Regulations, rules, notifications or guidelines related to plant quarantine under this Act or other laws elsewhere, that cause adverse effect to the plant quarantine implementation;
- (8) perform other actions stipulated by this Act or other laws to be the duties of the Committee.

(Provisions of Section 5 hepta shall be incorporated herein by Section 4 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 5 hepta

The Committee shall have the authority to appoint one or more Sub-Committee(s) to perform any duties charged by the Committee.

The provisions of Section 5penta shall be applied to the meeting of the Sub-Committee *mutatis mutandis*.

(Provisions of Section 6 paragraph 1 shall be repealed by Section 8 of the Plant Quarantine Act (No. 3), 2551 and the following shall be implemented)

Section 6

In case, where it is necessary to prevent the spread or outbreak from introduction of any kind of plant pests into the Kingdom or where it is advantageous to protect possibly adverse

effect on environment or human health, the Minister by the recommendation of the Committee shall have the authority to declare, where appropriate, in the Government Gazette the name of plants, plant pests or carriers to be prohibited or restricted articles under this Act, as the case may be. Under the said declaration, name of any plants, plant pests or carriers from any sources may be stated or any exceptions or conditions may be specified.

In stipulating the conditions for prevention of the introduction of any kind of plant pests into the Kingdom, the Minister may require that any person traveling from the place where there is the occurrence of that particular plant pest, report to the plant quarantine official with the form specified by the Director-General.

When it is no longer necessary, the prohibited and restricted articles mentioned in paragraph 1 shall be revoked by declaration in the Government Gazette.

(Provisions of Section 6 bis shall be incorporated herein by Section 6 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 6 bis

For the purpose of controlling and prevention of the introduction of plant pests, the Minister by the recommendation of the Committee shall have the authority to declare the name of plant germplasms that shall be controlled in the Government Gazette.

(Provisions of Section 6 bis paragraph 2 shall be repealed by Section 9 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented)

No one shall import or export any plant germplasms declared in paragraph 1 by the Minister, unless otherwise permitted by the Director-General, and the importation of which shall be accompanied by a phytosanitary certificate.

The request for permission and the permission under paragraph 2 shall be performed under the criteria, procedures, and conditions stipulated by the Director-General.

(Provisions of Section 6 ter shall be incorporated herein by Section 6 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 6 ter

The plant quarantine official shall have the authority to enter the planting areas, place of collection or preservation of plant germplasms declared by the Minister under Section 6bis paragraph 1, during sunrise and sunset of the day or the official hours to inspect and study the use of plant germplasms.

In such action, the plant quarantine official shall have the authority to inquire the fact or request for the permit, or related evidence from the owner or the possessor of the planting area or the said place.

(Provisions of Section 7 shall be repealed by Section 7 of the Plant Quarantine Act (No. 2), B.E. 2542 and the following shall be implemented)

Section 7

The Minister under the recommendation of the Committee shall have the authority to declare any port, airport or place with certain limit as plant quarantine station or post-entry quarantine station, as the case may be, in the Government Gazette.

(Provisions of Section 8 shall be repealed by Section 10 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented.)

Section 8

Any person importing or bringing in transit prohibited articles shall receive permission from the Director-General and comply with the following rules.

- (1) The importation or bringing in transit of prohibited articles for research purpose shall be accompanied with a phytosanitary certificate, or in case where the importation or bringing in transit of prohibited plant pest or carrier which is not plant, a certification letter from the authorized agency of the exporting country shall be required to accompany with such prohibited articles.

- (2) The importation or bringing in transit for commerce or other purposes which shall be declared by the Director-General under the recommendation of the Committee, shall be accompanied by a phytosanitary certificate, subjected to pest risk analysis and complied with the criteria, procedures and conditions stipulated by the Director-General under the recommendation of the Committee and published in the Government Gazette.

(Provisions of Section 9 shall be repealed by Section 11 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented.)

Section 9

No one shall import or bring in transit any restricted articles unless the said restricted articles are accompanied by a phytosanitary certificate.

(Provisions of Section 10 shall be repealed by Section 12 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented)

Section 10

The importation or bringing in transit of prohibited or restricted articles shall be made through the plant quarantine station for inspection by the plant quarantine official, and shall be complied with criteria, procedures and conditions stipulated by the Director-General under the recommendation of the Committee and published in the Government Gazette.

(Provisions of Section 11 shall be repealed by Section 13 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented)

Section 11

Any person importing or bringing in transit un-prohibited articles shall attach with a phytosanitary certificate and shall declare to the plant quarantine official in a format form specified by the Director-General.

(Provisions of Section 12 shall be repealed by Section 14 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented)

Section 12

In the execution of this Act, the plant quarantine official shall have the authority as follows;

- (1) search any warehouse, conveyance, package as well as any person within the jurisdiction of plant quarantine station or plant pest controlled area when there is reasonable ground to suspect that plants, prohibited articles, restricted articles or un-prohibited articles have been imported or brought in transit in violation or non-compliance of this Act;
- (2) search any premise, person or conveyance outside the jurisdiction of plant quarantine station or plant pest controlled area, during sunrise to sunset of the day, or during the business hours of that premise in case where there is reasonable ground to suspect that plants, prohibited articles, restricted articles or un-prohibited articles under possession are plant pests or harbor plant pests that may cause very serious damage and in case where there is reasonable ground to suspect that if the search warrant shall take longer time to be issued, such unlawful articles or any wrongdoings shall be removed, hidden, destroyed or changed from the original appearances, and in case where the search can not be carried out in time, it is allowable to continue until the search is completed;
- (3) collect or draw sample in an adequate amount of plants, prohibited articles, restricted articles or un-prohibited articles or other related articles for inspection or analysis, in case where there is reasonable ground to suspect that such articles are plant pests or harbor plant pests that may cause very serious damage;
- (4) confiscate or hold plants or prohibited articles, restricted articles or un-prohibited articles or other related articles in due time, where necessary, in case where there is reasonable ground to suspect that such articles are plant pests or harbor plant pests that may cause very serious damage.

(Provisions of Section 13 shall be repealed by Section 15 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented.)

Section 13

To prevent the introduction of plant pests into the Kingdom, the plant quarantine official shall have the authority to deal with plants or prohibited articles, restricted articles, unprohibited articles or plant germplasms imported or brought in transit as follows;

- (1) diagnose plant pests, fumigated or treated with chemical by means of spraying or by any other means as deemed necessary at the owner's expenses;
- (2) confiscate or hold them at the post-entry quarantine station or at any other places in due time, where necessary;
- (3) order the importer to send the plants, prohibited articles, restricted articles, unprohibited articles or plant germplasms infected or infested with plant pests out of the Kingdom;
- (4) destroy them, where necessary, when there is reasonable ground to suspect that such plant pests may cause very serious damage and there is no alternative remedial measure under subparagraph (1).

(Provisions of Section 13/1 shall be incorporated herein by Section 16 of the Plant Quarantine Act (No. 3), B.E. 2551)

Section 13/1

All articles that are collected, confiscated or held under Section 12 (3) and (4) and Section 13 (2), shall fall into the possessions of the Department of Agriculture, in case if there is no claim from the owners, or in case where the case is withdrew by the public prosecutor, or the final judgment is not to confiscate the articles, and the owner does not claim within ninety days counting from the date of confiscation or hold, or the date of public prosecutor withdrawal or the date of the final judgment not to confiscate the articles, wherever the cases shall be.

If the articles collected, confiscated or held under paragraph 1 are perishable, or if the articles shall be at risk to be damaged from storage or the expenses to keep the articles exceed their values, the Director-General shall have the authority to order destroying or any other means of disposal, where appropriate.

(Provisions of Section 14 shall be repealed by Section 8 of the Plant Quarantine Act (No. 2), B.E. 2542 and the following shall be implemented)

Section 14

No one shall remove any plants, prohibited articles, restricted articles or plant germplasms from any plant quarantine station, post-entry quarantine station, or conveyance in case of transit, or from any places where such articles are confiscated or held by the order of the plant quarantine official unless permission in writing has been obtained from the said plant quarantine official.

(Provisions of Section 15 shall be repealed by Section 17 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented)

Section 15

Any person who would like to apply for a phytosanitary certificate or phytosanitary certificate for re-export shall pay inspection and treatment fees at the rates specified by the Director-General under the recommendation by the Committee and shall be published in the Government Gazette.

The plant quarantine official has the authority to issue a phytosanitary certificate and phytosanitary certificate for re-export to the applicant under paragraph 1 and the plant quarantine official shall collect fees for the issuance of a phytosanitary certificate or phytosanitary certificate for re-export, where applicable to the rates prescribed in the Ministerial Regulation.

The request for and issuance of a phytosanitary certificate or phytosanitary certificate for re-export shall be complied with the criteria, procedures, and conditions stipulated by the

Director-General under the recommendation by the Committee and shall be published in the Government Gazette.

(Provisions of Section 15 bis shall be incorporated herein by Section 9 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 15 bis

To prevent the spread of the plant pests out of the Kingdom, the Minister under the recommendation of the Committee shall have the authority to declare the name of plants to be considered as controlled plant in the Government Gazette.

(Provisions of Section 15 bis, paragraph 2 shall be repealed by Section 18 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented)

Any person who would like to export controlled plant under paragraph 1 shall have a phytosanitary certificate accompanied with the said controlled plant.

(Provisions of Section 15 ter shall be repealed by Section 19 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented)

Section 15 ter

In case of loss or damage in the essential matters of the phytosanitary certificate or phytosanitary certificate for re-export, the holder of the said phytosanitary certificate requiring a substitution shall request for such substituted phytosanitary certificate from the plant quarantine official.

The request for and issuance of the substitution of the phytosanitary certificate shall be complied with the criteria, procedures, and conditions stipulated by the Director-General.

(Provisions Section 15 tetra shall be incorporated herein by Section 9 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 15 tetra

To facilitate plant growers for the purpose of exportation, any person who would like to request the plant quarantine official to inspect or recommend the means to control plant pests in nursery or field for exportation, shall request for registration of the said nursery or field for exportation to the Department of Agriculture.

The request for registration and the registration shall be complied with the criteria, procedures, and conditions stipulated by the Director-General.

(Provisions of Section 15 penta shall be incorporated herein by Section 9 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 15 penta

To regulate plants for exportation, the Minister under the recommendation of the Committee shall have the authority to declare a plant to be specific controlled plant by indicating name, type, species or characteristic aspects of the plant, microorganism or other articles that may be harmful to human health in compliance with the importing country requirements, as well in the Government Gazette.

(Provisions of Section 15 hexa shall be incorporated herein by Section 9 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 15 hexa

Any person who would like to export specific controlled plant shall have a phytosanitary certificate accompanying with the consignment and pay inspection fee at the rates specified by the Director-General under the recommendation by the Committee and shall be published in the Government Gazette.

The plant quarantine official shall have the authority to issue a health certificate to the applicant under paragraph 1 and the plant quarantine official shall collect fee for the issuance of a health certificate at the rates prescribed in the Ministerial Regulation.

(Provisions of Section 16 shall be repealed by Section 10 of the Plant Quarantine Act (No. 2), B.E. 2542 and the following shall be implemented)

Section 16

Any person who would like to request the plant quarantine official to perform his duties under this Act on official holidays, after official working hours or outside Government offices whether during or after official working hours, shall pay additional fees for performing his duties at the rates prescribed in the Ministerial Regulation and pay all travel expenses as necessary and actually paid to the plant quarantine official.

The criteria, procedures, and conditions of the payment of additional fees and travel expenses under paragraph 1 shall be in line with the Ministerial Rule.

Section 17

In the event of an outbreak of plant pest which might bring about serious damages, or where there is proper reason to place control in respect of plant pest in any locality, the Director-General shall have the power to determine by notification such locality as plant pest controlled area. The notification shall specify the names, species of plants, plant pests and carriers under the control and determine the local checking stations as are necessary. Such notification shall be posted up at the Provincial Government Office, Amphur Office, Office of Kumnan and Phuyai Ban of such locality.

Section 18

After a declaration of the plant pest control area under Section 17 has been made, no one shall take out of or bring into the plant pest control area any plants, plant pests or carriers specified in the declaration unless inspected and permitted in writing by the plant quarantine official.

Section 19

The provisions of Sections 12 and 13 shall apply *mutatis mutandis* to the plants, plant pests and carriers stated in Section 17 which are within the plant pest controlled area or to be taken out of or brought into the said area.

(Provisions of Section 19 paragraph 2 shall be repealed by Section 11 of the Plant Quarantine Act (No. 2), B.E. 2542 and the following shall be implemented)

In case there is any plant pest which may cause serious damage and if it is not destroyed in time, it will cause more severe damage. The plant quarantine official may order the owner to destroy the plants, plant pests and carriers, or if necessary the plant quarantine official may destroy them by himself. In such case, the Director-General may order the owner to pay all expenses for such destruction as necessary and actually paid.

Section 20

When the Director-General finds that the plant pest according to the declaration under Section 17 has all been destroyed or that necessity no longer exists, such declaration shall be revoked.

(Provisions of Section 20bis shall be incorporated herein by Section 12 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 20 bis

The money obtained from the inspection fees under Section 15 and the additional fees under Section 16 shall not be considered as income under the law of fiscal budget, and shall be used only in those activities specified by this Act, not for any other purposes whatsoever.

(Provisions of Section 20 ter shall be incorporated herein by Section 12 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 20 ter

Any person who does not comply with Section 6 paragraph 2 or violates Section 6bis paragraph 2, Section 9 or Section 18 shall be fined not exceeding 20,000 Baht.

(Provisions of Section 20 tetra shall be incorporated herein by Section 12 of the Plant Quarantine Act (No. 2), B.E. 2542)

Section 20tetra

Any person who resists or obstructs the plant quarantine official from performing his duties under Section 6ter shall be fined not exceeding 10,000 Baht.

(Provisions of Section 21 shall be repealed by Section 21 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented)

Section 21

Any person who does not comply with Section 8, Section 10 and Section 15bis paragraph 2 or Section 15hexa or violates Section 14 shall be imprisoned not exceeding one year or fined not exceeding 20,000 Baht, or both.

(Provisions of Section 22 shall be repealed by Section 21 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented)

Section 22

Any person who does not comply with Section 11 shall be fined not exceeding 4,000 Baht.

(Provisions of Section 23 shall be repealed by Section 13 of the Plant Quarantine Act (No. 2), B.E. 2542 and the following shall be implemented)

Section 23

Any person who resists or obstructs the plant quarantine official from performing his duties under Section 12 or Section 13 (1) (2) or (4) or does not comply with the order of the plant quarantine official under Section 13 (3) shall be imprisoned not exceeding six months, or fined not exceeding 10,000 Baht, or both.

(Provisions of Section 24 shall be repealed by Section 13 of the Plant Quarantine Act (No. 2), B.E. 2542 and the following shall be implemented)

Section 24

Any person who disobeys or obstructs the plant quarantine official from performing his duties under Section 19 paragraph 2 shall be imprisoned not exceeding six months, or fined not exceeding 10,000 Baht, or both.

(Provisions of Section 25 shall be repealed by Section 13 of the Plant Quarantine Act (No. 2), B.E. 2542 and the following shall be implemented)

Section 25

For all the offences under this Act that are only punishment by fine, the Director-General or any person appointed by him shall have the authority to perform administrative fine.

(Provisions of Section 26 shall be repealed by Section 13 of the Plant Quarantine Act (No. 2) B.E. 2542 and the following shall be implemented)

Section 26

For all plants, plant pests or carriers under this Act which are not imported through plant quarantine station or imported or brought in transit in violation of this Act in any respect, or those which are objects of offences in connection with the plant pest controlled area as provided in Section 8 Section 9 Section 14 or Section 18 shall be confiscated regardless of whether any person is convicted by the order of the court. All articles confiscated by the order of the court shall belong to the Department of Agriculture to be managed under its discretion.

(Provisions of Section 27 shall be repealed by Section 14 of the Plant Quarantine Act (No. 2) B.E. 2542 and the following shall be implemented)

Section 27

The Minister of Agriculture and Cooperatives shall be in charge of the execution of this Act, and shall have the authority to appoint the plant quarantine official, to issue Ministerial Regulations fixing administrative fees not exceeding the rates annexed hereto, to prescribe fees, to grant exemption of administrative fees and to prescribe other activities for carrying out this Act.

Such Ministerial Regulations shall become effective upon their publication in the Government Gazette.

(The List of Administrative Fees shall be repealed by Section 22 of the Plant Quarantine Act (No. 3), B.E. 2551 and the following shall be implemented)

Rate of Administrative Fees

- (1) An import and transit permits of prohibited articles 200 Baht per each
- (2) An import and export permits of plant germplasm 200 Baht per each
- (3) A phytosanitary certificate 200 Baht per each
- (4) A phytosanitary certificate for re-export 200 Baht per each
- (5) A health certificate 200 Baht per each
- (6) Substitute certificate of phytosanitary certificate 100 Baht per each
- (7) Substitute certificate of phytosanitary certificate for re-export 100 Baht per each
- (8) Substitute certificate of health certificate 100 Baht per each

Countersigned by

Field Marshal Thanom Kittikachorn

Prime Minister

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- Plant Quarantine Act, B.E. 2507 (1964): The Government Gazette, Vol. 81, Part 27, dated 21 March B.E. 2507 (1964).
 - Plant Quarantine Act (No.2), B.E. 2542 (1999): The Government Gazette, Vol. 116, Part 39a, dated 18 May B.E. 2542 (1999).
 - Plant Quarantine Act (No. 3), B.E. 2551 (2008): The Government Gazette, Vol. 125, Part 40a, dated 1 March B.E. 2551 (2008).

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