

Unofficial Translation

FILM AND VIDEO ACT,
B.E. 2551 (2008)¹

BHUMIBOL ADULYADEJ, REX;
Given on the 27th Day of February B.E. 2551;
Being the 63th Year of the Present Reign.

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

Whereas it is expedient to revise the law on film and the law on control of business relating to tape cassette and television material;

This Act contains certain provisions in relation to the restriction of rights and liberties of a person in respect of which section 29, in conjunction with section 33, section 41, section 43 and section 45 of the Constitution of the Kingdom of Thailand so permit by the virtue of law;

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 “Film and Video Act 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.²

Section 3. The following shall be repealed:

(1) the Film Act B.E. 2473;

¹ Translated by Ms. Vipatboon Klaosontorn under contract for the Office of the Council of State of Thailand's Law for ASEAN project.- Initial version- pending review and approval.

² Published in the Government Gazette Vol. 125, Part 42a, Page 116, dated 4th March B.E. 2551 (2008)

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.

(2) the Film Act (No. 2) B.E. 2475;

(3) the Announcement of the Revolutionary Council No. 205, dated 9 September B.E. 2515 (1972);

(4) the Control of Business Relating to Tape Cassette and Television Material Act B.E. 2530 (1987).

Section 4. In this Act:

“Film” means a recording of visual images or visual images and sounds which can be continuously shown as moving pictures but shall not include videos.

“Video” means a recording of visual images or visual images and sounds which can be continuously shown as moving pictures in the form of games, karaokes with illustrations or other forms as specified by the Ministerial Regulation.

“Thai film” means a film which wholly or largely uses Thai or local languages of Thailand in an original screenplay and the copyright owner is Thai.

“Film production” means a production, filming, recording or copying or any other means to produce a film.

“Exhibiting” means screening a film or video to make visual images appeared or visual images and sounds appeared with a projector or any other device and it shall include broadcasting.

“Advertising media” means any material used as a medium for advertising or publicising films or videos.

“Cinema” means the following premises exhibiting a film which are not subject to the law on radio and television broadcasting:

- (1) a building or any part of a building used as a place to exhibit a film;
- (2) an outdoor area for a film exhibition;
- (3) any other premise specified in the Ministerial Regulation.

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.

“Video shop” means any premise providing tools or equipment as well as facilities for exhibiting, displaying or watching a video.

“Code” means a code specified for a film or video which has been considered and authorised by the Committee.

“Committee” means the National Film and Video Committee.

“Qualified member” means a member of the National Film and Video Committee.

“Registrar” means a central registrar or provincial registrar, as the case may be.

“Competent official” means a government official appointed by the Minister to perform under this Act.

A competent official appointed by the Minister under paragraph one shall have the power to enter into a premise where a film is produced and shall be a government official with the position of no less than civil servant level seven or equivalent.

“Government official” means a civil servant, employee, officer or any other person working for the Ministry, Bureau, Department, central administration, regional administration or any other State agency.

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

Section 5. The Secretary-General of the National Culture Commission shall be a central registrar having powers and duties under this Act and shall be a Bangkok Metropolitan registrar.

The Minister shall appoint a provincial registrar who has powers and duties under this Act within his or her province.

Section 6. The Minister of Tourism and Sports and the Minister of Culture shall have charge and control of the execution of this Act and shall have the power to appoint registrars, competent officials and issue Ministerial Regulations prescribing fees no higher than

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.

those given in the schedule annexed to this Act, and prescribe other matters or issue Notifications for the execution of the Act, to the extent that concerns their powers and duties.

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

CHAPTER I

National Film and Video Committee

Section 7. There shall be a committee called the “National Film and Video Committee”, consisting of the Prime Minister as Chairperson, the Minister of Culture as First Vice Chairperson, Minister of Culture and Sports as Second Vice Chairperson, the Permanent Secretary of the Prime Minister’s Office, the Permanent Secretary of the Ministry of Finance, the Permanent Secretary of the Ministry of Foreign Affairs, the Permanent Secretary of the Ministry of Tourism and Sports, the Permanent Secretary of the Ministry of Social Development and Human Security, the Permanent Secretary of the Ministry of Commerce, the Permanent Secretary of the Ministry of Education, the Director of Royal Thai Police, the Secretary-General of the Consumer Protection Board, the Secretary-General of the Board of Investment, a representative from the Ministry of Defense, a representative from the Ministry of Information and Communication Technology and not more than eleven qualified persons appointed by the Minister as members, and the Permanent Secretary of the Ministry of Culture as member and Secretary.

The qualified members under paragraph one shall consist of qualified persons in the field of films, videos, televisions or consumer protection who are not a government official unless being a teacher in a State educational institute, one person per one field and seven representatives from juristic persons operating films or videos businesses.

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 8. The Office of the Permanent Secretary, Ministry of Culture, shall perform duties as a secretariat office of the Committee and shall be responsible for administrative works, meetings, research and other operations relating to the work of the Committee.

Section 9. The Committee shall have the following powers and duties:

- (1) to provide policies, plans and strategies concerning the operation of the film industry and the promotion of the film and video industry to the Council of Ministers;
- (2) to specify measures for promoting the production of films and videos which are creative or enlightening or have cultural value, and are in the form which every group of people including disabled people can access and make use of;
- (3) to provide opinions to the Minister on the amendment of the law concerning films and videos;
- (4) to provide advice to the Minister on the issuance of Ministerial Regulations and Notifications under this Act;
- (5) to issue the Notification prescribing the proportion between Thai films and foreign films which will be exhibited in cinemas under (1) of the definition of “Cinemas” in section 4;
- (6) to consider and decide any appeal made against any order of a registrar and the Committee;
- (7) to perform other acts as prescribed in the law to be powers and duties of the Committee or other acts as assigned by the Minister.

The Notification under (5) shall be published in the Government Gazette.

For the benefit of promoting the film and video industry, the Ministry of Culture shall specify an agency which is responsible for the promotion of the film and video industry with regard to policies, plans, strategies and measures as provided or prescribed by the Committee under (1) or (2).

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 10. The qualified members appointed by the Minister shall have qualifications and not be under any of the prohibitions, as follows:

- (1) being of Thai nationality;
- (2) being not less than thirty five years of age;
- (3) not being bankrupt;
- (4) not being an incompetent or quasi-incompetent person;
- (5) never having been sentenced to imprisonment by a final judgment unless it was a sentence for an offence committed by negligence or for a petty offence;
- (6) never having been expelled, dismissed or discharged from an official service, a State agency or a State enterprise on the grounds of dishonest performance of duties or deemed as having committed dishonest acts and malfeasance in official service.

Section 11. The qualified members appointed by the Minister shall hold office for a term of three years.

In the case where a qualified member vacates office upon the expiration of the term but a new qualified member has not yet been appointed, the qualified member whose term of office has expired shall be in office to continue to perform his or her duties until a new qualified member has been appointed.

A qualified member who vacates office may be re-appointed, but may not be appointed for more than two consecutive terms.

Section 12. In addition to vacating office on the expiration of term, a qualified member appointed by the Council of Ministers vacates office upon:

- (1) death;
- (2) resignation;
- (3) being dismissed by the Council of Minister due to negligence in the performance of his or her duty, disgraceful behaviour or incapability;

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.

(4) being disqualified or being under any of the prohibitions under section 10.

Section 13. In the case where a qualified member appointed by the Minister vacates office before the expiration of the term, the Minister shall appoint a new qualified member to replace him or her, and the person appointed to replace the vacated member shall be in office for the remaining term of office of the member being replaced. However, if the remaining term of office is less than ninety days, the Minister may not appoint a new qualified member to replace the vacated member.

Section 14. At a meeting of the Committee, the presence of not less than one-half of the total number of the qualified members is required to constitute a quorum.

At any meeting, if the Chairperson does not attend the meeting or is unable to perform the duties, one of the two Vice Chairpersons shall preside over the meeting. If the Chairperson or the Vice Chairpersons do not attend the meeting or are unable to perform the duties, the qualified members present shall elect one among themselves to preside over the meeting.

The decision of the meeting shall be made by a majority of votes. In casting a vote, each qualified member shall have one vote. In the case of an equality of votes, the presiding member shall have an additional vote as a casting vote.

In the meeting, if any qualified member has any interest in the matter being considered, such qualified member shall not have the right to attend the meeting.

Section 15. In performing the duties under this Act, the Committee shall have the power to appoint a sub-committee to consider or perform any matters as assigned by the Committee.

Section 14 shall apply *mutatis mutandis* to meetings of the sub-committee.

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.

Chapter II

Film and Video Censorship Committee

Section 16. There shall be one or more film and video censorship committees, each committee shall consist of members appointed by the Minister according to the proposal of the Committee.

The Film and Video Censorship Committee having powers and duties under section 18 (1) shall consist of not more than nine qualified members in the field of international affairs, films, art and cultural, mass communication or environment and are not involved in the operation of film and video businesses.

The Film and Video Censorship Committee having powers and duties under section 18 (2) (3) (4) and (5) shall consist of not more than seven qualified members in the field of films, videos, televisions, art and cultural or consumer protection. Nevertheless, not more than four qualified members shall be appointed from government officials and not more than three qualified members shall be appointed from a private sector.

Section 17. The Office of National Culture Commission shall perform duties as a secretariat office of the Film and Video Censorship Committee and shall be responsible for administrative works, meetings, research and other operations relating to the work of the Film and Video Censorship Committee under section 18 (2) (3) (4) (5) and (6).

The Office of Tourism Development shall perform duties as a secretariat office of the Film and Video Censorship Committee and shall be responsible for administrative works, meetings, research and other operations relating to the work of the Film and Video Censorship Committee under section 18 (1).

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 18. The Film and Video Censorship Committee shall have the following powers and duties:

- (1) to approve the production of foreign films in the Kingdom;
- (2) to examine, consider and determine types of films which will be exhibited, rented, exchanged or distributed in the Kingdom;
- (3) to approve the exhibition, rental, exchange or distribution of videos in the Kingdom,
- (4) to approve the exhibition or publication of advertising media in the Kingdom;
- (5) to approve the exportation of films and videos out of the Kingdom;
- (6) to perform other acts as prescribed in the law to be powers and duties of the Film and Video Censorship Committee or other acts as assigned by the Minister or the Committee.

Section 19. Section 10 section 11 section 12 section 13 section 14 and section 15 shall apply *mutatis mutandis* to the Film and Video Censorship Committee.

Chapter III Operation of Film Business

Section 20. Any person wishing to produce a foreign film in the Kingdom shall submit an application for approval together with a screenplay, plot and summary of the film which will be produced to the Office of Tourism Development, and shall obtain approval from the Film and Video Censorship Committee and a State agency which is responsible for the location to be used for the production of the film under relevant laws.

The application and approval shall be in accordance with the rules, procedures and conditions prescribed by the Committee and published in the Government Gazette.

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 21. The person having obtained approval under section 20 shall produce the film according to the screenplay and plot as well as conditions which have been approved by taking into account of a scene for shooting a dialogue and a location in order to make it suitable to the circumstances, state of society and environment.

Section 22. The production of the following foreign films in the Kingdom does not have to be approved:

- (1) films of news and events;
- (2) films produced for private observation;
- (3) films produced in foreign countries and brought to use services regarding the post-production process in the Kingdom, having been notified to the Office of Tourism Development in accordance with the rules, procedures and conditions prescribed by the Committed and published in the Government Gazette;
- (4) other films as prescribed in the Ministerial Regulation.

Section 23. A film producer shall produce a film in a way which does not undermine or is not contrary to public order or good morals, or may not affect the security and dignity of Thailand.

Any film producer, being suspicious whether his or her film production may violate the provision under paragraph one, may request the Film and Video Censorship Committee to consider and give an opinion on this matter prior to the production. In this case, the Film and Video Censorship Committee shall give the opinion and notify the film producer of the opinion within fifteen days from the date of receipt of the request. In the case where the opinion has not been notified to the film producer within the prescribed period, the Film and Video Censorship Committee shall be deemed to have given their approval to such production.

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.

The request for an opinion and fees for an opinion shall be in accordance with the rules prescribed by the Committee and published in the Government Gazette. The fees received shall be remitted to the Ministry of Finance as the State revenue.

Any act committed with regard to the opinion of the Film and Video Censorship Committee shall not be deemed to violate the provision under paragraph one.

Section 24. In the case where the production of a film has an impact upon or causes damages to the environment or natural resources which belong to the State or which are the public domain of the State, the film producer shall improve them to be in the appropriate condition in accordance with the relevant laws.

Section 25. A film which will be exhibited, rented, exchanged or distributed in the Kingdom shall be reviewed and approved by the Film and Video Censorship Committee.

The application and approval shall be in accordance with the rules, procedures and conditions prescribed by the Committee and published in the Government Gazette.

Section 26. In reviewing a film under section 25, the Film and Video Censorship Committee shall determine which of the following types that the film can be classified within:

- (1) films which promote learning and should be promoted to be watched;
- (2) films which are suitable for general viewers;
- (3) films which are suitable for any person who is equal to or more than thirty years of age;
- (4) films which are suitable for any person who is equal to or more than fifteen years of age;
- (5) films which are suitable for any person who is equal to or more than eighteen years of age;

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.

(6) films which any person being less than twenty years of age is prohibited to watch;

(7) films which are prohibited to be disseminated in the Kingdom.

The provision under (6) shall not apply to any viewer who becomes *sui juris* upon marriage.

The rules in determining types of films that the film can be classified within shall be in accordance with what has been prescribed in the Ministerial Regulation.

Section 27. The following films do not have to be reviewed and approved under section 25:

(1) films of news and events;

(2) films produced for private observation;

(3) films produced by any administrative agency, State enterprise, public organisation or any other State agency for publicising or promoting the execution of work of such agency;

(4) films exhibited in an international film festival as prescribed by the Committee;

(5) films which are exhibited on television and have been reviewed with respect to the law on radio and television broadcasting;

(6) other films as prescribed in the Ministerial Regulation.

Films under (2) (4) and (6), if being exhibited in general cases, rented, exchanged or distributed in the Kingdom, shall be reviewed and approved under section 25.

Films under (5), if being exhibited in other types of media, rented out, exchanged or distributed in the Kingdom, shall be reviewed and approved under section 25.

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 28. Section 26 shall apply *mutatis mutandis* to the review and type determination of films which are exhibited on television in accordance with the law on radio and television broadcasting.

Films under section 26 (5) and (6) shall be exhibited on television during the time period prescribed by the Committee and published in the Government Gazette.

Section 29. In reviewing a film and granting approval under section 25, if the Film and Video Censorship Committee considers any film as having content which undermines or is contrary to public order or good morals, or may affect the security and dignity of Thailand, the Film and Video Censorship Committee shall have the power to order an applicant to edit or cut off the scene before granting approval, or may decide not to grant approval.

Films which have been reviewed and approved under section 25 shall not be deemed to have any characteristic that violates the provision under paragraph one.

Section 30. Subject to section 29, the approval to exhibit, rent, exchange or distribute a film in the Kingdom does not protect the person who obtains approval under section 25 from civil or criminal liabilities or from any act of exhibiting, renting, exchanging or distributing a film which will be penalised under other laws.

Section 31. The central registrar shall specify a code and stamp a mark of approval, type of a film and code on the film which has been reviewed and approved under section 25.

In the case where the central registrar sees as appropriate, the central registrar may order the applicant to record or mark down a statement notifying that the film has been reviewed and approved as well as a statement notifying the type of the film on the film and on its package.

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.

The specification of codes, appearance of the mark of approval and type of the film or statement notifying that the film has been reviewed and approved shall be in accordance with the rules, procedures and conditions prescribed by the Committee.

Section 32. The central registrar shall keep one copy of the film which has been approved under section 25 for inspection.

The central registrar shall send copies of films which are out of necessity for inspection to the National Film Archive for preservation.

For the benefit of preservation, copies of films may be made in any form of material.

Section 33. The provisions under section 25, section 29, section 30, section 31 and section 32 paragraph one including relevant penalties shall apply *mutatis mutandis* to the film advertising media.

Section 34. Any person shall be prohibited from exporting a film produced in the Kingdom out of the Kingdom unless having obtained approval from the Film and Video Censorship Committee.

The application and approval shall be in accordance with the rules, procedures and conditions prescribed by the Committee and published in the Government Gazette.

Section 35. The exportation of the following films out of the Kingdom does not have to be approved under section 34:

- (1) films which have been approved to be produced under section 20;
- (2) films under section 22;
- (3) films which have been reviewed and approved by the Film and Video Censorship Committee under section 25;

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.

(4) films which are exempted from being reviewed and approved under section 27 paragraph one.

Section 36. With regard to the review and approval under section 25 section 33 and section 34, the Film and Video Censorship Committee shall finish the review and approval within fifteen days from the date of receipt of the application. If the Film and Video Censorship Committee cannot finish the review and approval within the prescribed period, it shall be deemed to grant approval.

Section 37. Any person shall be prohibited from operating cinemas as a business or to gain benefits in return unless having obtained a licence from a registrar.

A licence shall be issued to each cinema except for a licence to operate cinemas under (2) of the definition of “cinema” under section 4 which shall apply across the Kingdom.

The application for a licence and issuance of a licence shall be in accordance with the rules, procedures and conditions prescribed in the Ministerial Regulation.

Section 38. Any person shall be prohibited from operating a film rental, exchange or distribution as a business or to gain benefits in return unless having obtained a licence from a registrar.

A licence shall be issued to each rental, exchange or distribution place.

The application for a licence and issuance of a licence shall be in accordance with the rules, procedures and conditions prescribed in the Ministerial Regulation.

Section 39. A person applying for a licence under section 37 or section 38 shall have qualifications and not be under any of the prohibitions, as follows:

- (1) being not less than twenty years of age;
- (2) not being a person having a disgraceful behaviour or neglecting good morals;

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.

- (3) not being incompetent or quasi-incompetent person;
- (4) never having been sentenced to imprisonment by a final judgment for an offence relating to sexuality under the Criminal Code;
- (5) not being a person whose licence is being suspended under section 37 or section 38;
- (6) being a person whose licence has never been revoked under section 37 or section 38 or has been revoked but the time of revocation has already passed for not less than five years.

In the case where a juristic person is an applicant, directors, managers or persons who are responsible for the operation of the juristic person shall have qualifications and not be under any of the prohibitions as prescribed under paragraph one.

Section 40. A licence under section 37 and section 38 shall last for five years from the date of its issuance.

With regard to an application for renewal of a licence, a licensee shall submit the application prior to the expiration of the licence, and after the submission of the application, the applicant shall be deemed as a licensee until being notified of the order rejecting the application.

Section 41. A licensee under section 37 and section 38 shall display a licence at an open and easily visible space in the business place.

Section 42. In the case where a licence is lost, damaged, or substantially flawed, a licensee shall notify a registrar and submit an application for a substitute for a licence within fifteen days from the date of acknowledgement of such case.

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.

The application for and issuance of a substitute for a licence shall be in accordance with the rules, procedures and conditions prescribed by the Committee and published in the Government Gazette.

Section 43. Films which a licensee under section 37 or section 38 has in his or her business place for exhibition, rental, exchange or distribution shall have the same content with the films having been reviewed or approved under section 25 and display the same mark of approval, type of the film and code as prescribed under section 31.

Section 44. A licensee under section 37 shall make a notification of the type of each film which will be exhibited at an open and easily visible space around the area of a cinema.

The licensee under section 37 shall be prohibited from giving consent or neglecting to let a person whose age is less than the age prescribed under section 26 (6) enter a cinema while a film within such type is being exhibited.

Section 45. A licensee under section 38 shall be prohibited from renting out, exchanging or distributing a film which is classified to be within the type under section 26 (6) to a person whose age is less than the age prescribed for a film under such type.

Section 46. Films which will be exhibited at a place where people in general can watch shall be films which are classified to be within the types under section 26 (1) or (2).

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.

Chapter IV
Operation of Video Business

Section 47. A video which will be exhibited, rented, exchanged or distributed in the Kingdom shall be reviewed and approved by the Film and Video Censorship Committee.

The application and approval shall be in accordance with the rules, procedures and conditions prescribed by the Committee and published in the Government Gazette.

Section 48. The following videos do not have to be reviewed and approved under section 47:

- (1) videos produced for private use;
- (2) films produced by any administrative agency, State enterprise, public organisation or any other State agency for publicising or promoting the execution of such agency;
- (3) other videos as prescribed in the Ministerial Regulation.

Videos under (1) and (3)), if being exhibited in general cases, rented, exchanged or distributed in the Kingdom, shall be reviewed and approved under section 47.

Section 49. Any person shall be prohibited from exporting a video produced in the Kingdom out of the Kingdom unless having obtained approval from the Film and Video Censorship Committee.

The application and approval shall be in accordance with the rules, procedures and conditions prescribed by the Committed and published in the Government Gazette.

Section 50. The exportation of the following videos out of the Kingdom does not have to be approved under section 34:

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.

(1) videos which have been reviewed and approved by the Film and Video Censorship Committee under section 47;

(2) videos which are exempted from being reviewed and approved under section 28 paragraph one.

Section 51. Section 29, section 30, section 31, section 32 paragraph one and section 36 shall apply *mutatis mutandis* to videos.

Section 52. Section 47 and section 51 as well as the relevant penalties shall apply *mutatis mutandis* to the advertising media.

Section 53. Any person shall be prohibited from establishing or operating a video shop as a business or to gain benefits in return unless having obtained a licence from a registrar.

A licence shall be issued to each video shop.

The application for a licence and issuance of a licence shall be in accordance with the rules, procedures and conditions prescribed in the Ministerial Regulation.

The provision under paragraph one shall not apply to the operation of a video shop located in a public entertainment place which has a licence under the law on public entertainment places.

For the benefit of protecting children and juvenile, the rules concerning buildings or locations of video shops may also be prescribed in the Ministerial Regulation under paragraph three.

Section 54. Any person shall be prohibited from operating a video rental, exchange or distribution as a business or to gain benefits in return unless having obtained a licence from a registrar.

A licence shall be issued to each video rental, exchange or distribution place.

The application for a licence and issuance of a licence shall be in accordance with the rules, procedures and conditions prescribed in the Ministerial Regulation.

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 55. A licensee under section 38 shall be deemed to also have obtained a licence under section 54.

Section 56. A licence under section 53 and section 54 shall last for five years from the date of its issuance, and section 40 paragraph two and paragraph three shall apply *mutatis mutandis* to the renewal of a licence.

Section 57. The provisions under section 39, section 41 and section 42 shall apply *mutatis mutandis* to the operation of video shops and the operation of video rental, exchange and distribution businesses.

Section 58. Videos which a licensee under section 37 or section 38 has in his or her business place for exhibition, rental, exchange or distribution shall have the same content with the videos having been reviewed or approved under section 47 and display the same mark of approval and code as prescribed under section 31 which shall apply *mutatis mutandis* to the case of videos according to section 51.

Section 59. The operation of video shops shall be on the date, time and conditions as prescribed in the Ministerial Regulation.

For the benefit of protecting children and juvenile, the issuance of the Ministerial Regulation under paragraph one may also prescribe the time allowed for a person being less than eighteen years of age excluding a person becoming *sui juris* upon marriage to use the service.

Section 60. In the case where there is an application for a licence to operate a video shop and a video rental, exchange or distribution business at the same place, the areas for providing the services shall be separated, in accordance with the rules and procedures as prescribed by the Committee and published in the Government Gazette.

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.

Chapter V
Registrars and Competent Officials

Section 61. For the execution of this Act, registrars and competent officials shall have the following powers and duties:

(1) to enter places where films are produced, cinemas, video shops, places where film or video rental, exchange or distribution businesses are operated during sunrise and sunset or during office hours of such places in order to inspect films, videos, advertising media or any acts which may violate the provisions of this Act;

(2) to inspect, search, seize or attach films, videos or advertising media in the case where there is a reasonable ground to suspect that there is an act which violates or fails to comply with the provisions of this Act during sunrise and sunset or during office hours of such places;

(3) to make an order to stop the film production which violates section 21 or section 23 paragraph one;

(4) to make an order to prohibit the exhibition, rental, exchange or distribution of films or videos, which violates section 25 paragraph one or section 47 paragraph one;

(5) to make an order to stop the advertising and publicity of advertising media which violates section 25 paragraph one which shall apply *mutatis mutandis* under section 33 or section 47 which shall apply *mutatis mutandis* under section 52.

When having entered and inspected under (1) or when having searched under (2), if the inspection or search has not yet been completed, it may be continuously processed at night or out of office hours.

The search under (2) shall be conducted with a search warrant. Except where there is a reasonable ground to believe that, by cause of the delay in obtaining the search warrant, evidence may be removed, hidden, destroyed or reformed, the search, attachment or

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.

seizure of the evidence relating to the commission of an offence shall be conducted without the search warrant but it shall be conducted in accordance with the Criminal Procedure Code on search.

Section 62. With regard to films, videos or advertising media seized under section 61 (2), if the owner is unknown or the public prosecutor issues a final non-prosecution order or the court does not give a forfeiture order and the owner or the possessor does not request for the return of such articles within ninety days from the date of seizure or the date of receipt of the final non-prosecution order or the date on which the court delivers the final judgment, such articles shall be vested in the Ministry of Tourism and Sports or the Ministry of Culture, as the case may be.

Section 63. In the case where a registrar or competent official makes an order to stop the production of a film under section 61 (3), the registrar or competent official shall order a licensee or film producer to stop a violating act, adjust or make it correct or proper within the prescribed period.

In the case where any person having obtained approval or film producer fails to comply with the order of the registrar or competent official under paragraph one, the registrar or competent official shall submit to the Film and Video Censorship Committee for consideration the revocation of the approval or the prohibition of the production of the film.

Section 64. In performing the duties under section 61, registrars and competent officials shall show any person concerned their identification cards.

The identification cards of the registrars and competent officials shall be in accordance with the form prescribed by the 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.

Section 65. In performing the duties, registrars and competent officials shall be the competent officials under the Criminal Code.

Chapter VI Appeals

Section 66. With regard to a non-approval order under section 20, section 25, section 33, section 34, section 47, section 40, or section 47 which shall apply *mutatis mutandis* under section 52, an order to revoke a licence or an order to prohibit the production of a film under section 63 of the Film and Video Censorship Committee, a person having received such order shall have the right to appeal to the Committee within fifteen days from the date of receipt of such order.

The Committee shall finish considering the appeal within thirty days from the date of receipt of such appeal. If the consideration is not finished within the prescribed period, the Committee shall be deemed to agree with the appeal.

The decision of the Committee shall be final.

Chapter VII Penalties

Part I Administrative Penalties

Section 68. Any person, having obtained a licence for operating a cinema business, who exhibits Thai films less than the proportion prescribed by the Committee under

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 9 (4) shall pay for an administrative fine according to the rates prescribed by a central registrar, nevertheless, not exceeding three hundred thousand baht.

The central registrar may prescribe different rates of administration fines under paragraph one for each province.

Section 69. In the case where it appears to a registrar that any licensee under section 37 or section 38 violates or fails to comply with section 41 section 42 or section 44 paragraph one or any licensee under section 53 or section 54 violates or fails to comply with section 41 or section 42 which shall apply *mutatis mutandis* under section 57, the registrar shall have the power to make an order to stop a violating act, adjust or make it correct or proper within the prescribed period.

In the case where the licensee fails to comply with the order of the registrar under paragraph one, the registrar shall determine and prescribe the rate of the administrative fine not exceeding twenty thousand baht a day during the period of such violation.

Section 70. In the case where it appears later that any licensee under section 37 or section 38 does not have the qualifications or is under any of the prohibitions under section 39, or any licensee under section 53 or section 54 does not have the qualifications or is under any of the prohibitions under section 39 which shall apply *mutatis mutandis* under section 57, the registrar shall have the power to order the revocation of a licence of the licensee.

Section 71. In the case where it appears to a registrar that a licensee under section 53 operates a business by violating section 59 or section 60, the registrar shall have the power to order suspension of the licence and shall prescribe the period of suspension as seen appropriate but each period shall not exceed ninety days.

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.

In the case where the licensee under paragraph one operates the business by violating section 59 or section 60 again, the registrar shall have the power to order revocation of the licence of the licensee.

Section 72. In the case where a licensee fails to pay an administrative fine as prescribed by a registrar under section 68 or section 69, the provisions regarding administrative sanctions under the law on administrative procedure shall apply *mutatis mutandis*.

Section 73. A registrar shall have the power to order suspension or revocation of a licence, as the case may be, of any licensee who has been imposed an administrative fine under section 68 or section 69 and willfully or intentionally commits an offence punishable by an administrative fine again.

Section 74. In the case where an offender being liable to an administrative fine under section 68 or section 69 is a juristic person, directors, managers or persons who are responsible for the operation of the juristic person shall also be liable to the administrative fine as prescribed for such offence, except where they can prove that they were not involved in, or did not give consent to the offending act.

Part II

Criminal Penalties

Section 75. Any person who violates section 20 paragraph one shall be liable to a fine of one hundred thousand baht to one million baht.

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 76. Any person who violates section 21 shall be liable to a fine not exceeding five hundred thousand baht.

Section 77. Any person who violates section 23 paragraph one or disseminates films under section 26 (7) shall be liable to imprisonment for a term of not exceeding one year or to a fine not exceeding one thousand baht, or to both.

Section 78. Any person who violates section 25 paragraph one, section 28 paragraph two, section 34 paragraph one or section 49 paragraph one shall be liable to a fine of two hundred thousand baht to one million baht.

Section 79. Any person who violates section 37 paragraph one, section 38 paragraph one or operates such business during the period of suspension or revocation of a licence shall be liable to a fine of two hundred thousand baht to one million baht and to a fine not exceeding ten thousand baht a day during the period of such violation.

Section 80. Any licensee who violates section 43, section 44 paragraph two, section 45 or section 58 shall be liable to a fine of twenty thousand baht to one hundred thousand baht.

Section 81. Any person who violates section 46 or section 47 paragraph one shall be liable to a fine of twenty thousand baht to one hundred thousand baht.

Section 82. Any person who violates section 53 paragraph one, section 54 paragraph one or operate such business during the period of suspension or revocation of a licence shall be liable to a fine of one hundred thousand baht to five hundred thousand baht and to a fine not exceeding ten thousand baht a day during the period of such violation.

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 83. Any person who obstructs or fails to comply with the order of the registrar or competent official in the execution of duties under section 61 shall be liable to imprisonment for a term of not exceeding six months or to a fine not exceeding fifty thousand baht, or to both.

Section 84. All offences under this part, may be settled by the Committee by way of payment of a fine and in this case, the Committee shall have the power to assign this matter to be done by the sub-committee or a competent official, and the Committee may also prescribe the rules for the settlement by way of payment or certain conditions for the person who has been assigned to perform the task as they see appropriate.

Subject to the provision under paragraph one, with regard to the investigation, if an inquiry official finds any person committing an offence under this Act and such person consents to the settlement by way of payment, the inquiry official shall submit such matter to the Committee or to those who have been assigned to perform the settlement under paragraph one within seven days from the date on which such person gives the consent.

Upon payment by the offender of the settled amount of the fine, the case shall be deemed settled under the Criminal Procedure Code.

Section 85. The provision under section 74 shall apply *mutatis mutandis* to the case where a juristic person is liable to criminal penalties under this part.

Transitional provisions

Section 86. The Minister shall appoint qualified members in order to form the Committee under this Act within sixty days from the date of entry into force of this Act

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.

During the period where there has not been the Committee under paragraph one, there shall be a committee consisting of the Prime Minister as Chairperson, the Minister of Culture as First Vice Chairperson, Minister of Culture and Sports as Second Vice Chairperson, the Permanent Secretary of the Prime Minister's Office, the Permanent Secretary of the Ministry of Finance, the Permanent Secretary of the Ministry of Foreign Affairs, the Permanent Secretary of the Ministry of Tourism and Sports, the Permanent Secretary of the Ministry of Social Development and Human Security, the Permanent Secretary of the Ministry of Commerce, the Permanent Secretary of the Ministry of Education, the Director of Royal Thai Police, the Secretary-General of the Consumer Protection Board, the Secretary-General of the Board of Investment, a representative from the Ministry of Defense, a representative from the Ministry of Information and Communication Technology as members to perform the duties under this Act for the time being, and the Permanent Secretary of the Ministry of Culture as member and Secretary.

Section 87. During the period where there has not been the Film and Video Censorship Committee, the Committee shall, for the time being, perform the duties of the Film and Video Censorship Committee for the execution of this Act.

Section 88. Any licence or any approval which has been obtained under the Film Act B.E. 2473 or the Control of Business Relating to Tape Cassette and Television Material Act B.E. 2530 which is still enforceable on the date of entry into force of this Act shall be enforceable until its expiration or revocation.

Section 89. All applications for approval which have been filed under the Film Act B.E. 2473 or the Control of Business Relating to Tape Cassette and Television Material Act B.E. 2530 prior to or on the date of entry into force of this Act shall be dealt with as follows:

(1) if the official who was a reviewer under the Film Act B.E. 2473, the official who was an inspector or competent official under the Control of Business Relating to Tape

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.

Cassette and Television Material Act B.E. 2530 has not yet made any order concerning the application, such application shall be deemed as an application filed under this Act and shall be proceeded under this Act;

(2) if the official who was a reviewer under the Film Act B.E. 2473, the official who was an inspector or competent official under the Control of Business Relating to Tape Cassette and Television Material Act B.E. 2530 has made any order concerning the application, the procedure on the application shall be subject to the provisions of the Film Act B.E. 2473 or the Control of Business Relating to Tape Cassette and Television Material Act B.E. 2530, as the case may be, until it is finalized.

Section 90. Any person who operates the cinema business or the video shop on the date of entry into force of this Act shall submit an application for a licence to a registrar within ninety days from the date of entry into force of this Act, and after submitting the application, such person shall continue to operate the business until being notified of an order not to grant a licence from the registrar.

Section 91. All Ministerial Regulations, Notifications or Orders issued under the Film Act B.E. 2473 or the Control of Business Relating to Tape Cassette and Television Material Act B.E. 2530 which are used on the date of entry into force of this Act shall be continuously enforced to such an extent that they are not contrary to or incompatible with this Act until the Ministerial Regulations or Notifications issued under this Act come into force.

The process of issuance of Ministerial Regulations, Notifications or Orders under paragraph one shall be completed within one year from the date of entry into force of this Act. If it cannot be completed, the Minister shall report the reasons to the Council of Ministers.

Countersigned by:

General Surayud Chulanont
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.

Rates of fees

- | | |
|---|--|
| (1) A licence to operate a cinema business | 25,000 baht per issue |
| (2) A licence to operate a film rental, exchange or distribution business | 5,000 baht per issue |
| (3) A licence to operate a video shop | 5,000 baht per issue |
| (4) A licence to operate a video rental, exchange or distribution business | 5,000 baht per issue |
| (5) An approval for the production of a foreign film | 5,000 baht per subject matter |
| (6) A review of a film or video | 50 baht per minute
Less than a minute does not count. |
| (7) A review of advertising media | 200 baht per review |
| (8) A substitute for a licence | 50 baht per issue |
| (9) A renewal of a licence to operate a cinema business | 5,000 baht per issue |
| (10) A renewal of a licence to operate a film rental,
exchange or distribution business | 1,000 baht per issue |
| (11) A renewal of a licence to operate a video shop | 1,000 baht per issue |
| (12) A renewal of a licence to operate a video rental,
exchange or distribution business | 1,000 baht per issue |

In issuing the Ministerial Regulation prescribing fees, the fees may be prescribed at different rates by taking into consideration of the characteristics, size or type of a cinema, video shop or a place where a film or video rental, exchange or distribution business is operated.

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.