



LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE CONVENTION OF 13 JULY 1931 FOR
LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, AS
AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946

THAILAND

Communicated by the Government of Thailand

NOTE BY THE SECRETARY-GENERAL -- In accordance with Article 21 of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to communicate the following legislative text.

E/NL.1956/41

OPIUM ACT (No. 6) B.E. 2494 (1951)

IN THE NAME OF HIS MAJESTY
KING PHUMIPHOLADULYADEJ
DHARNINIVAT
KROM MUEN BIDAYALABPRUTHIYAKORN

Regent

Enacted on the 22nd of May B.E. 2494,
Being the 6th year of the Present Reign.

WHEREAS it is deemed proper to amend the law governing opium,

HIS MAJESTY THE KING, by and with the advice and consent of Parliament, is graciously pleased to enact an Act as follows:

SECTION 1. This Act shall be called the "Opium Act (No. 6) B.E. 2494".

SECTION 2. This Act shall come into force on and from the day following its publication in the Government Gazette.

SECTION 3. Section 49 of the Opium Act B.E. 2472 as amended by the Opium Act (No. 4) B.E. 2481 is hereby repealed and replaced by the following:

"Section 49. Whoever cultivate poppies or have poppy seeds in possession without official permission shall be punished with a term of imprisonment not exceeding three years or a fine not exceeding ten thousand baht or both."

SECTION 4. Section 51 of the Opium Act B.E. 2472 as lastly amended by the Opium Act (No. 4) B.E. 2481 is hereby repealed and replaced by the following:

"Section 51. Whoever in offence against this Act

(1) Imports into or exports out of the Kingdom opium or opium dross or

(2) Arranges to have opium or opium dross imported into or exported out of the Kingdom or have the same transhipped in the Kingdom during transit

shall be punished with a term of imprisonment from six months to twenty years and with a fine equivalent to four times the price of the opium or opium dross concerned but not less than five hundred baht.

In calculating the price of opium or opium dross for the purpose of fixing the fine the price of opium and opium dross shall be taken as equal and equivalent to the price per weight of prepared opium sold by the Government at the time of committing the offence."

SECTION 5. Section 51 bis of the Opium Act B.E. 2472 as lastly amended by the Opium Act (No. 4) B.E. 2481 is hereby repealed and replaced by the following:

"Section 51 bis. Whoever arranges by whatever means for another to have in possession or to trade in opium or opium dross in offence against this Act shall be punished with a term of imprisonment from six months to twenty years and with a fine from five hundred to one hundred thousand baht."

SECTION 6. Section 53 of the Opium Act B.E. 2472 as amended by the Opium Act (No. 4) B.E. 2481 is hereby repealed and replaced by the following:

"Section 53. Whoever in offence against this Act

- (1) Has opium in possession or
- (2) Buys or sells opium

shall be punished with a term of imprisonment from six months to twenty years or with a fine equivalent to ten times the price of the opium concerned but not less than five hundred baht.

In calculating the price of opium for the purpose of fixing the fine the said price shall be taken as equivalent to the price per weight of prepared opium sold by the Government at the time of committing the offence."

SECTION 7. The following shall be added as Section 53 bis of the Opium Act B.E. 2472:

"Section 53 bis. Whoever in offence against this Act

- (1) Has opium dross in possession or
- (2) Removes opium or opium dross from an opium den or a place with a special licence permitting opium smoking or
- (3) Smokes opium or opium dross

shall be punished with a term of imprisonment not exceeding ten years and with a fine equivalent to five times the price of the opium or opium dross concerned but not less than two hundred baht.

In calculating the price of opium or opium dross for the purpose of fixing the fine the price of opium and opium dross shall be taken as equal and equivalent to the price per weight of prepared opium sold by the Government at the time of committing the offence."

SECTION 8. Section 57 of the Opium Act B.E. 2472 is hereby repealed and replaced by the following:

"Section 57. Whoever

(1) Being the holder of a special licence or a licence to buy opium dross has in possession on any given day a quantity of opium or opium dross in excess of or less than the quantity which he should have on such day in accordance with the licence or in accordance with the provisions of Section 17, 33 or 46 or

(2) Being the holder of a licence to operate an opium den has in possession a quantity of opium or opium dross in excess of or less than the quantity which he should have in accordance with his own accounts or in accordance with the provisions of Section 33,

shall be punished, as regards the said quantity of opium or opium dross, with a term of imprisonment not exceeding three years or with a fine equivalent to five times the price of the opium or opium dross but not less than two hundred baht, or both.

In calculating the price of opium or opium dross for the purpose of fixing the fine the price of opium and opium dross shall be taken as equal and equivalent

to the price per weight of prepared opium sold by the Government at the time of committing the offence."

SECTION 9. Section 58 of the Opium Act B.E. 2472 is hereby repealed and replaced by the following:

"Section 58. Whoever, being the holder of a licence to operate an opium den

- (1) Sells or delivers opium to another for the purpose of being removed from the den or himself removes opium therefrom
- (2) Mixes other substance into the opium kept for sale to opium smokers

shall be punished with the same penalty as provided in Section 57."

SECTION 10. Section 59 of the Opium Act B.E. 2472 is hereby repealed and replaced by the following:

"Section 59. Whoever being the holder of a licence to operate an opium den or a special licence

(1) Removes or allows another to remove opium dross from the den or the place with a special licence permitting opium smoking in offence against Section 31

(2) Sells or offers to sell opium dross to any person other than the official

(3) Mixes other substance into the opium dross collected or by any other means prepares such opium dross

(4) Has in possession the said mixed or prepared opium dross

(5) Smokes, sells, exchanges, delivers or allows another to smoke the said collected opium dross, irrespectively of whether such opium dross is mixed or unmixed

(6) Offers to sell mixed or prepared opium dross to the official or

(7) Fails to deliver and sell the entire quantity of collected opium dross to the official in accordance with the provisions of Section 28

shall be punished with the same penalty as provided in Section 57."

SECTION 11. The following shall be added as Section 67 bis of the Opium Act B.E. 2472:

"Section 67 bis. Any official or officer of any branch of the government or other organisation under the charge and control of the Government who offends or becomes an accessory in the commission of an offence against Section 49, 51, 51 bis, 53, 53 bis, 57, 58 or 59 shall be punished with double the penalty provided in Section concerned."

Countersigned by:

Field Marshal P. PIBULSONGGRAM,
President of the Council of Ministers