

The Property Valuation for the Public Interest Act,  
B.E. 2562 (2019)

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His Majesty King Maha Vajiralongkorn Bodindradebayavarangkun

Given on the 24<sup>th</sup> Day of May 2019,

Being the 4<sup>th</sup> Year of the Present Reign.

His Majesty King Maha Vajiralongkorn Bodindradebayavarangkun is graciously pleased to proclaim that,

Whereas it is expedient to enact the law on property valuation for the public interest;

Whereas this Act contains certain provisions in relation to the restriction of rights and liberty of person, in respect of which section 26 in conjunction with section 33 and section 37 of the Constitution of the Kingdom of Thailand so permits by virtue of the provisions of law;

Whereas the reasons and needs for the restriction of rights and liberty of person under this Act are to facilitate the efficiency of operations in connection with property valuation and preparation of property valuation schedules, which will be used as referencing criteria or bases for the collection of taxes and fees under the provisions of law or for other benefits of state agencies. The enactment of this Act is consistent with the conditions stipulated in section 26 of the Constitution of the Kingdom of Thailand.

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

Section 1 This Act is called the "Property Valuation for the Public Interest Act, B.E. 2562 (2019)".

Section 2<sup>1</sup> This Act shall come into force after a period of one hundred and eighty days has passed following the date of its publication in the Government Gazette.

Section 3 In this Act,

"property" means land, building or condominium unit;

"land" means the ground and shall also include an area which is mountainous or which is covered by water;

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<sup>1</sup> The Government Gazette, Vol. 136/Part 68 a/page 19/25 May 2019.

"building" means a building, structure or any other construction which is capable of personal habitation or use or which is used as a place for storing goods or for industrial or commercial use, excluding a condominium unit, but shall include a floating house which is capable of personal habitation or which is available for exploitation;

"condominium unit" means a condominium unit under the law on condominiums;

"Committee" means the Property Valuation for the Public Interest Committee.

"Provincial Committee" means the Property Valuation for the Public Interest Provincial Committee.

"competent official" means a person appointed by the Minister for the execution of this Act.

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

Section 4 The Minister of Finance shall have charge and control of the execution of this Act and shall have the power to appoint competent officials and to issue Ministerial Regulations and Notifications for the execution of this Act.

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

## Chapter 1

### General Provisions

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Section 5 The objectives of the property valuation and preparation of property valuation schedules under this Act are to be used as the referencing criteria or bases for the collection of real property transfer taxes and fees under the provisions of law or for other benefits of the State.

Section 6 The valuation of properties shall be based on the following principles:

(1) The method of property valuation must be appropriate for the type and characteristic of each property.

(2) The determination of property value must comply with the basic principles of property valuation and the economic principles.

(3) The property valuation process must be well-defined and transparent.

## Chapter 2

### The Property Valuation for the Public Interest Committee

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Section 7 There shall be a committee called the "Property Valuation for the Public Interest Committee" consisting of the Permanent Secretary of Finance as Chairperson, Director-General of the Department of Lands, Director-General of the Legal Execution Department,

Director-General of the Department of Public Works and Town & Country Planning, Director-General of the Department of Local Administration, Director-General of the Revenue Department, Director of the Fiscal Policy Office and four qualified members appointed by the Minister from individuals with knowledge and expertise in the academic field of property valuation or related disciplines as members. The Director-General of the Treasury Department shall be the Committee's member and secretary.

The Director-General of the Treasury Department shall appoint a government official of the Treasury Department with the property valuation duties and power as assistant secretary.

Section 8 The qualified committee members appointed by the Minister pursuant to section 7 must have the qualifications and none of the prohibited characteristics as follows:

- (1) being of Thai nationality;
- (2) being no less than thirty-five years of age;
- (3) not being a bankrupt or having been a dishonest bankrupt;
- (4) not being an incompetent or quasi-incompetent person;
- (5) not having been previously sentenced by a final judgement to imprisonment, except for the punishment of an offense committed through negligence or a misdemeanor;
- (6) not being a person who holds a political office, a member of a local assembly or a local administrator, a member or holder of a position responsible for the management of a political party, an advisor or officer of a political party;
- (7) not having been previously subjected to a forfeiture of property by a court sentence or order on the ground of having unusual wealth or unusual swelling of assets and properties;
- (8) not having been previously fired, expelled or dismissed from employment for malfeasance in office.

Section 9 The committee members appointed by the Minister shall hold office for a term of three years.

Committee members under paragraph one who vacate office upon the expiration of the term may be reappointed but shall not serve for more than two consecutive terms.

Upon the expiration of the term under paragraph one, if a new committee member has not yet been appointed, the committee member who vacated office upon the expiration of the term shall remain in office and continue to perform his/her duties until the new qualified committee member takes office.

Section 10 In addition to vacating office upon the expiration of the term under section 9, the committee members appointed by the Minister shall also vacate office upon:

- (1) death;
- (2) resignation;
- (3) being dismissed by the Minister due to negligence in the performance of duty, disgraceful behavior, or incapability;
- (4) lacking any of the qualifications or having any of the prohibited characteristics under section 8.

Section 11 In the event where a committee member appointed by the Minister vacates office before the expiration of the term, a replacement committee member shall be appointed except when the remaining term of his/her office is less than one hundred and twenty days, a replacement committee member may not be appointed.

A person who is appointed to replace a vacant committee member office shall hold office for the remaining term of the committee member whom he/she replaces.

During the time when a committee member who is appointed by the Minister vacates office before the expiration of the term for whatever reason and a new committee member has not yet been appointed, the Committee shall consist of the remaining committee members, including at least one committee member appointed by the Minister.

Section 12 At a meeting of the Committee, the presence of no less than one-half of the total number of the Committee members is required to constitute a quorum.

If the Committee Chairperson is not present or is unable to perform his/her duties at a committee meeting, the committee members who are present at the meeting shall select among themselves one member to preside over the meeting.

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

At a meeting of the Committee, if any committee member is a stakeholder, whether directly or indirectly, in a matter being considered, such committee member shall be notified and shall not be entitled to attend the meeting when such matter is being considered.

Section 13 The Committee shall have the duties and power as follows:

(1) to determine the policies on property valuation in compliance with the objectives stipulated in section 5;

(2) to provide recommendations to the Minister on the issuing of Ministerial Regulations under this Act;

(3) to issue rules on property valuation that are compatible with the principles of section 6;

(4) to give opinions and consultations to government agencies, state enterprises and state agencies on operations relating to property valuation;

(5) to perform any other activities as prescribed by this Act, or any other Acts, to be the Committee's duties or power or any other activities as assigned by the Minister.

Section 14 The Committee may appoint a sub-committee to consider or execute any activities as assigned by the Committee.

The provisions of section 12 shall apply, *mutatis mutandis*, to the meetings of sub-committee.

### Chapter 3

#### The Property Valuation for the Public Interest Provincial Committee

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Section 15 There shall be the Property Valuation for the Public Interest Provincial Committees.

(1) In Bangkok, the Provincial Committee shall consist of the Permanent Secretary of Bangkok Metropolitan Administration as Chairperson, representatives from the Department of Lands, the Legal Execution Department, the Department of Public Works and Town & Country Planning, the Department of Local Administration, the Revenue Department and no more than three qualified members who are appointed by the Minister from individuals with the knowledge, capability, expertise and experience in property valuation or related academic disciplines as members. The Director-General of the Treasury Department shall appoint a government official of the Treasury Department with the duties and power of property valuation as secretary and another government official as assistant secretary.

(2) In provinces other than Bangkok, the Provincial Committee shall consist of the Governor as Chairperson, Deputy Governor, officials from the Provincial Land Office, the Provincial Local Administration Office, Provincial Legal Execution Office, Provincial Public Works and Town & Country Planning Office, Provincial Revenue Office and no more than three qualified members who are appointed by the Minister from individuals with the knowledge, capability, expertise and experience in property valuation or related academic disciplines as members with the Head of the Provincial Treasury Office as member and secretary.

In the event where there are more than one Provincial Revenue Offices in a province, the Chairperson in (2) shall appoint the Head of one Provincial Revenue Office as member.

Section 16 A Provincial Committee shall have the duties and power as follows:

(1) to determine the assessed prices of properties in the province, prepare property valuation schedules and cadastral maps;

(2) to consider objection to the property valuation under section 22;

(3) to provide recommendations to the Committee on the performing of its property valuation duties;

(4) to give advice and recommendation on the Provincial Treasury Office's execution of its property valuation duties;

(5) to execute any other activities as prescribed by this Act or as assigned by the Committee.

Section 17 The provisions of section 8, section 9, section 10, section 11 and section 12 shall apply, *mutatis mutandis*, to the qualifications and prohibited characteristics, the term of office, the vacating of office and the meetings of Provincial Committee, except for the power of the Minister under section 10 (3) which shall be the power of the Committee.

## Chapter 4

### Property Valuation

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#### Part 1

Land or Buildings  
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Section 18 A Provincial Committee shall determine the assessed prices of land or buildings located in its province and prepare land or building valuation schedules as well as cadastral maps;

Determination of the assessed prices, preparation of property valuation schedules and cadastral maps under paragraph one shall be in accordance with the criteria and procedures prescribed by the Ministerial Regulations.

Section 19 A Provincial committee shall announce the land or building valuation schedules under section 18 at four-year intervals. Such schedules must be announced at least thirty days before the date on which the schedules come into force.

The land or building valuation schedules under paragraph one shall come into force on January 1<sup>st</sup> of the year that the Committee prescribed.

In case of necessity, the Provincial Committee, with the approval of the Committee, may announce an extension of the effective period of the current land or building valuation schedules. However, the extension period must not be longer than one year after the expiration of the schedules' four-year term. In such cases, the land or building valuation schedules to be announced for the next four-year term shall be in force for no longer than the remaining period of its current term.

The announcement under paragraph one shall be posted at the Provincial Treasury Office, Provincial Land Office, District Office located in such province or at additional sites that the Provincial Committee deems appropriate. Such announcement shall be posted for a period of no less than sixty days from the starting date of the land or building valuation schedules under paragraph one.

Section 20 During the time when the schedule under section 19 paragraph one is in force, if there is any necessity under certain economic and social situations for the amendment or revision of the said land and building valuation schedules, the Provincial Committee shall act as prescribed in section 18 and seek for the Committee's approval to announce an amendment or revision of the term of the land or building valuation schedules as prescribed in section 19 paragraph one.

The amended or revised land or building valuation schedules in a particular province shall be in force for no longer than the remaining period of its current term as prescribed in section 19.

Section 21 After the announcement of the land or building valuation schedules under section 19 or section 20, the Provincial Committee shall submit such schedules to the following state agencies:

- (1) one copy each to the Treasury Department and the Department of Lands;
- (2) two copies to each Land Offices. They shall be sent to the Land Office responsible for the areas of such land or building valuation schedules only;
- (3) other agencies as prescribed by the Provincial Committee.

The state agencies in (1) and (2) shall disclose the land or building valuation schedules under paragraph one for public inspection.

Section 22 After the announcement of the land or building valuation schedules under section 19 or section 20, if there is a cause for an objection under section 23, owners of the land or building located in any province may be able to submit an objection to the assessed prices of their land or buildings in the land or building valuation schedules for that province only.

In objecting to the assessed prices under paragraph one, owners of such land or buildings must file their objection to the Provincial Committee in accordance with the criteria, procedures and what is prescribed by the Committee.

Section 23 An objection to the land or building valuation schedules under section 22 may be filed in the following cases:

(1) when the area, characteristic, condition and location of the land or building used for the determination of the assessed prices are incorrect or inaccurate;

(2) when the land or building valuation did not comply with the rules under section 13 (3) or section 18 paragraph two of the Ministerial Regulations;

An objection for the cause specified in (1) must be filed within ninety days from the date on which the objector acknowledges or should acknowledge the cause of an objection, but before the expiration date of the term of the said land or building valuation schedules. An objection for the cause specified in (2) must be filed within ninety days from the starting date of the said land or building valuation schedules.

Section 24 The Provincial Committee must complete the consideration of an objection filed under section 22 within ninety days of the objection's receiving date.

In considering an objection, the Provincial Committee shall have the power to call on the objector to give statement or order the objector to submit relevant documents as it deems necessary. If the objector does not come in to give statements or does not submit such documents, the Provincial Committee shall have the power to order a dismissal of the objection.

If the Provincial Committee cannot complete an objection consideration within the prescribed period in paragraph one, the Provincial Committee shall be deemed to have agreed with the objection.

Section 25 When the Provincial Committee considers an objection under section 22 and agrees with the objection or in the event where the Provincial Committee is deemed to have agreed with the objection under section 24, the assessed prices of the land or building in the land or building valuation schedules under objection must be promptly corrected. The assessed prices of the land or building under such objection shall apply from the date on which the objection was filed by the owner of such land or building. The Provincial Committee shall submit the corrected section of the land or building valuation schedules to the agencies prescribed in section 21.

In the event where the Provincial Committee deems an objection unreasonable it shall order a dismissal of the objection.

The Provincial Committee shall promptly notify the outcome of its consideration to the objector in writing.

The Provincial Committee's order shall be final.

Section 26 Filing an objection or a lawsuit shall not be taken as a cause for an exemption of the implementation of the valuation schedules.

The outcome of an objection consideration by the Provincial Committee and the outcome of a court judgement or order shall not affect the collection of real property transfer taxes or any other actions that have been committed under the land or building valuation schedules before the passing of the Provincial Committee's decision or court judgement or court order. However, if it subsequently becomes apparent that the owner of such land or building had paid higher amount of taxes or fees for the registration of rights and legal acts than the amount due under the Provincial Committee's decision or the court judgement or court order, only the overpaid amount of taxes or fees shall be reimbursed to the land or building owner.

Section 27 After the announcement of the land or building valuation schedules under section 19 or section 20, if the following facts have subsequently become apparent, the Provincial Committee may consider issuing the assessed prices of new land and buildings and revising the assessed prices in the land or building valuation schedules:

(1) when the normal market price of land or building in any area differs from the assessed prices of land or building in the land or building valuation schedules, the revision shall comply with the criteria prescribed in the Ministerial Regulations;

(2) when a new plot of land or building comes into existence and no assessed prices for such land or building have been prescribed.

The provisions of section 19 paragraph four, section 21 and section 22 shall apply, *mutatis mutandis*, to the posting of land or building valuation schedules, submission of land or building valuation schedules, and objection to the assessed prices of such land or building under this section.

## Part 2

### Condominium Units

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Section 28 When the Land Office has registered any apartment unit under the law on condominium, the Land Office who registered the apartment unit shall submit a set of registration documents of the said apartment unit, as prescribed by the Committee, to the Provincial Committee of the province where the said apartment unit is located for the determination of its assessed price and prepare the valuation schedules for the units in such condominium.

Determination of the assessed prices and preparation of the valuation schedules under paragraph one shall be in accordance with the criteria and procedures prescribed by the Ministerial Regulations.

Section 29 The condominium unit valuation schedules under section 28 shall be in force for a period not exceeding four years from the date of its announcement.

In the event where the period prescribed in paragraph one has expired and a new condominium valuation schedules has not been announced, the current apartment unit valuation schedules shall remain in force until a new condominium unit valuation schedules is announced.

Section 30 The provisions of section 19 paragraph four, section 20, section 21, section 22, section 23, section 24, section 25, section 26 and section 27 paragraph one shall apply, *mutatis mutandis*, to the posting of valuation schedules, amendment or revision of apartment unit valuation schedules, submission of apartment unit valuation schedules and objection to apartment unit valuation schedules.

## Chapter 5

### Practitioner's Duties and Power

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Section 31 In performing its duties under this Act, members of the Property Valuation for the Public Interest Committee, members of the Property Valuation for the Public Interest Provincial Committee or competent officials shall have the duties and power as follows:

(1) to enquire or issue a written summon to have a person come in to give the facts or to present documents or evidences for the purpose of property valuation;

(2) to enter a plot of land of any person to conduct a survey and inspect the land, building or condominium unit between the hours of sunrise and sunset or during the business hours. A written notification must be issued to the legal owner or occupier of such land at least seven days in advance. In the event where it is necessary to enter a building or a condominium unit for inspection, whether there is a person residing in such building or condominium unit or not, a prior consent must be obtained from the owner or occupier of such building or condominium.

The relevant individual must appropriately facilitate the execution of duties by members of the Property Valuation for the Public Interest Committee, members of the Property Valuation for the Public Interest Provincial Committee or competent officials in paragraph one.

Section 32 In the execution of their duties under this Act, competent officials must present their identification cards to relevant individuals.

The identification card of competent official shall be in accordance with what is prescribed and announced by the Minister.

Section 33 In the execution of this Act, members of the Property Valuation for the Public Interest Committee, members of the Property Valuation for the Public Interest Provincial Committee and officials shall be the competent officials under the Criminal Code.

### Transitional Provisions

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Section 34 For the initial implementation of the land or building valuation schedules under this Act, the Committee shall order the Provincial Committees in all provinces to prescribe the same starting date. Such date must fall within two years from the date on which this Act comes into force.

During the time when the schedules under paragraph one have not yet been implemented, the immovable property valuation schedules, used for the collection of real property transfer taxes under the Land Code, that are in force before the date on which this Act comes into force shall be used, *mutatis mutandis*, as the land or building valuation schedules under this Act until the schedules under paragraph one come into force.

Section 35 The apartment unit valuation schedules under the Land Code that is in force before the date on which this Act comes into force shall be used, *mutatis mutandis*, as the apartment unit valuation schedules under this Act until the schedules under this Act are announced.

Section 36 All the Ministerial Regulations, Rules, Regulations or Notifications on the determination of the assessed prices of immovable property assets for the collection of taxes and fees for the registration of rights or legal acts under the Land Code, which are in force before the date on which this Act comes into force, shall remain in force until the Ministerial Regulations, Rules, Regulations or Notifications issued under this Act come into force.

Section 37 During the time when there is no Committee or Provincial Committee under this Act, the Committee shall determine the assessed prices of assets and the Provincial Sub-committee established under section 105 and section 105 sex of the Land Code, as amended by the Land Code Amendment Act (No. 5), B.E. 2534 (1991), that exist before the date on which this Act comes into force, shall have the same duties and power as the Committee and the Provincial Committees under this Act.

Section 38 All the Ministerial Regulations, Rules, Regulations, Notifications, Directives or Cabinet resolutions that refer to the assessed prices of assets, the Property Valuation Committee and the Provincial Sub-committee under the Land Code shall be deemed to refer to the assessed prices of properties, the Committee and the Provincial Committee under this Act.

Countersigned by  
General Prayuth Chan-ocha  
Prime Minister

Note :- The rationale behind the promulgation of this Act is that whereas the determination of policies on Thailand's current assessed prices of properties still lack clarity and guidelines for the performance of relevant state agencies, which result in inefficient and incoherent regulating and management of the country's property assessed prices. Following the fact that the Reorganization of Ministry, Sub-Ministry and Department Act, B.E. 2545 (2002) grants the Ministry of Finance the power and duties relating to property valuation, it is deemed appropriate to establish the Property Valuation for the Public Interest Committee and the Property Valuation for the Public Interest Provincial Committee to perform the duties of property valuation and to prepare property valuation schedules as the referencing criteria or bases for the collection of real property transfer taxes under the provisions of law or for other benefits of the state agencies. Such measures shall ensure the country's property assessed prices in compliance with the basic property valuation principles and the economic principles that are appropriate to the type and characteristic of each property. It is, therefore, necessary to enact this Act.

Punika/Prepared

27 May 2019

Prinsinee/Checked

30 May 2019