

TRANSLATION

POSTAL ACT

B.E. 2477 (1934)

NARISARANUVATTIWONGS

Regent

(By Royal Decree dated 11th January, B.E. 2476)

BY THE KING'S MOST EXCELLENT MAJESTY.

WHEREAS the Assembly of the People's Representatives has submitted its resolution that, as the commerce of the country is progressing, it is deemed expedient to revise the existing laws relating to postal service so as to be more convenient for the public and appropriate to prevailing conditions;

BE IT THEREFORE ENACTED BY THE KING, by and with the advice and consent of the Assembly of the People's Representatives, as follows :-

Preliminary

Section 1. - This Act shall be called the Postal Act, B.E. 2477.

Section 2. - This Act shall come into force on and from the date of its publication in the Government Gazette.

Section 3. - The Postal Law, R.S. 116 and all other laws, regulations and rules which are repugnant to or inconsistent with the provisions of this Act shall be repealed.

Chapter 1

Definition

Section 4. - In this Act, unless the context otherwise determines,

(1) "Minister" means the Minister who has charge and control of the Post and Telegraph Department.

(2) "Director General" means the Director-General of the Post and Telegraph Department, his deputy or other officer acting in the capacity of the Director-General.

(3) "Officer" means an officer of the Post and Telegraph Department.

(4) "Department" means the Post and Telegraph Department.

(5) "Post Office" includes every house, building, room, conveyance or place used for the purpose of Post Office.

(6) "Letter box" means all kinds of receptacles provided by the Post and Telegraph Department for the reception of postal articles.

(7) "Mail bag" includes bag, box, parcel, envelope or any other covering in which postal articles in course of transmission by post are conveyed, whether or not it contains any such articles.

(8) "Postage" means the duty chargeable for the transmission by post of postal articles.

(9) "Postage stamp" means any stamp provided by the Minister for being used for postage or other fees or sums payable in respect of postal articles, and includes adhesive postage stamp, or stamp printed, embossed or otherwise indicated on any envelope, wrapper, post-card or other articles.

(10) "Postal article" includes letters, post-cards, post-cards with reply paid, business papers, sample or pattern of merchandise, printed matters of every kind, registered newspapers, clubbed packets, parcels, money orders, or other kind of business which may be introduced in postal communications.

(11) "Money order" means a document issued by a Post Office directing another Post Office to pay sum of money.

(12) "Postal Guide" means a book of regulations, rules, orders or notifications concerning general postal service to be carried out under this Act or the Universal Postal Convention.

Chapter 2

Monopoly

Section 5. - The Government has the monopoly to establish posts and post offices within the Kingdom.

This Privilege shall be reserved to the Department which has the right and duty to establish posts and post offices, as the Minister may deem reasonable, and to perform all other duties incidental to the receiving, collecting, sending, despatching and delivering of postal articles in accordance with the regulations, rules and orders duly made.

The establishment and abolition of post offices shall be published in the Government Gazette.

Section 6. - Whenever posts are established by the Department in any locality, no person, not being authorized by this Act or other laws, shall send, caused to be sent, entrust, deliver to other person for being sent, convey or perform other acts incidental to conveying, otherwise than by post, any letters or post-cards, except in the following cases :

(1) Letters or post-cards not exceeding three in number entrusted to a traveller who receives no salary, remuneration, reward or any benefit therefor.

(2) Letters or post-cards sent by a special messenger and concerning exclusively the affairs of the sender or receiver of such letters or post-cards, such messenger being forbidden to receive letters or post-cards from or to deliver letters or post-cards to other persons.

(3) Letters or post-cards solely concerning goods or property sent either by land, water or by air to be delivered at the same time with the goods or property without remuneration, reward or any benefit for receiving or delivering the same, provided that such letters or post-cards are open to inspection by the officials and have superscribed thereon the words "consignee's letter" or other words to the same effect.

Section 7. - Subject to the provisions of Section 6, the following persons are forbidden to convey, receive, collect or deliver letters or post-cards, although they receive no remuneration, reward or any benefit, namely :-

(1) Common carriers of goods or passengers, including their drivers, employees or agent, except letters or post-cards which concern the goods entrusted to them for transportation.

(2) The owner, master, commander or crew of a vessel or aircraft passing or sailing on a river or navigable canal or flying in the air, respectively, within the Kingdom, or sailing, passing coastwise or otherwise between ports. or any places within the Kingdom, or between any place within and outside the Kingdom, or their employees or agents, except in respect of letters or post-cards concerning goods on board or except as regards letters or post-cards received for conveyance under the authority of the Department.

Section 8. - The Department shall not be liable for the loss, misdelivery, delay, breakage, or damage to any postal article in course of transmission by post, except in special cases where indemnity is expressly provided for by laws, regulations or rules.

Section 9. - The Director-General may, with the approval of the Minister, either by way of general provisions, terms and conditions, or in the special case of a particular person, authorize:

- (1) post offices to be established on permission within the Kingdom;
- (2) postal articles to be sent, conveyed or delivered by any means other than by post ;

(3) other persons to collect postal articles for the purpose of being sent either by post or by the way especially authorized under this Section ;

(4) other general acts to be performed, as he may think fit, so as to comply with this Act.

Chapter 3

Postage

Section 10. - The Minister shall have the power to issue Regulations fixing the rate of postage or other fees chargeable in respect of postal articles sent by inland post in accordance with this Act or regarding foreign postal articles for which the conditions are stipulated in the Universal Postal Convention; and to lay down rules prescribing the terms and conditions by which the rates so fixed shall be charged.

Section 11. - The Director-General may, with the approval of the Minister, issue rules :

(1) requiring the prepayment of postage for all or any classes of inland postal articles and prescribing the manner in which prepayment is to be made :

(2) fixing the rate of postage to be charged on inland postal articles when the postage is not prepaid or insufficiently prepaid ;

(3) providing for the redirection of postal articles and the transmission by post of articles so re-directed, either fees of charge or subject to such further charge as may be specified in such rules ;

(4) fixing the fees for "Express delivery" of postal articles, that is to say delivered out of office time, in addition to, or instead of, the postage chargeable under this Act ;

(5) dealing with other general services in connection with the postage.

Such rules shall be enforceable after being notified.

Section 12. - The addressee of a postal article on which postage or any other fees chargeable under this Act is due shall be bound to pay such postage or other fees on his accepting delivery of the postal article, unless he forthwith returns it unopened or unread.

However, the Director-General may, if he is of opinion that any such postal articles have been maliciously sent for the purpose of annoying the addressee, remit the postage.

If any postal article, on which postage or any other fees chargeable under this Act is due, is refused or returned as aforesaid, or if the addressee is dead or cannot be found, then the sender is bound to pay the postage or any other fees due thereon under this Act.

Section 13. - When a postal article, on which any duty of customs is payable, has been received from any place outside the Kingdom, and the duty has been paid by the officer at any customs station or elsewhere, such amount of the duty shall be recoverable as if it were postage due under this Act.

Section 14. - In any proceeding for the recovery of postage or any other fees due under this Act, in respect of postal articles,

(1) the production of any postal article having thereon the official mark denoting that the article has been refused, or that the addressee is dead or cannot be found, shall be prima facie evidence of the facts denoted ;

(2) the person from whom the postal article purports to have come shall, until the contrary is proved, be deemed to be the sender of the postal article.

Section 15. - The mark of an officer of the Post and Telegraph Department of Siam or of foreign country on any postal article showing that postage or any other fees in respect thereof is due shall be prima facie evidence that the sum denoted is so due.

Chapter 4
Postage Stamp

Section 16. - The Minister shall cause to be provided postage stamps of different kinds with their denominations as he may deem necessary, and shall have power to surcharge the same for the purpose of this Act.

The postage stamps so provided or surcharged shall be notified in the Government Gazette.

Section 17. - The Director-General may, with the approval of the Minister, issue rules:

- (1) dealing with the supply, sale, custody and use of postage stamps;
- (2) fixing the price at which postage stamps are to be sold ;
- (3) specifying the persons by whom and the terms and conditions subject to which postage stamps may be sold ;
- (4) fixing the duties of and the remuneration to persons selling postage stamps ;
- (5) prescribing the conditions with regards to perforation, defacement, obliteration of postage stamps and which postage stamps may be accepted or refused in payment of postage or other fees ;
- (6) describing the kind of postal articles for which postage may be paid in money and on which other marks may be affixed instead of postage stamps for payment of postage or other fees chargeable under this Act ;
- (7) dealing with other general services in connection with postage stamps.

Chapter 5

Transmission of Postal Articles

Section 18. - The postal articles to be sent by post shall be in compliance with this Act or other laws, regulations and rules duly made.

Section 19. - A postal article shall be deemed to be in course of transmission by post from the time of its being put in a letter box or delivered to an officer at the Post Office to the time of its being delivered to the addressee or returned to the sender, or otherwise disposed of in accordance with this Act.

Section 20. - The sender is entitled to withdraw the postal article from the Post Office, or to change the address or to have it otherwise disposed of so long as such postal article is in the course of transmission.

Section 21. - The Director-General may, with the approval of the Minister, issue rules, in particular and without prejudice to the general power, concerning transmission of postal articles in general, that is to say,

(1) Specifying the articles not permitted to be transmitted by post ;
(2) Prescribing conditions on which articles may be transmitted by post;
(3) Regulating the detention and disposal of articles transmitted by post which are prohibited or liable to duty or in contravention of regulations and rules duly established ;

(4) Distributing into classes and regulating the forms, size, weight, covers and enclosures and the use of postal articles;

(5) Regulating the issue of receipt for, the granting and obtaining of certificate of receiving and delivery of postal articles, and fixing the sum to be paid, other than the postage in respect of such receipt and certificate ;

(6) Determining the kind of postal articles which should be despatched or delivered before or after, as is necessary;

(7) Fixing the time and the manner of issuing receipt and delivery of postal articles.

Section 22. - The Director-General shall cause to be made a postal guide for being used in connection with this Act, and is empowered, from time to time, to modify, amend or repeal the same.

Such postal guide shall be enforceable after having obtained the approval of the Minister and notified.

Section 23. - No person shall, unless otherwise provided by the rules or conditions, send by post any sharp instrument not properly protected, explosive, filthy, noxious substance, or any living creature, or any thing of a nature likely to cause danger or injury to postal articles in course of transmission by post or to any officer.

Section 24. - No person shall send by post any postal article having apparently thereon any words, marks or designs of a seditious, indecent, obscene, or instigating the commission of an act of raising, or of scurrilous, threatening, extorting or grossly offensive nature, or any other things against the law.

Section 25. - The Director-General may, in respect of any postal article sent by post in contravention of this Act, make order

(1) To have it detained, forwarded or returned to the sender or otherwise disposed of ;

(2) To have it opened for inspection or destroyed, if necessary ; the sender being notified of such destruction.

(3) In case where a criminal offence is suspected, to have it sent direct to the competent authority for institution of an action.

Section 26. - At the time when the Martial Law is proclaimed or in time of war, the Minister or any officer specially authorised by the Minister in this behalf may, by order in writing, direct that any class of postal articles in course of transmission by post shall be intercepted or detained, or shall be disposed of in such manner as the authority issuing the order may direct.

Section 27. - If any question arises as to whether any postal article is a letter or post-card or any other kind of postal article coming under this Act or

Regulations, rules and orders duly established, the decision of the Director-General shall prevail, but the Minister may, if he thinks fit, amend such decision.

Chapter 6

Registration and Insurance.

Section 28. - The sender may have the postal article registered or insured at the Post Office in accordance with the regulations and rules duly established.

Section 29. - The Department shall be liable to make compensation for the loss of registered postal articles or for the breakage or loss of insured postal articles in course of transmission by post in accordance with the rules for the time being in force unless such breakage or loss results from force majeure, the nature of the postal article or fault of the sender or addressee.

Section 30. - Where the Department is bound to pay the value of broken or loss postal article as declared by the sender, such declaration of value shall be taken as a presumption that that postal article has the value so declared, and the sender, however, cannot claim compensation more than the value declared.

Section 31. - The addressee or the sender shall be entitled, before accepting, to require that the postal article to be delivered to him be opened in the presence of the competent authority of the Department, in which case a record of the circumstances or facts appeared shall be made by the competent authority and signed by both parties.

Section 32. - As regards the liability of the Department in respect of broken or loss postal articles, no action can be entered later than one year from the day when the postal article is or ought to have been delivered.

Section 33. - The Director-General may, with the approval of the Minister, issue rules, in particular and without prejudice to the general power, concerning registration and insurance of postal articles in general, that is to say,

(1) Determining the class of postal articles which may or are required to be registered or insured;

(2) Directing that postal articles required to be registered or insured which have been posted without being registered or insured shall be returned to the sender, or delivered to the addressee or otherwise disposed of ;

(3) Limiting the amount for which postal articles may be registered or insured and the amount of compensation ;

(4) Regulating the paying of postage or other fees for registration or insurance and the issuing of receipts and certificates for registration or insurance ;

(5) Fixing the time and the manner of delivering registered or insured postal articles handed over to the Post Office.

Such rule shall be enforceable after being notified.

Section 34. - Where special agreements have been made by the Department with any foreign country for the transmission of registered or insured postal articles, such agreements shall apply as rule.

Chapter 7

Undelivered Postal Articles

Section 35. - The Director-General may, in particular and without prejudice to the general power, issue rule concerning the method of disposal of postal articles which for any reason whatsoever are unable to be delivered, hereinafter referred to as undelivered postal articles, that is the say,

(1) Fixing the duration for which the Post Office of the destination shall keep the undelivered postal articles at that office ;

(2) Causing to be published list of all or any classes of undelivered postal articles ;

Every undelivered postal article, after having been kept at the Post Office of destination for the prescribed duration, shall either be sent back to the Post Office of origin for being returned to the sender or forwarded direct to the Department.

Section 36. - Every undelivered postal article received at the Department in accordance with Section 35 shall be dealt with as follows :-

(1) If practicable, it shall be re-addressed and sent by post to the addressee;

(2) If such is impracticable, the Officer appointed by the Minister in this behalf shall open it for the purpose of ascertaining the name and address of the sender and whatever comes to his knowledge shall be kept as secret. The postal article shall thereafter be returned to the sender by post free of charge or subject to such further charge as may be prescribed in the rule.

Section 37 - Undelivered postal articles which cannot be dealt with in accordance with Section 36 shall be detained for a further period or dealt with in such manners as may be prescribed in the rules, provided that

(1) in case of letters or post-cards, they shall be destroyed;

(2) in case of property of non-perishable nature found in the undelivered postal articles, they shall be detained for a period of one year; if after the expiration of such period no person asserts a right over such property, it shall become the property of the state.

Chapter 8

Ship Mail-bags

Section 38. - The master of every vessel about to depart from any port or place within the Kingdom to any port or place within or outside the Kingdom shall receive on board his vessel every mail-bag tendered to him by any officer for conveyance and issue a receipt therefor ; and shall, upon arriving at the port of place of destination, deliver the same without delay.

Section 39. - The owner of every vessel or his agent who schedules his vessel to sail from any port within the Kingdom to any other port within or outside the Kingdom shall, within reasonable time, notify in writing the officer in charge of the Post Office the day and time of its departure as well as the name of port and place at which the vessel is to call. Any change in the day and time of departure shall be immediately notified in writing to the officer in order that the public may be notified of the day and time of closing mails to be conveyed by such vessel.

Section 40. - The officer duly authorized by the Director-General or his deputy may, after the closing of the mail to be conveyed by any vessel, board such vessel for the purpose of receiving all fully prepaid postal articles which may be brought on board up to the time of departure for being conveyed by such vessel. The master of the vessel shall give all facilities to the officer for the performance of his duty.

Section 41. - Where there is no officer on board such vessel, the master may receive all fully prepaid postal articles and shall deliver the same to the Post Office, port and place of destination.

Section 42. - (1) The master of a vessel arriving at any port within the Kingdom shall immediately cause every postal articles or mail-bag on board which is directed to that port to be delivered either to the Post Office at the port or to the Officer duly authorized in this behalf by the Director-General.

(2) If there is on board any postal articles or mail-bags directed to any other place within the Kingdom, the master of the vessel shall immediately report the facts to the officer in charge of the Post Office at the port and to act according to the order given by such officer.

(3) The master of the vessel shall, at the port where the vessel reports, sign, in the presence of a competent authority or other person authorized by the Director-General a declaration of compliance with this Act. Such declaration shall also be attested by the signature of the person in whose presence it is made.

(4) If any vessel is forced to enter any port or to call at any place out of the fixed route, the master of the vessel shall inform the officer or the administrative official of the nearest locality that there are mails on board the vessel and shall have comply with any order to be given by such authority.

Section 43. - The Minister may issue Regulations fixing the amount of remuneration to be given to the master of a vessel for the conveyance of postal articles on behalf of the Department. The master of the vessel about to depart from any port within the Kingdom shall, if he receives mail-bags for being conveyed, be entitled to demand and obtain the remuneration in respect of the conveyance of such mail-bags and its content in accordance with this Section.

Section 44. - Postal articles arrived in Siam from any country outside the Kingdom by any kind of conveyance shall be immediately handed over to the officer in charge of the nearest Post Office.

Chapter 9

Privilege of Post Conveyance.

Section 45. - Persons, animals or any kind of conveyance which convey mails exclusively shall be exempted from payment of toll for thorough-fare, if any.

Section 46. - No person shall impede, delay or obstruct person, animal or any kind of conveyance going for or employed to go for mail-bags, or while conveying mail-bags.

Section 47. - If the mail-bags transmitted by land, by water or by air cannot, on account of accident, be forwarded to the destination, it shall be the duty of every person who is able to help to render his utmost assistance in order that the mail bags may be forwarded to the destination as soon as possible.

Section 48. - The person who, in the usual course of his business, undertakes to transport goods or passengers for remuneration shall be bound to

undertake to transport postal articles or mail bags as may be directed by the Director-General and shall be entitled to the freights on this behalf as may be agreed upon from time to time.

Section 49. - When any dispute arises as to the terms, conditions or freights and for which no agreement could be arrived at, each party shall have the right to appoint an arbitrator; but if any party fails to appoint an arbitrator, the other party may apply to the Court to have an arbitrator appointed on behalf of the failing party to consider the dispute.

In case the arbitrators fail to come to an agreement, they shall appoint an umpire for giving an award.

In the event of such arbitrators failing to come to, an agreement as to the appointment, they shall apply to the Court to have an umpire appointed by it.

Chapter 10

Money Orders

Section 50. - The Department may provide for the remission of sums of money by means of money orders, and may demand and receive such rates of commission or fees as may be fixed by the Ministerial Regulations.

Section 51. - The Department may, with the approval of the Minister, make provisions with respect to money orders, and to the payment thereof, and to the persons to or by whom they are to be paid, and the times at which and the mode in which they are to be paid.

Section 52. - If payment of the money cannot be made to the payee on account of death or bankruptcy, the Department is empowered to make such payment to his heirs or executors or administrators or the official receiver, etc, as the case may be, upon production of satisfactorily evidence of the above qualification.

Section 53. - The person remitting money through money order may require that the amount of the order, if not yet paid to the payee, be repaid to him or to any person other than the original payee, as he may direct.

If neither the payee nor the remitter of money order can be found, the Department shall issue notification pursuing for the payee and remitter, Neither the payee nor the remitter can claim the recovery of such sum after one year has elapsed from the date of notification.

Section 54. - When a person has been paid by the officer in respect of money order any amount in excess of what ought to have been paid to him, or when a person has been paid the money order which ought to be paid to another person, the Director-General shall notify such person in writing to refund the money unduly paid within a reasonable time.

Section 55. - When the amount of the money order has been paid by the officer to any person producing the money order or receipt, certificate or notice for money order showing that he is the payee or the representative, the Department shall be discharged from the liability in respect of that sum of money.

No claim can be entered against the Department for the delay in payment of a money order on account of force majeure, negligence, omission, mistake, fraud, misappropriation, wilful act or default of an officer. However, the amount of the money order shall, in such case, be delivered to the payee or the remitter.

No action for wrong payment may be entered against the Department later than one year from the date of the issue of money order. The Department shall, in no case, be liable for more than the amount of the money order or for the wrong payment caused by incorrect or incomplete description of the name and address of the payee.

Chapter 11
Search, Arrest, Proceedings and
Penalties
Part 1
Offences committed by officers
of the Department

Section 56. - Whoever being a postal officer or having official duties connected with any Post Office, or letter box, loiters or delays the conveyance or delivery of mail bags, postal articles or money order, or intentionally causes injury thereto, shall be punished with imprisonment not exceeding fifteen days or fine not exceeding two hundred baht, or both.

Section 57. - Whoever being employed to convey any mail bags or postal articles in course of transmission by post, and while so employed is being entrusted with the duty of recording and keeping any register, enters or causes to be entered in the register fault statements with intent to induce to the belief that he has visited a place or delivered the mail bags or postal articles which in fact he has not visited or delivered, shall be punished with imprisonment not exceeding six months or fine not exceeding two hundred baht, or both.

Section 58. - Whoever being an officer, contrary to his duty, opens or causes to be opened any mail bags or postal articles in course of transmission by post, or wilfully detains or delays or causes to be detained or delayed any such mail bags or postal articles, shall be punished with imprisonment not exceeding five years and fine not exceeding one thousand baht.

Provided that nothing in this Section shall extend to the opening or delaying of any mail bags or postal articles by virtue of this Act, or by order of the Minister or of competent Court.

Section 59. - Whoever, being an officer

(a) fraudulently puts any wrong official mark on a mail bag or postal article ;

(b) fraudulently alters, removes, or causes to disappear any official mark which is on a mail bag or postal article ;

(c) being entrusted with any kind of postal transactions, demands or receives money in respect of postage, knowing that the same is not chargeable under this Act;

shall be punished with imprisonment not exceeding two years and fine not exceeding five hundred baht.

Section 60. - Whoever being an officer, fraudulently sends by post or puts into a mail bag any postal article for which the proper postage chargeable under this Act, or the regulations, rules and orders duly established has not been paid, shall be punished with imprisonment not exceeding three years and fine not exceeding two thousand baht.

Part 2

Other Offences

Section 61. - Whoever acts in violation of Section 6, that is to say :

(a) Conveys otherwise than by post letters or post-cards within the area under the exclusive privilege of the Department;

(b) Performing any service incidental to conveying otherwise than by post of any letter or post-card within the area under the exclusive privilege of the Department;

(c) Sends, tenders or delivers in order to be sent otherwise than by post any letter or post-card within the area under the exclusive privilege of the Department;

(d) Makes a collection of letter or post-cards for the purpose of sending them otherwise than by post, unless he has the aforesaid privilege;

shall be punished with fine not exceeding ten baht for every such letter or post-card.

Section 62. - Whoever makes a collection of letters or post-cards addressed to several persons for the purpose of transmitting through post in a clubbed packet or in one envelope, or knowingly tenders or delivers a letter or post-card for being sent in such a clubbed packet shall, unless he has the aforesaid privilege, be punished with fine not exceeding ten baht for every such letter or post-card.

Section 63. - Whoever conveys, receives, tenders or delivers letters or post-cards, or collects letters or post-cards in violation of Section 7, shall be punished with fine not exceeding twenty baht for every such letter or post-card.

Section 64. - Whoever sends, tenders, makes over in order to be sent by post any postal article or anything in violation of Section 23 or 24, shall be punished with imprisonment not exceeding one year or fine not exceeding five hundred baht, or both.

Section 65. - Whoever sets fire to or places in a letter box any explosive, dangerous, filthy or deleterious substance or any fluid, or causes or commits any act likely to cause damage to the letter box or its accessories or contents, shall be punished with imprisonment not exceeding one year or fine not exceeding five hundred baht, or both.

Section 66. - Whoever, without being entitled by law, posts up any placard, advertisement or notice, list, bill or anything, or does any act serving to defile or causes damage to any post office or letter box, shall be punished with fine not exceeding fifty baht.

Section 67. - Whoever, being required by this Act to make a declaration in respect of any postal article to be transmitted by post or the content or value thereof, makes in his declaration any statement which he knows or has reasons to

believe to be false or does not believe to be true, shall be punished with fine not exceeding two hundred baht.

Section 68. - Whoever being the master of a vessel :-

(a) fails to comply with Section 38 ;

(b) fails to deliver mail bags or postal articles required by Section 42 without reasonable excuse for which the burden of proof lies upon him;

(c) refuses or wilfully neglects to deliver mail bags or postal articles in his possession to the person appointed to receive them while the vessel is in a quarantine;

(d) refuses or wilfully neglects to perform the duty imposed upon him by Section 39 or 40 ;

shall be punished with fine not exceeding one thousand baht.

Section 69. - Whoever being the master or crew of a vessel arriving at a port or place within the Kingdom knowingly has in his baggage, or in his possession or custody, after the whole or part of the postal articles on board have been delivered to the post office of the port of arrival, any postal articles under the exclusive privilege of the Department which ought to be delivered to the post office, shall be punished with fine not exceeding one hundred baht for every such article.

Whoever being the master or crew of a vessel as aforesaid delays or detains any such postal articles after being demanded for delivery by the officer, shall be punished with fine not exceeding two hundred baht for every such article.

Section 70. - Whoever, except by virtue of this Act or by order of the Minister or of competent Court, impedes, obstructs, retains, detains or delays the delivery of mail bags or postal articles in course of transmission by post, or on any pretence opens a mail bag or postal article, shall be punished with imprisonment not exceeding three months or fine not exceeding five hundred baht, or both.

Provided that nothing in this Section shall deprive the power to detain any officer or person conveying the mail bags or postal articles in course of

transmission by post on a charge of committing an offence against the Penal Code or any other law for the time being in force.

Section 71. - Whoever fraudulently retains or wilfully secretes, keeps or detains any mail bag or postal article in course of transmission by post, or upon request of an officer, neglects or refuses to deliver up any mail bag or postal article which ought to have been delivered to any other person, shall be punished with imprisonment not exceeding two years and fine not exceeding five hundred baht.

Section 72. - Whoever, being required by the officer to render assistance to forward mail bag in case of accident cause thereto as provided in Section 47, wilfully and without reasonable excuse, refuses or neglects to comply with such request, shall be punished with fine not exceeding fifty baht.

Section 73. - Whoever being a carrier, neglects or refuses, without reasonable cause for which the burden of proof lies upon him, to carry the mail bags or postal articles directed by the Director-General as provided in Section 48, shall be punished with fine not exceeding two hundred baht.

Section 74. - Whoever being authorized by the Department to establish post office on permission or being appointed to sell postage stamps;

(a) demands from the purchaser the price of postage stamps higher or lower than that prescribed in the rules issued under Section 17(2), shall be punished with imprisonment not exceeding six months or fine not exceeding two hundred baht, or both;

(b) commits breach of any other rules issued under Section 17, shall be punished with fine not exceeding two hundred baht.

Section 75. - No person shall, without authority from the Department, place or maintain on or in any house, wall, door, window, box, pillar or any place belonging to him or under his control, any of the following words, letters marks:

(a) the words "post office" or "letter box" accompanied with any words, letter or marks which signify or imply or may lead the public to believe that it is a post office or letter box;

(b) any words, letters or marks which signify, imply or may lead the public to believe such house or place is a post office or letter box.

Whoever acts contrary to this Section shall be punished with fine not exceeding fifty baht.

Section 76. - The Department may compel any person who acts in violation of Section 75 to remove or efface such words, letters or marks within a reasonable time, or to transfer, remove or effectually close up any letter box belonging to him or under his control which may be taken as a post office or letter box.

If after having received the order of execution as provided in the foregoing paragraph, the offender fails to comply with such order, he shall be punished with fine not exceeding ten baht per day during which the default continues.

Section 77. - Whoever uses postage stamp bearing mark that the same has been used, shall be punished with imprisonment not exceeding one month or fine not exceeding one hundred baht, or both.

Part 3

Search, Arrest and Prosecution

Section 78. - Whoever violates or being reasonably suspected of violating the provisions of this Act concerning the Monopoly of the Government, may be searched, arrested or detained by the officer authorized by writing by the Director-General with the approval of the Minister for a reasonable time for the purpose of execution of this Act.

Section 79. - In any proceeding for criminal offence concerning mail bags or postal articles in course of transmission by posts, it is quite sufficient to state in the indictment that such mail bags or postal articles are the property of the

Department, without being necessary to prove that the mail bags or postal articles were of any value.

Section 80. - Prosecution of offences under this Act may be instituted only upon complaint of the postal officer.

The postal officer is empowered, at any time before judgment, to compromise the case with a view to demanding the fine or confiscating the property in respect of which an offence against this Act has been committed, subject to such agreement or conditions as he may deem fit.

Section 81. - When an offender is to be fined for any offence under this Act the Court may, upon special motion of the Department, order in its judgment that not more than one half of the fine shall be awarded to the person who did detect the offence.

Chapter 12

Execution

Section 82. - The Minister shall have charge and control of the execution of this Act, and for this purpose shall have the power to issue Regulations appointing officers, fixing the rates of fees and otherwise for carrying out the provisions of this Act.

Such Ministerial Regulations shall come into force upon being published in the Government Gazette.

Notified the 31st day of January, B.E. 2477, being the 10th year of the Present Reign.

Counter-signature :

Col. Phya Bahol Balabayuha Sena,

President of the Council of Ministers.