

**CONTROL OF BEGGING ACT,  
B.E. 2559 (2016)**

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BHUMIBOL ADULYADEJ, REX;  
Given on the 26<sup>th</sup> Day of April B.E. 2559;  
Being the 71<sup>st</sup> Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:  
Whereas it is expedient to have the law on provision of control of begging;  
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 “Control of Begging Act, B.E. 2559 (2016)”.

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

**Section 3.** The Control of Begging Act, B.E. 2484 (1941) shall be repealed.

**Section 4.** This Act shall not apply to usual religious practices.

**Section 5.** In this Act:  
“protection and development of the quality of life” means assistance,  
treatment, physical and mental rehabilitation including occupational training, provided to  
beggars;

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\* Translated by Associate Professor Dr. Pinai Nanakorn under contract for the Office of the  
Council of State of Thailand's Law for ASEAN project. – Tentative Version – subject to final authorisation by  
the Office of the Council of State.

<sup>1</sup> Published in Government Gazette, Vol. 133, Part 38a, dated 29<sup>th</sup> April 2016.

“centre for the protection and development of the quality of life” means a place established by the Minister, by Notification, for the protection and development of the quality of life under this Act;

“Commission” means the Begging Control Commission;

“local official” means:

(1) President of a *Tambon* Administrative Organisation, for the territorial boundary of a *Tambon* Administrative Organisation;

(2) Mayor, for the territorial boundary of a municipality;

(3) Mayor of Pattaya City, for the territorial boundary of Pattaya City;

(4) Governor of the Bangkok Metropolitan Administration, for the territorial boundary of the Bangkok Metropolitan Administration;

(5) a local administrator or head of local administrators, for the territorial boundary of a local government organisation established by law but not being a Provincial Administrative Organisation;

“competent official” means a person appointed by the Minister to perform activities under this Act and shall include an administrative official or a police official under the Criminal Procedure Code;

“Director-General” means the Director-General of the Department of Social Development and Welfare;

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

**Section 6.** There shall be the Begging Control Commission, consisting of the Minister of Social Development and Human Security as Chairman, Permanent Secretary for Social Development and Human Security as Vice Chairman, Commissioner-General of the Royal Thai Police, Director-General of the Department of Employment, Director-General of the Department of Provincial Administration, Director-General of the Department of Medical Sciences, Director-General of the Department of Children and Youth, Director-General of the Department of Older Persons, Director-General of the Department of Disease Control, Director-General of the Department of Skill Development, Director-General of the Development of Local Administration, Director-General of the Department of Empowerment of Persons with Disabilities, Director-General of the Department of Cultural Promotion, Director-General of the

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Department of Mental Health and not more than eight qualified persons appointed by the Minister, as members.

The Director-General shall be a member and secretary and the Director-General shall appoint not more than two officials of the Department of Social Development and Welfare as assistant secretaries.

Qualified members appointed by the Minister under paragraph one shall be appointed from persons possessing knowledge, capability, expertise or experience in the fields of social administration, social development or social welfare administration and not being Government officials holding a permanent position or receiving permanent salaries or officials or employees of a State agency except instructors in higher education institutions, provided that, amongst this number, not less than four persons must be appointed from the civil society section.

**Section 7.** A qualified member appointed by the Minister shall hold office for a term of three years.

In the case where a qualified member vacates office before the expiration of the term or where an additional qualified member is appointed during the term of office of the qualified members already appointed, the replacing or additional qualified member shall hold office for the remaining term of the qualified members already appointed

Upon the expiration of the term under paragraph one, if the appointment of new qualified members has not yet been made, the qualified members who vacate office upon the expiration of the term shall remain in office in the interest of the continuance of work until the qualified members newly appointed take office.

A qualified member who vacates office upon the expiration of the term may be re-appointed but may not serve for more than two consecutive terms

In the case where the appointment of a new qualified member has not yet been made to fill the vacancy, the Commission shall consist of the existing members.

**Section 8.** In addition to the vacation of office upon the expiration of the term, a qualified member vacates office upon:

- (1) death;
- (2) resignation;

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(3) being an incompetent or quasi-incompetent person;

(4) being a Government official holding a permanent position or receiving permanent salaries or an official or employee of a State agency, except an instructor in a higher education institution;

(5) being removed by the Minister on the ground of neglect of duties, misbehaviour or lack of competence;

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

**Section 9.** The Commission has the powers and duties, as follows:

(1) to propose to the Council of Ministers, for consideration, policies and measures in connection with the control of begging as well as the protection and development of the quality of life of beggars, directions for the prevention and resolution of problems concerning begging and actions against persons seeking benefits from the begging;

(2) to propose to the Council of Ministers opinions on enactment or revision of laws, rules, regulations and measures in connection with the control of begging as well as the protection and development of the quality of life of beggars;

(3) to follow, examine and assess effectiveness of the control of begging, for making recommendations to the Council of Ministers,

(4) to issue Rules as well as rules and procedures in connection with the performance of talent shows and the provision of assistance to beggars and other relevant Rules for the execution of this Act;

(5) to perform any other act as provided by law to be the power and duty of the Commission or as entrusted by the Council of Ministers or the Minister.

The Rules of the Commission shall come into force upon their publication in the Government Gazette.

**Section 10.** At a meeting of the Commission, the presence of not less than one-half of the total number of members is required to constitute a quorum.

At a meeting of the Commission, if the Chairman is not present or is unable to perform the duty, the Vice Chairman shall preside over the meeting. If the Chairman and the

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Vice Chairman are not present or are unable to perform the duty, one member amongst themselves shall be elected at the meeting to preside over it.

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

**Section 11.** The Commission shall have the power to appoint a provincial sub-committee in each Province and other sub-committees for performing any particular act as entrusted by the Commission and the provisions of section 10 shall apply to a meeting of a sub-committee *mutatis mutandis*.

The composition, qualifications as well as prohibitions and the holding as well as vacation of office of sub-committees under paragraph one shall be prescribed by the Commission.

**Section 12.** The Department of Social Development and Welfare shall assist and facilitate the performance of work of the Commission and, in this connection, shall have the powers and duties as follows:

(1) to be responsible for clerical affairs, meeting affairs and other affairs related to the work of the Commission and sub-committees and gather information, conduct studies and research and develop work in connection with the control of begging as well as the protection and development of the quality of life of beggars;

(2) to co-ordinate with State agencies, public interest agencies, community welfare agencies and other private agencies in the interest of the preparation of policies and measures in connection with the control of begging as well as the protection and development of the quality of life of beggars for submission to the Commission, and take action to ensure the implementation of the policies and measures in connection with the control of begging as well as the protection and development of the quality of life of beggars;

(3) to disseminate information and details of policies and measures in connection with the control of begging as well as the protection and development of the quality of life of beggars;

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(4) to follow, examine and assess, and prepare a report on, the implementation of policies and measures in connection with the control of begging as well as the protection and development of the quality of life of beggars;

(5) to act in pursuance of resolutions of the Commission or as entrusted by the Commission.

**Section 13.** No person shall carry out the begging.

Any of the following acts shall be deemed as begging:

(1) to beg for money for property from others for the living, whether it is carried out orally or by any statement or gesture;

(2) any act done by any means whatsoever to induce another person's compassion and delivery of money or property.

The performance of a talent show, whether in the form of musical performance or any other performance, with a view to obtaining money or property from spectators or listeners, a request for money or property amongst friends or relatives or a solicitation of donations under the law on the control of solicitation of donations shall not be deemed as begging under this Act.

**Section 14.** Any person who intends to perform a talent show, whether in the form of musical performance or any other performance, under section 13 paragraph three shall make the notification for the purpose of being a talent show performer in accordance with the Rule prescribed by the Commission and shall, when a talent show is intended to be performed in any particular locality, make the notification to the local official in such locality. When the local official in the locality has received the notification, the local official shall issue the document evidencing the notification. In this regard, the local official in the locality shall, by general Notification, determine particular public areas or places, dates and times, the use of equipment or any other objects for the purpose of performing talent shows.

In the case where any person acts in violation of paragraph one, the competent official or the local official in the respective locality shall have the power to order such person to discontinue or cease such act.

**Section 15.** When it is apparent to the competent official that any person acts in violation of section 13 paragraph one, the competent official shall refer the violator to a

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centre for the protection and development of the quality of life for the screening purpose, and if the screening reveals that the beggar is a child, a pregnant woman, an older person, a person of unsound mind, a disabled or handicapped person in respect of which action must be pursued under particular laws, the competent official shall co-ordinate with agencies concerned under specific laws for further proceeding in accordance with their powers and duties.

**Section 16.** When it is apparent from the screening that the beggar is not the person under section 15 but is a person who is incapable of engaging in any occupation, has no support from relatives or acquaintances and no other means for the living or is in the state of destitution, the competent official shall cause such person to undergo the protection and development of the quality of life under this Act.

The undergoing of the protection and development of the quality of life under paragraph one shall be in accordance with the Rule prescribed by the Director-General.

**Section 17.** In the case where there is a necessary cause or it is expedient for the benefit of the beggar, the competent official may omit to refer such person for the pursuit of activities under a specific law and instead require such beggar to undergo the protection and development of the quality of life under this Act.

**Section 18.** In the case where the beggar agrees to act in accordance with the competent official's pursuit of activities under a specific law or agrees to stay at a centre for the protection and development of the quality of life, such beggar shall be exempted from the offence under section 19.

**Section 19.** Any person who violates section 13 paragraph one shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding ten thousand Baht or to both.

**Section 20.** In the case where the beggar has agreed to undergo the protection and development of the quality of life at a centre for the protection and development of the quality of life and has subsequently refused to undergo the protection and development of the quality of life and left the centre for the protection and development of the quality of life

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without permission, such beggar shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding ten thousand Baht or to both.

**Section 21.** Any person who acts in any manner which assists or facilitates the violation of section 20 shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding twenty thousand Baht or to both.

If the offence under paragraph one is committed by the use of an act of violence or a threat of an act of violence or with the possession or the use of a weapon, the offender shall be liable to imprisonment for a term not exceeding four years or to a fine not exceeding forty thousand Baht or to both.

**Section 22.** Any person who seeks benefits from beggars by causing others, through instructing, hiring, asking as a favour, aiding and abetting, instigating or acting by any other means, to carry out the begging shall be liable to imprisonment for a term not exceeding three years or to a fine not exceeding thirty thousand Baht or to both.

If the commission of the offence under paragraph one is of any of the following descriptions, the offender shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding fifty thousand Baht or to both:

- (1) being committed against a pregnant woman, an older person, a person of unsound mind, a disabled or handicapped person or a sick person;
- (2) being committed in concert or together with at least two persons;
- (3) being committed by bringing others from outside the Kingdom to carry out the begging in the Kingdom;
- (4) being committed by the guardian or the care-taker of the beggar;
- (5) being committed by the competent official;
- (6) being committed by a State official with the power and duty to take care of or give advice to the persons under (1).

The provisions of paragraph one and paragraph two (1), (2) and (4) shall not apply to an act as between an ascendant and a descendant.

**Section 23.** All offences under this Act which are punishable with imprisonment for a term not exceeding one month or a fine not exceeding ten thousand Baht or both may be

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settled, by way of payment of a fine, by the Director-General or the person entrusted by the Director-General and when the alleged offender has made payment of a fine in an amount required by the settlement within the period of time prescribed, the offence shall be deemed to have been terminated under the Criminal Procedure Code.

**Section 24.** The support centres of the Department of Social Development and Welfare under the Control of Begging Act, B.E. 2484 (1941) shall be the centres for the protection and development of the quality of life under this Act.

**Section 25.** The persons who have been referred to support centres under the Control of Begging Act, B.E. 2484 (1941) and are under support prior to the date on which this Act comes into force shall continue to be under the protection and development of the quality of life under this Act.

**Section 26.** The issuance of the Rules by the Commission under section 9 for the execution of this Act shall be completed within ninety days as from the date on which this Act comes into force. If their completion cannot be achieved, the Minister shall report the reasons therefor to the Council of Ministers for information.

**Section 27.** The Minister of Social Development and Human Security shall have charge and control of the execution of this Act and shall have the powers to appoint competent officials and issue Notifications for establishing centres for the protection and development of the quality of life, for the execution of this Act.

Countersigned by:

General Prayut Chan-o-cha  
Prime Minister

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