

**EXPRESSWAY AUTHORITY OF THAILAND ACT,  
B.E. 2550 (2007)**

**BHUMIBOL ADULYADEJ, REX.**

Given on the 31<sup>st</sup> Day of December B.E. 2550;  
Being the 62<sup>nd</sup> 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 Expressway and Rapid Transit Authority of Thailand;

This Act contains provisions relating to the restriction of rights and liberties of people, which Section 29 together with Section 33, Section 41 and Section 43 of the Constitution of the Kingdom of Thailand allow to be done by the virtue of provisions of law.

Be it, therefore, enacted by H.M. The King, by and with the advice and consent of the National Legislative Assembly, as follows:

**Section 1.** This Act shall be called the "Expressway Authority of Thailand Act, B.E. 2550."

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

**Section 3.** The following laws shall be repealed:

(1) The Announcement of the National Executive Council No.290 dated 27<sup>th</sup> November B.E. 2515; and

(2) The Amendment of the Announcement of the National Executive Council No.290 dated 27<sup>th</sup> November B.E. 2515 Act, B.E. 2530.

**Section 4.** In this Act:

"Expressway" means a route or road constructed, acquired or transferred either on, over or under ground level or water level in order to facilitate traffic convenience

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\* Published in the Government Gazette Vol. 125, Part 4 a, dated 8<sup>th</sup> January, B.E. 2551 (2008)

in particular case and also includes bridge, tunnel, ferry, ferry port, footpath, parking lot, right-of-way, shoulder, embankment, conduit or drain, retaining wall, boundary fence, traffic stake, traffic signal, traffic sign, building or other articles provided in the right-of-way to facilitate or to provide safety concerning the expressway activity.

“Vehicle” means all means of land transport except train and tram.

“Possessor” means a legitimate possessor.

“Board” means the Board of Directors of the Expressway Authority of Thailand.

“Governor” means the Governor of the Expressway Authority of Thailand.

“Official” means the official of the Expressway Authority of Thailand.

“Employee” means the employee of the Expressway Authority of Thailand.

“Competent official” means the official appointed by the Minister for the execution of this Act.

“Minister” means the Minister in charge of this Act.

**Section 5.** The Minister of Communications shall be in charge of this Act and shall have the power to appoint competent officials and to issue the Ministerial Regulation and Announcement for the execution of this Act.

Such Ministerial Regulation and Announcement shall come into force upon their publications in the Government Gazette.

## **CHAPTER 1**

### **Establishment, Capital and Reserves**

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**Section 6.** There shall be established an expressway authority called “การทางพิเศษแห่งประเทศไทย”, having acronym “กพท.” in Thai and shall be called the “EXPRESSWAY AUTHORITY OF THAILAND”, having acronym “EXAT” in English and shall have the EXAT emblem.

The description of the emblem referred to in paragraph one shall be prescribed in the Ministerial Regulation.

**Section 7.** No person shall use his or her name in Thai or foreign languages translated or read as “Expressway” or “ทางด่วน” as a component of his logo, label, letter, notice or any other business documents which can make people misunderstand that they

may be concerned with the business of the EXAT, unless a permission in writing from the EXAT has been granted.

**Section 8.** The EXAT shall be a juristic person with the following objectives:

- (1) to construct or to obtain expressway by any means as well as to maintain it;
- (2) to conduct the business on expressway and that relating to the expressway or to the benefits of the EXAT.

**Section 9.** The EXAT shall have its head office in Bangkok or other provinces as may deem appropriate and may establish its branch offices or agents anywhere in the Kingdom but the establishment of its branch offices abroad shall have the prior approval of the Minister.

**Section 10.** The EXAT shall have the power to carry out the activities within the scope of its objectives under Section 8 hereof and such power shall include the followings:

- (1) to have the ownership, the possession or the real rights;
- (2) to create right or to execute any juristic acts both in the Kingdom and abroad;
- (3) to collect expressway toll or other service charges and fees for using properties, services and facilities in the expressway right-of-way;
- (4) to set up safety measures concerning the use and maintenance of expressway and the properties, services and many facilities in the expressway right-of-way;
- (5) to raise a loan or to borrow money both in the Kingdom and abroad;
- (6) to issue bonds or any other instruments for the purpose of investment or for the benefits of the EXAT business;
- (7) to form or to hold shares in a limited company or limited public company so to perform the business related to or in connection with the EXAT business;
- (8) to invest or to form a joint venture with other persons so to perform the business related or in connection with the EXAT business;
- (9) to grant concession for the construction or extension of the expressway, to extend the concession period as well as to transfer or to vacate the concession;
- (10) to hire or to assign any person to perform all or part of the EXAT businesses. In case such businesses have already been responsible by other State Enterprises, and upon the Board's consideration, such State enterprises shall then be hired or assigned in priority;
- (11) to trade or to provide services on equipment and appliances related to

expressway;

(12) to let or to develop the immovable properties of the EXAT as deem necessary for the benefits of the EXAT by taking the public advantages into consideration;

(13) to plan, to survey and to design on the construction or expansion of expressway;

(14) to perform other activities in connection with or in relation to the objectives of the EXAT to the success.

**Section 11. The capital of the EXAT consists of**

(1) money and properties transferred under Section 64;

(2) money allocated occasionally by the Government for the business operation or expansion;

(3) money or properties to be donated;

(4) money or properties transferred from the Government office, the Government organizations, the foreign Government or the international organizations, after the liquidation.

**Section 12.** The reserves of the EXAT shall comprise ordinary one for contingencies, the reserves for business expansion, repayment of debts and other specific purposes as the Board may deem appropriate.

The reserves may be expended only by the resolution of the Board.

**Section 13.** The properties of the EXAT shall not be subject to judicial execution.

## **CHAPTER II**

### **Board and Governor**

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**Section 14.** There shall be a board called the "Board of Directors of the Expressway Authority of Thailand", consisting of a Chairman and Directors who shall be the representatives of the Ministry of Finance, the Ministry of Communications, Bureau of the Budget, Office of the National Economic and Social Development Board, the Royal Thai Police and other qualified Directors of not more than four persons. The Governor shall be a Director and the Secretary of the Board.

The Council of Ministers shall appoint the Chairman and qualified Directors.

**Section 15.** The Chairman, the qualified Directors and the Governor must have knowledge and experience in administration, science, engineering, architecture, town planning, economics, finance or law.

**Section 16.** Apart from having qualification and being not under prohibitions under the law on standard qualifications of Board's Directors and officials of State enterprises, the Chairman and the qualified Directors shall not be under the following prohibitions:

- (1) being an official or employee;
- (2) being a person holding political position;
- (3) being a person having direct or indirect interest in a contract with, or in any business conducted for or in competition with the EXAT business, unless being only a *bona fide* shareholder for investment in a limited company or limited public company prior to the appointments as the Chairman or Director; or being a person assigned by the Board to be the Chairman or Director of the limited company or limited public company which is shared by the EXAT or holds a co-investment or concession contract with the EXAT.

**Section 17.** The Chairman and the qualified Directors shall hold office for a term of three years.

In the case where the Chairman or a qualified Director vacates office before expiration of term, or in the case where an additional Director is appointed by the Council of Ministers during the term of the Board, the appointee shall hold office for the remaining term of the Chairman or the Director already appointed.

Upon the expiration of the term of office under paragraph one, if a new Chairman or Director has not yet been appointed, the outgoing Chairman or Director who vacates office upon the expiration of term shall remain in office until the new appointed Chairman or Director assumes the office.

The Chairman or Director who vacate office at the end of the term may be re-appointed, but not more than two consecutive terms.

**Section 18.** Apart from vacating office at the expiration of term under Section 17 hereof, the Chairman or qualified Directors shall vacate office upon:

- (1) death;
- (2) resignation;
- (3) removal by the Council of Ministers;
- (4) being an incompetent or quasi-incompetent person;

- (5) lacking any qualification or being under any prohibition under Section 16 hereof.

**Section 19.** The Board shall have the power and duty to lay down policies and exercise any general supervision of the affairs of the EXAT and to set the expressway toll upon the approval of the Council of Ministers. Such power and duty shall include the issuance of regulations regarding the followings:

- (1) the activities to the achievement of the objectives under Section 8 and Section 10 hereof;
- (2) the meeting and the activities of the Board and Subcommittees;
- (3) the administration and financial supervisions;
- (4) the organization and working procedure;
- (5) the performance of the Governor and the delegation of power to other persons to act on his or her behalf;
- (6) the payment of transportation expenses, traveling allowance, accommodation allowance, overtime payment, meeting allowance, remuneration and other payments;
- (7) the human resource administration, recruitment, appointment, increasing of salary scale or wages, dismissal or removal from office, disciplinary measures, punishment of officials and employees as well as determination of salary scales and other remunerations;
- (8) the aid fund or other aids for the welfare of officials, employees and their families upon the approval of the Ministry of Finance;
- (9) the petition and appeal against punishment of officials and employees;
- (10) the uniforms of official and employee;
- (11) the security in using and maintaining the properties of the EXAT;
- (12) the cleanliness and orderliness within the expressway area;
- (13) the collection of expressway toll;

Any regulations containing restrictions of the Governor's power to execute any juristic acts shall come into force after the publication in the Government Gazette.

**Section 20.** For the benefit of the EXAT business, the Board shall have the power to appoint a sub-committee or an advisor to carry out any activity of the EXAT and to determine the remuneration for the sub-committee in accordance with the rules prescribed by the Council of Ministers or the remuneration for the advisor with the approval of the Ministry of Finance.

**Section 21.** The Board shall appoint the Governor and determine his or her salary upon the approval of the Council of Ministers.

**Section 22.** Apart from the qualifications and prohibitions under the law on standard qualifications of Board Directors and officials of State Enterprises, the Governor shall not be under any prohibition under section 16(3) hereof.

**Section 23.** The Governor shall hold office for a term of not more than four years. After the expiration of the employment contract and being not over sixty years of age, the Governor may apply for the re-election for only one more term.

**Section 24.** Apart from vacating office on the expiration of term under section 23 hereof, the Governor shall vacate office upon:

- (1) death;
- (2) resignation;
- (3) lacking any qualification or being under any prohibition under section 22 hereof;
- (4) being absent from more than three consecutive Board meetings without justification;
- (5) termination of the employment contract;
- (6) dismissal of the employment contract.

**Section 25.** The Governor shall administer the businesses of the EXAT subject to the law, rules, regulations and policies laid down by the Board and shall be a superior official of all.

The Governor shall be responsible to the Board for the administration of the affairs of the EXAT.

**Section 26.** The Governor shall have the power to:

- (1) recruit, appoint, discharge, promote, reduce or deduct the salaries or wages, impose disciplinary punishment of officials and employee as well as to remove officials or employees from office in accordance with the regulations imposed by the Board, provided that, in the case of officials or employees in the position of advisors, experts, departmental directors or equivalent upwards, the prior approval of the Board must be obtained;

(2) issue rules on the conduct of works of the EXAT and the conditions of work to be carried out by officials and employees, which shall not be contrary to or inconsistent with the regulations imposed by the Board.

**Section 27.** In relation to the activity of third person, the Governor shall be the representative of the EXAT and may empower any agent or person to perform such a specific activity on his or her behalf; notwithstanding, this must be in accordance with the regulations imposed by the Board.

Any juristic act performed by the Governor in violation to the regulations under the paragraph two of Section 19 hereof shall not be binding upon the EXAT, unless it has been ratified by the Board.

**Section 28.** In the case where the Governor is unable to perform his or her duty or when its place is vacant, the Deputy Governor in respective order of seniority shall act on behalf or be in charge of the functions. Provided that the place of Deputy Governor is vacant or is unavailable to perform the duty, the Board shall appoint an official to act on behalf or be in charge of the functions of the Governor.

The person who act on behalf or be in charge of the functions of the Governor shall have the same power and duty as the Governor except those of the Governor as a Director.

**Section 29.** The Chairman and Directors shall receive remuneration as determined by the Council of Ministers.

**Section 30.** The Chairman, Directors, officials and employees may receive bonus upon the rules as enforced by the Council of Ministers.

**Section 31.** Having performed their duties under this Act, the Chairman, Directors, Governor, officials and the person delegated by the Governor under Section 41 hereof shall be the officials under the Criminal Code.

### **CHAPTER III**

#### **Construction, Maintenance and Operation of the Expressway**

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**Section 32.** For the purpose of constructing, expanding, and maintaining the expressway and preventing danger or damage to be occurred thereon, the EXAT shall have



the power to use or possess immovable properties under the possession of any person, which are not building for habitation or business for the time being by assessing the reasonable remuneration under the following conditions:

(1) The use or possession of the immovable properties shall be of benefit to the construction, expansion or maintenance of the expressway or to the prevention of danger and damage to be occurred on the expressway;

(2) The EXAT shall give a not less than thirty days notice to the owner or possessor of immovable property; informing them the schedule and activities to be done together with the reason and necessity that are unavoidable before entering into his or her property. The notification shall be done to the owner or possessor by at least posting a copy of such notice at the locality of such immovable property and at the District Office or Sub-district Office (*Amphoe or Ging-Amphoe office*), where the immovable property is situated. This is deemed that the owner or possessor has been noted since the end of fifteen days after the posting date of the copy of the notice. The owner or possessor of the immovable property may submit the petition specifying the reason for not doing such activity to the Board for their decision within fifteen days after the notified date. The decision of the Board is final.

(3) In the case where it is necessary to demolish or remove other structures, which are not buildings for habitation, or cut trees, the EXAT shall empower to demolish or remove such structures or cut trees as may deem necessary.

To perform duty under this section, the official and employee shall present his or her identity card to any person concerned.

In the case that the performance of duty under this section may cause any damage to the owner, the possessor or other holder of real right of such immovable property, which is done by the official and employee, such injured person is entitled to claim compensation from the EXAT.

**Section 33.** In the case where it is necessary and urgent, in order to prevent danger or remedy serious damage within the expressway, the official or the person working jointly with the official shall have the power to enter into the land or the place of any person in any time. But if the owner or the possessor is in the place, the official shall inform the necessity of entering and the provision of paragraphs two and three of section 32 hereof shall be applied *mutatis mutandis*.

**Section 34.** When it is necessary to acquire an immovable property to construct or expand the expressway, unless otherwise agreed, the law on expropriation of immovable property shall be applied.

The transfer of immovable property not expropriated by virtue of the law on expropriation of immovable under paragraph one shall be exempted from any fees.

The acquisition of an immovable property shall clearly specify the objectives and the schedule of using such property. Provided that the acquired property is not used as specified within the time, it shall be returned to the original owner or his or her successor. Notwithstanding, the return of immovable property to the original owner or his or her successor and the claim back of compensation shall be subject to the prescribed law.

**Section 35.** In the case where the EXAT constructs or expands the expressway passing through, over or under the ground or water level of any person without acquiring immovable property; unless otherwise agreed, the law on the provision of immovable property for mass transit activities shall be applied.

**Section 36.** In the case where the EXAT constructs a route or a road connecting the expressway with other public roads; any person who will construct a route or a road or any other articles connecting therewith or to go under or across them shall receive a written permission from the EXAT.

The permission of the aforesaid in paragraph one shall be done in accordance with the conditions as stipulated by the EXAT. For the necessity of the expressway works, the EXAT shall have the right to revoke the permission thereof.

When a route, a road or any other articles are constructed in violation of the provision of paragraph one, the EXAT shall give a writing informing the owner or processor to demolish them within a specified period but not less than sixty days from the submission date. If the owner or possessor does not demolish them within the specified period, the EXAT shall be entitled to do in lieu, and the expense shall be responsible by the owner or possessor thereof.

In the case where the EXAT is unable to send the writing to the owner or possessor under paragraph three, the EXAT shall notify them by at least having a written notification posted at the locality of immovable property and at the location under the section 32 (2) hereof, specifying the schedule of proceeding under paragraph three, which shall be not less than seventy-five days from the posting date of the notification.

After the performance of the EXAT under paragraph four, it shall be deemed that the owner or possessor has already received such notification.

In the case of necessity and urgency to prevent danger or damage to be occurred on the expressway, the EXAT shall be entitled to close a route, road or any other articles and when such urgent necessity has ended, the EXAT shall proceed under paragraphs three, four and five hereof.

**Section 37.** In compliance with the section 36 hereof, no person shall construct a building or any other articles or grow any tree or crop in the expressway or to connect therewith, unless it is the necessity of the government agency being responsible for providing public utilities to set up pole or to wire or to rest thereon or to lay pipeline in the right-of-way so to cross or go under the expressway. Before doing such performances, such agency shall make an agreement with the EXAT. Provided that the quality of estate and its rent are unarguable, there shall be submitted for the adjudication of the Minister, the decision of which shall be final.

In the case where the performance of the activity on utilities under paragraph one has been done by the private sector who is a concessionaire, the EXAT may request for a return benefit in using the area.

The building or any other articles constructed or trees or crops grown in violation of the provision under paragraph one shall be removed or demolished by the EXAT as the case may deem appropriate. But all these, the provisions of paragraphs three, four, five and six of the section 36 hereof shall be applied *mutatis mutandis*.

**Section 38.** Within fifty meters from the expressway right-of-way, no person shall construct, alter, adjoin or install a signboard or other article built for adjoining or installation thereof, in the manner that may cause danger to the expressway or the traffic in the right-of-way under the Announcement of the Minister, unless with the receipt of prior written permission from the EXAT.

The permission under paragraph one shall be asked in accordance with the criteria and conditions as prescribed by the EXAT and the provision of paragraph three of the section 37 hereof shall be applied *mutatis mutandis*.

**Section 39.** The following determinations shall be notified by the Minister in the Royal Gazette:

- (1) the whole or some part of any expressway that must collect toll;

- (2) the toll rate of the expressway under (1) as prescribed by the Board;
- (3) the category of vehicle which must pay or be granted an exemption of toll on the expressway under (1)

**Section 40.** Any person who uses vehicle on the expressway shall pay the expressway toll in compliance with the section 39(2) hereof, according to the procedure as stipulated by the EXAT.

**Section 41.** The official appointed or the person delegated by the Governor to responsible for toll collection shall have the following powers:

- (1) to collect expressway toll in compliance with the section 39(2) hereof;
- (2) to stop any person who passes or will pass the expressway and examine him or her for the benefit of toll collection;
- (3) to ask any person to clarify or showing his or her evidence of avoiding of paying toll under this Act.

**Section 42.** The law on the land traffic shall be enforced *mutatis mutandis* to the traffic on the expressway. In the case where it is necessary to afford safety and facility in favor of the traffic on the expressway, the Minister shall have the power to set up the measures on control of the traffic thereon.

**Section 43.** The competent official appointed by the Minister shall have the same power as that of the traffic official or competent official under the law on the land traffic, only on the part of which specifies the performance on the expressway, except the power to settle the case.

#### CHAPTER IV

##### The Petition and Welfare

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**Section 44.** The official and employee shall have the right of petition under the regulation as stipulated by the Board.

**Section 45.** The EXAT shall provide a provident fund or other aid for welfare of official, employee and their families upon retirement, accident, sickness, death or other cases as deem appropriate for assistance subject to the regulation as stipulated by the Board.

The provision of the provident fund or other aid under paragraph one, the stipulation of the criteria on the contributions to the provident fund, the category of the person entitled to the benefit therefrom and the welfare as well as the management thereof shall be under the regulation as stipulated by the Board.

## **CHAPTER V**

### **Finance Accounting, and Audit**

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**Section 46.** The EXAT shall prepare an annual budget, dividing into that of investment and operations. The investment budget shall be submitted to the Council of Ministers for consideration and approval while the operations budget shall be submitted to the Council of Ministers for information.

**Section 47.** The income that the EXAT receives from its annual operations shall belong to the EXAT for its expenditures for operations. Having been deducted for operations and other burdens as appropriate as well as for maintenance, depreciation, reserves under the section 12 hereof and contribution to provident fund and other welfares under the section 45 hereof and the investment capital as already approved by the Council of Ministers, the remaining income thereof shall be remitted as state revenue.

In the case where the income is insufficient to meet the expenses under paragraph one, except for the reserves under the section 12 hereof and the inability of the EXAT to acquire fund from other sources, the State shall provide the EXAT with the fund in such amount as may deem necessary for the operations of the EXAT.

**Section 48.** The EXAT shall open a deposit account at the bank as prescribed by the Board.

**Section 49.** The EXAT shall set up and maintain an accounting system being appropriate for utility activity, categorizing of major works, making accounts on entries of receipts and expenditures, assets and liabilities which shall represent the actual and appropriate conditions of works in accordance with their categories together with the particulars which are the sources of such entries. There shall be internal audit of accounts at regular intervals.

**Section 50.** The EXAT shall prepare and submit a balance sheet, working account and profit and loss account to the auditor within one hundred and twenty days after the end of each accounting year.

**Section 51.** The State Audit Office shall annually examine, audit and certify all financial statements of the EXAT and complete them within forty-five days from the date of receiving of the financial statements.

**Section 52.** The auditor has the power to examine all books of accounts and documents of the EXAT and shall, for this purpose, have the power to interrogate the Chairman, Directors, officials, employees and others who are the agents of the EXAT.

**Section 53.** The auditor shall submit an auditing report to the Board for further submission to the Council of Ministers. The EXAT shall publish the annual report of the preceding year showing the balance-sheet, working account and profit and loss account duly certified by the auditor, within ninety days from the date of the auditor's certification.

## **CHAPTER 6**

### **Supervision and Control**

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**Section 54.** The Minister shall have the power and duty to exercise general supervision of the activities of the EXAT. For this purpose, the EXAT may be ordered to furnish statement of facts or opinion, to submit reports or to refrain from carrying out any act which is contrary to the policy or the Government or resolutions of the Council of Ministers, and shall also have the power to order them to comply with the policy of the Government or resolutions of the Council of Ministers and to order an inquiry into facts concerning the activities of the EXAT.

**Section 55.** The EXAT shall submit to the Council of Ministers an annual report which shall contain the result of works completed by the EXAT in the preceding year together with the statement of policy of the Board, projects and plans to be implemented in the future.

**Section 56.** In the case where the EXAT has to submit any matter to the Council of Ministers, the EXAT shall submit it through the Minister for further submission to the Council of Ministers.

**Section 57.** The EXAT shall obtain prior approval of the Council of Ministers for the following:

- (1) construct or expand the expressway;
- (2) borrowing money in the amount exceeding one hundred million Bahts;
- (3) issuing bonds or other instruments for the benefit of the business of the EXAT;
- (4) disposing immovable property of value exceeding ten million Bahts;
- (5) letting or granting any real right of an immovable property of value exceeding ten million Bahts or having the term of exceeding five years unless those granted for government agencies;
- (6) granting, extending the term of, transferring or revoking the whole or part of the EXAT concession;
- (7) establishing a limited company or limited public company;
- (8) participating in a joint venture with other persons or holding shares in a limited company or limited public company.

## **CHAPTER 7**

### **Penalties**

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**Section 58.** Any person who violates the provision of section 7 hereof shall be liable to a fine not exceeding ten thousand Bahts per day through the violation time.

**Section 59.** Any person who obstructs the act of the EXAT, its officials or employees who acts under the sections 32 or 33 hereof or violates the provision of the sections 36, 37 or 38 hereof shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding twenty thousand Bahts or to both.

**Section 60.** Any person who commits any act whatsoever in a manner that may cause danger to traffic shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding one hundred thousand or to both.

**Section 61.** Any person who causes damage, destruction, devaluation or useless to the expressway, resulting to danger to vehicles or person using the expressway and the service thereof shall be liable to imprisonment for a term not exceeding ten years or to a fine not exceeding two hundred thousand Bahts or to both.

**Section 62.** Any person who does not comply with the orders of the official appointed or the person delegated by the Governor to be made in compliance with sections 41(2) or (3) hereof or that any person who does not comply with the Ministerial Regulation issued in compliance with section 42 hereof shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding two thousand Bahts or to both.

**Section 63.** Any person who avoids paying expressway toll in compliance with this Act shall be liable to a fine not exceeding two thousand Bahts.

### **TRANSITIONAL PROVISIONS**

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**Section 64.** All businesses, properties, rights, obligations and liabilities as well as budgetary appropriations of the Expressway and Rapid Transit Authority of Thailand established under the Announcement of the National Executive Council No.290 dated 27<sup>th</sup> November B.E. 2515 shall have been transferred to the Expressway Authority of Thailand hereunder since the date this Act comes into force.

**Section 65.** The Governor, Deputy Governor, officials and employees of the Expressway and Rapid Transit Authority of Thailand under the Announcement of the National Executive Council No.290 dated 27<sup>th</sup> November B.E. 2515, holding office on the date this Act comes into force shall become the Governor, Deputy Governor, officials and employees of the EXAT as the case may be under this Act and shall be entitled to receive the same salaries or wages as well as benefits as they do before. Their employment periods in the Expressway and Rapid Transit Authority of Thailand shall be continued and regarded as those in the EXAT. For the Governor, this shall be deemed as his or her first term as the Governor under this Act.

The provision in paragraph one shall also be applicable to the Governor employed by the EXAT under an employment contract.

**Section 66.** The Chairman and Directors of the Board of the Expressway and Rapid Transit Authority of Thailand under the Announcement of the National Executive Council No.290 dated 27<sup>th</sup> November B.E. 2515, holding office on the date this Act comes into force shall remain the Chairman and Directors of the Board of the EXAT as the case may be under the Act for the remaining period and shall be deemed that such term shall be their first term under this Act.



**Section 67.** All regulations, rules, orders or any notifications of the Expressway and Rapid Transit Authority of Thailand under the Announcement of the National Executive Council No.290 dated 27<sup>th</sup> November B.E. 2515, which are still in force on the date this Act comes in force shall continue to be in force so long as they are not contrary to or inconsistent with this Act until they are replaced by those to be issued in pursuance to this Act.

**Section 68.** All Royal Decrees on the determination of lands to be appropriated and the Announcements of the Office of the Prime Minister determining the appropriation of immoveable properties as an urgent necessary case, issued by virtue of the Announcement of the National Executive Council No.290 dated 27<sup>th</sup> November B.E. 2515, which are still in force on the date this Act comes in force shall continue to be in force so long as the prescription of each Royal Decrees.

In the case where there is the proceeding on the appropriation of immoveable properties for construction of expressway by virtue of the law issuing under the Announcement of the National Executive Council No.290 dated 27<sup>th</sup> November B.E. 2515, which has not been completed, shall be continued under such law.

**Section 69.** Any person who has been used his or her name in Thai or foreign languages translated or read as "Expressway" or "ทางด่วน" as a component of his or her logo, label, letter, notice or any other business documents which may enable people to misunderstand that it may be concerned with the business of the EXAT from the date this Act comes in force shall request for the permission of the EXAT to use such name within one hundred and eighty days from the date this Act comes into force.

**Section 70.** The owner or possessor of a signboard or other article installed in violation of the provision of section 38 hereof shall request for the permission of the EXAT within thirty days from the date this Act comes into force. Provided that the EXAT does not grant permission, the owner or possessor of such shall demolish it within sixty days from the date of receiving such no permission order or the period set by the EXAT.

Countersigned by:

General Surayud Chulanont

Prime Minister

**Remark on the Promulgation of this Act:**

Whereas the Announcement of the National Executive Council No.290 dated 27<sup>th</sup> November B.E. 2515, being the law on the establishment of the Expressway and Rapid Transit Authority of Thailand (ETA), has been enforced for such a long time, resulting that some provisions thereof are not in compliance with present conditions and that the operations of the ETA can not flow as fluent as deemed appropriate; therefore, the powers and the duties of the ETA should be amended to be able to provide more services on facilitating the traffic, as well as to set up safety measures for using the expressway. This Act is therefore enacted accordingly.

**Disclaimer**

This translation has been provided by the Legal Department of the Expressway Authority of Thailand and was translated and certified correct by Chollada Paiboonsin, an expert of the Court of Justice on English-Thai-English Interpreter and Translator. In any case, it should only refer to the original Thai version of legislation that carries legal effect.