Building Control Act. B.E. 2522 (1979)

1. Publication Date: 8 May 1979

2. Status of Legal: Effective

3. Related Types of Factory:

1) It related with the factories that have factory group from 1-21.

4. Main Content:

1) The definition under Building Control Act, such as Building, High Rise Building, Mega Building, Public Building, theater, public areas, layout, plan of construction, calculation list of construction, modification, repair, demolishment, the fire zone, controller, contractor, owner, inspector, local government, local regulation and local officer and minister

2) Minister of the Interior acts according to the law and have Ministerial authority to set standards of fee, request form, approval form, certification, substitute documents and other activities.

3) Set a stipulation in order to comply with this act, totally or partially such as

- Ministry, Department and Office Building for official government use or public use
- Building for Local government for official government use or public use
- Building that establish according to the law
- Historical sites, temple or building for religion use
- Building for an international organization or Building that follows agreement between Thai government and foreign countries.
- Building for Embassy or Consulate - Temporary building regarding for construction use or Permanent building that have time for demolition
- Building of ministry, department, local offices, state enterprises which establish according to law.

4) Ministry requires to issues law regarding to a relevance building topic such as

- Type, size, space, proportion and location of building.
- Support the weight, resistance, durability, ground areas, material characteristic
- Layout and method to install water system, electrical system, gas system and machinery, safety regarding conflagration or any disaster and also the layout and amount of restroom and toilet.

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- The system to regard building environment such as lighting system, Ventilate system, air condition system, air purification system, waste water system, water drain system and waste management system.
- Another issue that stated by law.

5) Setting Standard, procedure and conditions of construction as well as permission to use, inspection, standard of load-bearing safety, the material characteristic and equipment that related according to each type of construction building which might be set differ from the provisions of this Act.

6) Setting detail of set up a Building Control Committee Board as well as the role and responsibility of the Building Control Committee Board

7) Setting criteria, procedures and condition of construction, amendment, demolition, movement and any change in the of use as below example

- In a person who would like to do construction, amendment, demolition or moving of a building, it needs to get approval from the local government officer or inform the local officer, including inspecting and monitor layout plan and other calculation in term of building structure based on standard, procedure and condition of regulation (Article 21)
- Engineer or architecture who responsible for construction, amendment, demolition or moving of buildings do not have Professional License Control Engineering or architecture based on enforcement law, the local officer has the responsibility to reject the request (Article 26)
- In considering the license application, the local official has the power to order the applicant to amend the site map, layout, list of related to the layout or calculation list in order to comply Ministry law Article 8 or local act Article 9 or Article 10 and. The provisions of Section 25 paragraph three shall comply (Article 27).
- After giving the permission, license, it requires to inform supervisor names including start and end of a contraction date to align with the period approved by local authority officers and also attach consent documents from supervisor (Article 29)
- If would like to terminate the name of mentioned supervisor whose inform to the local authority, officer or supervisor would like to terminate from supervisor, it requires to inform a local authority officer.
- It is prohibited to provide, or perform any construction, remodeling, demolition or movement of building deviate from an area of the map drawings and list of assembly plan are allowed as well as mentioned methods or conditions set up by Local officials (Article 31).

- Type of building that control usage, including (1) building used as a warehouse, hotels, condominium or hospitals (2) building used for commercial, industrial, education, health or other business.
- Do not allow the owner who not own or possess Under controlled usage building use or allow another person to use building that's under controlled usage unless giving permission from the local authority or notify the local authority (Article 33)
- Do not allow the building owner to construct parking lot, car entrance and exit area or allowed another person to construct parking lot, car entrance and exit area unless given permission from the local authority (Article 34)
- The license will be valid until expire date. If would like to extend the license, it requires to send a request before expire date. It can be further processed until the authority has an order for not allowing to extend the license (Article 35)
- No Transferable of license unless it gets approval from local authorities (Article 36)

8) The authority of local officer is defined as an example below

- The local officer has authority to take action (Article 40) for violating the act in ministry regulation or Local ordinances promulgated under this Act in the case of construction, amendment, demolition or moving of buildings
- The local authority has to order the person not to intrude in any parts of the building or any mentioned areas and have revealed prohibited sign publicly and easily to see at that mentioned area
- If action is able to follow Article 40, the local authority allows a building owner send out an approval request or proceed based on Article 39 or able to amend correctly within time period but not less than 30 days. If there is appropriate reason, the local authority can extend the period (Article 41)
- If action from Article 40 cannot be followed or building owners cannot be adjusted on local authority order in Article 40, the local authority can order the owner or supervisor to raze the whole building or part of it by the period that do not less than 30 days
- In case of violation, the local authority will order the owner or temporary owner suspension by using the building, in part of a building that does not give permission (Article 44 and Article 45)
- In case of permission given for construction, remodeling, demolition or moving of the building, but there is any actions do before the enforcement of this act or have condition

cause any danger to health, life, body or property or unsecure from fire or the cause of any nuisance or impact to the environment, the local officer has authority to correct criteria, method or condition based on ministry regulation (Article 46)

- The local officer has authority to appoint an inspector based on ministry law (Article 49)

9) The detail of appeal as example below

- The board has authority to diagnose the appeal from the local officer by calling relevant parties or sending documents to use as evidence for consideration the appeal.

10) Set up role, responsibilities and practice of inspector are as follows.

- The inspector has authority to entrance in construction, demolition or movement areas to monitor whether it violate the legal act or not and have authority to question or show the evidence from person live or work in that area (Article 53)
- The inspector has the authority to check on construction, demolition or movement areas if having doubts that it might be violating Article 32 Article 33 or Article 34 or building that fit with Article 46 and also have the authority to question or show the evidence from person live or work in that area (Article 54)

11) Set up the details about the fire zone, for example.

- When there are fires, Local officials declared the fire zone to show up at the local government and fire areas. A sketch map showing the area of the fire along with identifying the actions prohibited by this Act (Section 56).
- Within 45 days counted from fire date, no construction, demolition or movement in that area and no any action take such as no construction, demolition or moving from person who give permission within the specified time. (Article 57)
- Within 15 days from fire date, the local authority must send the brief map of fire areas and any consideration as well as opinion to board of control building by considered of benefit of fire protection, environmental quality, map layout and architecture as well as facilitate the traffic. Additionally, if the fire areas covered more than 1 district, relevant districts require considering and giving opinion in 15 days as well (Article 58).
- When the new amendment plan has been announced, no construction, demolition or movements must follow action plan.

Topic	Penalties
Any person who fails to comply with Section 21, Section 22. Section 31, Section 32, Section 33, Section. 34 Section 52 sixth paragraph of Section 57 or Section 60.	Imprisonment not over three months. Or a fine not exceeding sixty thousand Baht Or both And violators are liable to a further fine not exceeding ten thousand Baht per day. Throughout the period of violation or until they are performed correctly.
Not comply with Article 30, paragraph one, Section 38, Section 39 or Section 39 paragraph one	Fine not exceeding one ten thousand Baht
Do not demolish buildings after orders from local officials under section 42	Imprisonment not over six months. Or a fine not exceeding one hundred thousand Baht Or both And violators are liable to a further fine not exceeding thirty thousand Baht per day. Throughout the period of violation or until they are performed correctly.
Violate Section 30 paragraph two or disobey orders of local officials under section 40.	Imprisonment not over six months. Or a fine not exceeding one hundred thousand Baht Or both And violators are liable to a further fine not exceeding thirty thousand Baht per day. Throughout the period of violation or until they are performed correctly.
Not to testify or to submit documents under the letter of the Appeals Committee hamper the functioning of the Board of Appeals.	Imprisonment didn't exceed one month Or a fine not exceeding one thousand Baht. Or both
Violate the act that relates commercial building, industrial, education or health or act in a commercial for rent, lease, sell, or distribute with compensation	A doubling of penalties prescribed for those violates