



Protection

For Motor Vehicle Victims Act

B.E.2535 (1992)

BHUMIBOL ADULAYADEJ, REX

Given on 2nd April B.E.2535 (1992)

Being the 47th year of the Present Reign

His Majesty King Bhumibol Adulayadej is graciously pleased to
proclaim that :

Where as it is expedient to have the law on protection for motor vehicle.

Be it, therefore, enacted by the king, by and with the advice and consent
from the National Assembly as Parliament's duty as follows:

Section 1 This Act is called the “Protection for Motor Vehicle Victims
B.E.2535 (1992)”

***Section 2** This Act shall come into force after three hundred and sixty
days from the date of its publication in the Government Gazette.

* Former statement in Section 2 has been terminated by Section 3 of Protection for Motor Vehicle
Victims (Volume 2) B.E.2535 (1992) and replaced by new statement as published herewith.

Section 3 All of the Law, rule and regulations in so far as they have already provided in this Act or any contrary to or inconsistent with the provisions of this Act shall be replaced by this Act

Section 4 In this Act

“Motor Vehicle” means vehicle according to motor vehicle according to Land Transportation Law and military vehicle according to Military Vehicle Law.

“Owner of Motor Vehicle” means one who possesses Motor Vehicle or has the right to possess according to purchase agreement by installment and including the meaning of importing motor vehicle that registered from aboard and import into Thailand.

“Motor Vehicle Victims” means a person that danger to life, bodily or health harm due to motor vehicle that is being in used or is in run-way due to loading or installing in that motor vehicle and the meaning that included heir at law of motor vehicle victim who is dead as well.

“Damage” means damage to life, bodily and health harm that cause from Motor Vehicle

“Persons in Motor Vehicle” means persons who is in or on any part of Motor Vehicle and including person who is getting on or off from that motor vehicle as well.

“Company” means the Company according to the law on Non-Life Insurance that is being permitted for business proceeding on Motor Vehicle Insurance.

“Preliminary Compensation” In the case of damage to life means medical services and necessary expenses concerning medical services of motor vehicle victims and in the case of damage to life means mortuary services and necessary expenses concerning mortuary services of motor vehicle victims due to death according to the item and amount of money that stipulated in the Ministerial Regulation that issued in Section 20, Paragraph two.

“Sticker” means sign revealing on having Insurance for Motor Vehicle Victims according to this Act :

“Committee” means Protection for Motor Vehicle Victims Committee

“Registrar” means Director-General of Department of Insurance or the Director-General of Department of Insurance whom assigned by transferring the authority as published in Government Gazette

“Funds” means Victims Compensation Funds

“Minister” means Acting Minister according to this Act

**** Section 5** The Ministry of Commence shall comply with the execution of this Act and have the power to issue Ministerial Regulations and proclaim for the execution of this Act

Such Ministerial Regulation shall come into force upon the publication in the Government Gazette

**** Section 6** There shall be a Committee called the “Protection for Motor Vehicle Victims Committee” consisting of the Permanent Secretary of Ministry of commerce as Chairman, a representative of Ministry of Defense, a representative of Ministry of Finance, a representative of Ministry of Transportation, a representative of Ministry of Public Health, a representative of University Affairs, a representative of Ministry of Interior, a representative of Police Department who is a representative of Consumer Protection according to the Law, that is entrusted by Consumer Protection a representative of Insurance Broker Association, a representative of Non-Life Insurance, a representative of private hospitals, a representative of Medical Cousin and appointed other consultants.

*Definition on “Committee” adding by Section 3 of Protection for Motor Vehicle Protection Act (Volume 3) B.E.2540 (1997)

**From former Section 5 and Section 6 have been terminated by Section 4 of Protection for Motor Vehicle Victims (Volume 3) B.E.2540 (1997) and replaced by new statement as published herewith.

not more than four persons that are appointed by the Minister Committee for being the Committee Member and, Director-General is a Committee and Secretary and the Director of the Office of the Protection for Motor Vehicle Victim is a Committee and Assistant Secretary.

To appoint the consultants according to paragraph one have to consider from various knowledge and skills on insurance, economics, medicine or law.

* **Section 6 bis** The Committee shall possess the following powers and duties as follows :

- (1) To submit the advice to the Ministry regarding on issuing the Ministerial Regulations according to Section 7 and Section 20 and proclaim according to Section 10
- (2) To stipulate the standard of items and medical services fee and necessary expenses concerning medical services that the Company or Funds shall pay to motor vehicle victims
- (3) To consider on preliminary compensation expenses and or other expenses according to this Act or concerning items, medical services charge and necessary expenses concerning medical services according to the Registrar's approval from motor vehicle victims request.
- (4) To perform other functions as prescribed in this Act or any other laws to be those of the Committee or as entrusted by the Minister

* **Section 6 ter** The appointed member of committee shall hold in an office for a term of two years, the appointed member of committee who vacate office may be reappointed.

* Section 6 bis, Section 6 ter, Section 6 quarter Section 6 quinque, Section 6 shor, Section 6 septan, Section 6 octo added by Section 5 of Protection for Motor Vehicle Victims Act (Volume 3) B.E.2540 (1997)

In addition to vacating office at the end of term, a member of committee shall vacate office upon :

- (1) death
- (2) resignation
- (3) being removed by the Minister
- (4) being a bankrupt
- (5) being insane or mental infirmity
- (6) being imprisoned by a final judgment to a term of imprisonment except for an offence committed through negligence or pity offence.

* **Section 6 quarter** In the case where members of committee appointed by the expiration before their terms, the Minister Committee may appoint another person of the same description of qualification according to Article 6 to replace them and the new appointees shall hold office for the remaining term of the formers appointees.

In the case where an additional members of committee appointed by the Minister Committee during the term, the new appointee shall hold office for the remaining term of the former appointees.

* **Section 6 quinque** In the case where members of Committee appointed by the Minister Committee have completed the term of office but new appointees have not yet been appointed the former appointees who vacate office upon expiration of the term of office shall remain in office for carrying out duties until the new appointees hold their duties.

* Section 6 bis, Section 6 ter, Section 6 Quarter Section 6 quinque, Section 6 shor, Article 6 septan, Section 6 octo added by Section 5 of Protection for Motor Vehicle Victims Act (Volume 3) B.E.2540 (1997)

* **Section 6 shor** At a meeting of the Committee, the presence of not less than one-half of the total number of members is required to constitute a quorum.

If the Chairman does not attend the meeting or is unable to perform his or her duties, the present members shall elect one among themselves to preside over the meeting.

The decision of the meeting shall be made by a majority of votes. Each member shall have one vote. In case of an equality of votes, the Chairman over the meeting shall have an additional vote as the casting vote.

* **Section 6 septan** The committee shall possess the powers and duties to appoint one sub-committee or many sub-committees for consideration or performing however according to the committee's assignment

For Sub-committee meeting, shall be enforced by Section 6 shor mutatis mutandis

* **Section 6 oct** During the proceeding according to this Act, the Committee and Sub-Committee shall possess the power in this respect, they may summon any companies, clinical places or persons to verify verbal statement or submit document which are necessary for consideration.

Expenses in performing due to Committee and sub-committee are from this Funds.

* Section 6 bis, Section 6 ter, Section 6 quarter, Section 6 quinque, Section 6 shor, Section 6 septan, Section 6 Octo added by Section 5 of Protection for Motor Vehicle Victims Act (Volume 3) B.E.2540 (1997)

Chapter 1

Insurance Against Loss

Section 7 Under Section 8 the owner of motor vehicle that uses motor vehicle or possesses motor vehicle for using shall have Insurance Against loss for motor vehicle with the Company.

The amount of the Sum Insured shall be imposed according to kind, type and size of motor vehicle, but not less than the Ministerial Regulation's stipulation.

Section 8 The following motor vehicle shall be exempted from having Insurance Against Loss according to Section 7

- (1) Royal Motor Vehicle of the King, the Quern, Heir apparent and the Regent
- (2) Motor Vehicles for Royal Household that have been registered with the stickers according to the Royal Ordinance
- (3) Motor Vehicles of Ministry, Bureau, Department, Municipality, Provincial Organization, Sanitary, Bangkok Metropolitan, Pattaya City and Local Office that are called in other names and military vehicle according to the Military Vehicle Law
- (4) Other Motor Vehicle according to Ministerial Regulations

Section 9 Motor Vehicle that is registered aboard and imported to be used in Thailand temporary, and the owner of Motor Vehicle is not a residence or domicile in the Kingdom, the owner of Motor Vehicle shall have an insurance against loss for motor vehicle victims, however, according to the criteria, procedure and condition according to the Ministerial Regulations.

* **Section 10** The Company shall have insurance against loss according to Section 7 or Section 9, as the case may be according to the criteria and procedure of the Ministry's announcement, by the advice and consent of the Committee. The mentioned announcement shall stipulate the statement of the Policy or Premium-rate that can be different according to kind, type or size of the motor vehicles or the characteristic of the Insured

* **Section 10 bis** has established "The Road Accident Victim Protection Co.,Ltd" with the following objective :

(1) To serve concerning with the Petition and indemnity or any payment according to this Act and proceed the activities according to the company or the office of the Victim Compensation Funds assigned.

(2) Proceeding business on Non-Life Insurance, for motor vehicle insurance only according to this Act with the Ministerial Committee's approval

(3) Proceeding other business according to the Prospectus of the Company

Every Company shall purchase shares for establishing, adding capital and any proceeding according to the Minister's stipulation for accomplishing the objective of the Road Accident Victim Protection Co.,Ltd.

For establishing the Road Accident Victim Protection Co.,Ltd, Minister shall stipulate the buying period for the Company to buy shares and after the mentioning period is expired,

*For former statement in Section 10 has been terminated by Section 6 of Protection for Motor Vehicle Victims (Volume3) B.E.2540(1997) and replaced by new statement as published herewith.

*Section 10 bis, Section 10 ter adding by Section 7 of Protection for Motor Vehicle Victims Act (Volume 3) B.E.2540 (1997)

Remarks Section 19 of Protection for Motor Vehicle Victims (Volume3) B.E.2540(1997) stipulating the Road Protection for Motor Vehicle Victims Co.,Ltd. to proceed and find location for serving every province including Bangkok Metropolitan to be completed within one year, after this Act comes into force, however for proceeding new additional location to comply with the requirement for serving motor vehicle victims, has to be according to the Director- General stipulating with the advice of the Committee.

Imposing Director-General of Department of Insurance to collect the shares that are already sold out for imposing the number of shares, then proceeding the Prospectus of the Company and its regulations and imposing names of committee member and auditor of the first group of The Road Accident Victim Protection Co.,Ltd including the statement and other necessary procedures that need to be submitted for Company registration and imposing the authorized person to proceed the Company's Registration according to the Civil and Commerce Code's procedure and proceed continuously according to the related law, then The Road Accident Victim Protection Co.,Ltd is entitle to be the Company Limited according to the Civil and Commerce Code and being the Non-Life Insurance Company according to the Non-Life Insurance after being registered as mentioned.

During the Road Accident Victim Protection Co.,Ltd has not proceeded any Non-Life Insurance Business yet, shall not be required concerning fund and reserved money to be deposited with the Registrar and does not require to have the capital for the fund according to the Non-life Insurance to come into force.

The amended Prospectus of the Company and regulations of the Road Accident Victim Protection Co.,Ltd has to be advised and consented from the Minister first.

The appointed Managing Director of Road Accident Victim Protection Co.,Ltd. has to be advised and consented from the Director-General of Department of Insurance first and if the evidence reveals to the Director-General of Department of Insurance that the Managing Director behaves dishonesty while working with the Director-General of Department of Insurance, then with the advice and consent from the Minister, shall have the power to repeal the Managing Director from his/her position and the Director-General of Department of Insurance shall have the authority to appoint the temporary Managing Director until the Road Accident Victim Protection Co.,Ltd. has appointed the new Managing Director.

Every three-month period, the Company shall pay for additional expense for the Road Accident Victim Protection Co.,Ltd by the ratio of the premium

that the Company has already acquired premium from previous three-month according to this Act, the rate and procedure has to be according to the Minister's stipulation.

Reserved money which are from the Company can be deducted for income tax according to Tax Avenue Code

The company shall assign and accept Petition Form and pay for compensation or any money according to this Act however to the Road Protection for Motor Vehicle Victims Co.,Ltd to proceed on behalf of the Company and imposing every company to act concerning the transferring power and allocate money for advanced compensation on behalf of the Company according to the criteria that the Road Protection for Motor Vehicle Victims Co.,Ltd Committed has imposed.

* **Section 10 ter** Any company fails to comply with the section 10, section 10 bis, the Ministry has the authority to revoke the permission on proceeding Non-Life Insurance Business concerning motor vehicle insurance of that Company.

Section 11 Under Section 8, no one can utilize motor vehicle that does not have Insurance Against Loss, according to Section 7 or section 9

Section 12 Imposing the Registrar to distribute stickers to the Company therefore to distribute to the owner of motor vehicles that have insurance against loss with the Company already or according the Section 7 or Section 9

The Owner of the motor vehicle has to seal the sticker on the motor vehicle

The characteristic of sticker and how to put sticker on, has to comply with the Ministerial Regulations

* Section 10 bis, Section 10 ter adding by Section 7 of Protection for Motor Vehicle Victims Act (Volume 3) B.E.2540 (1997)

Section 13 In the case of the Company or the owner of motor vehicle terminates Insurance policy prior expiry coverage period, regardless of any reason, the company shall notify that termination to the Registrar and the owner of motor vehicle shall return the sticker according to Section 12 to the Registrar or making that sticker for no longer use.

Notifying on termination and return sticker or making the sticker for no longer use, shall to be according to the criteria and procedure that impose by Ministerial Regulations.

Section 14 Insurance according to Section 7 and Section 9, shall have the limitation on preliminary compensation according to this Act.

* When there is a limitation on the Sum Insured according the Section 7 paragraph two concerning criteria, payment procedure and duration on compensation payment besides preliminary compensation, shall be according to the Ministerial Regulations

Section 15 The Insurance Policy or document or appended Insurance Policy which the statement is clarified on Company's liability that reveals differently from the stipulation in this Act. The company shall not bring this case to against the company's liability towards motor vehicle for denying to pay Preliminary Compensation.

Section 16 The Company shall not bring the case of incomplete, or infringement the condition of the Insurance Policy between the Company and motor vehicle owner or insurance policy termination of the Motor Vehicle owner to reject the liability towards motor vehicle victims, except the company that notified on Policy termination to the owner of motor vehicle or the Registrar in advance

*Section 14 paragraph two adding by Section 8 of Protection for Motor Vehicle Victims Act (Volume 3) B.E.2540 (1997)

Insurance Policy Termination shall come into force when elapses thirty days from the Company notifying on Insurance Policy termination date to the Insured according to the latest acknowledged domicile by postal registered mail with reply.

Section 17 The Company shall not bring on dishonesty or severely careless of the Insured to be the case of law suit for denying liability on Preliminary Compensation of the Motor Vehicle Victims.

Section e 18 In the case of the owner of motor vehicle insured with the Company and transferred that motor vehicle to others due to legacy or by other law's enforcement, later the mentioned motor vehicle's possessor is likely to be the Insured according to that Insurance Policy, the Company is still liable for that mentioned Insurance Policy during the entirely remaining insured-period.

Section 19 For motor vehicle registration according to the Motor Vehicle law and Land Transportation Law, imposing the Registrar according to the aforesaid law to examine on Insurance Against Loss, according to Article 7 prior accepting the registration process.

***Part 2**
Compensation

Section 20 When damage occurs to the Motor vehicle victim which that motor vehicle is insured with the Company, the Company shall pay for preliminary compensation to the motor vehicle when receiving the filing for application from motor vehicle victims

*Name of part 2 has been terminated by Section 9 of Protection for Motor Vehicle Victims (Volume3) B.E.2540(1997) and replaced by new publication here with.

The damage that is entitle to receive for Preliminary Compensation, the amount of Preliminary Compensation, requesting for preliminary compensation and preliminary compensation payment to motor vehicle victim according to paragraph one, shall be according to the criteria, procedure and rate that prescribed in the Ministerial Regulations.

Section 21 In the case of the Company does not pay for preliminary compensation to motor vehicle or paying preliminary compensation to motor vehicle victims not fully, according to Section 20, the motor vehicle victims shall notify for not having received preliminary compensation or not having received in full amount from the Company to the Office of the Victim Compensation Funds according to the Ministerial Regulations.

Section 22 When receiving preliminary compensation according to Article 20, the motor vehicle victims shall possess the right to claim for additional compensation according to Civil and Commercial Code

Section 23 In the following cases, the preliminary compensation shall be paid to the motor vehicle victims from the Funds:

(1) The owner of motor vehicle that causes damage does not have Insurance Against Loss according to Section 7 or Section 9 and the owner of motor vehicle denies to pay for preliminary compensation to motor vehicle victims or paying Preliminary compensation to motor vehicle victims but not in full amount.

(2) While having the accident, the motor vehicle that causes damage does not possess motor vehicle, since that motor vehicle is misappropriated, cheated and fraud, extorted, stolen, backmailed, threatened, stolen, or robbed and the owner of motor vehicle has already complained to the police investigator.

(3) No one identify oneself as the motor vehicle owner that causes damage and that motor vehicle has no insurance against loss with the Company.

*(4) Damage to Motor vehicle victims and the motor vehicle that causes damage flee away or does not know which motor vehicle causes damage

(5) The Company does not pay for preliminary compensation according to the Section 20 to the motor vehicle victims or paying preliminary compensation to motor vehicle victims not in full amount or

** (6) The damage of motor vehicle victim is from motor vehicles according to Section 8 that do not have insurance according to Article 7

Section 24 In the case of two motor vehicles or more, cause damage to motor vehicle victims that are in the motor vehicles, the company as the Insurer that insures each motor vehicle shall pay for preliminary compensation to motor vehicle victims.

In the case of according to paragraph one, but the motor vehicle victim is not in the motor vehicle, the mentioned company has to share for preliminary Compensation to motor vehicle victims equally.

In the case of Section 23, imposing the Office of Victim Compensation Funds pay or share for preliminary compensation to the motor vehicle victims according to paragraph one or paragraph two, as the case may be.

Section 25 Imposing the Company or the Office of the Victim Compensation Funds to pay for preliminary compensation completely according to Section 20, Section 23 or Section 24 to motor vehicle victims within 7 days, from filing the application date, hence without waiting for proving of liability.

*Former statement in Section 23 (4), terminated by Section 10 of Protection for Motor Vehicle Victims (Volume 3) B.E.2540(1997) and replaced by new statement as published herewith.

** Former statement in Section 23 (6), terminated by Section 11 of Protection for Motor Vehicle Victims Act (Volume 3) B.E.2540(1997) and replaced by new statement as published herewith.

The preliminary compensation shall be considered as being part of compensation according to Civil and Commercial Code

Section 26 In the case of the owner of motor vehicle or the Company does not pay for preliminary Compensation for motor vehicle victims or paying preliminary Compensation to the motor vehicle not in full amount according to Section 23(1) or Section 23(5) as the case maybe, when the office of Victim Compensation Funds shall pay for preliminary compensation to the motor vehicle victims according to Section 25 then, the Registrar shall order to collect the money back from the owner of motor vehicle victim or the Company as the case may be according to the amount that has already paid and the owner or the Company has to pay additional 20% of preliminary compensation to reserve in the Victim Compensation Funds.

The owner of motor vehicle or the Company shall return money of Preliminary compensation to the Funds with additional money according to paragraph one within seven days to from the Registrar's Order date.

Section 27 Requesting on preliminary compensation according to this Act, the motor vehicle victims shall request within one hundred and eighty days from damage date.

Section 28 In case of Section 23(1) and (3) imposing the Registrar to revoke motor vehicle that causes damage, if that motor vehicle has not been revoked according to other law, until the owner of motor vehicle has paid for preliminary compensation in full amount or returning preliminary compensation to the Funds within seven days from the date of receiving Registrar's Order and if has been revoked according to other law, the Department of Insurance shall possess the right to share that property if there is selling by auction.

Section 29 The motor vehicle that is revoked according to the Section 28 the Registrar has the authority to have motor vehicle sold by action from the following cases

(1) In the case of the owner of motor vehicle according to Section 23(1) does not return the Preliminary Compensation to the Victim Compensation Funds within seven days after receiving the Registrar's order

(2) In the case of no one identify oneself as the owner of motor vehicle that causes damage and the Registrar has announced for finding the owner of Motor Vehicle by post on board at the Registrar Office that revoked the motor vehicle that causes damage and meanwhile announcing in daily newspaper that distribute in that local area that causes accident at least two consecutive days and if the owner of motor vehicle does not present before the Registrar who revoked that motor vehicle within thirty days from the first date of announcement in the newspaper.

Section 30 Revoking motor vehicle according to Section 29, has to sell by auction according to the Promulgating of the Penal Code Act mutatis mutandis.

The money that earns from auction according to the Section 29 has to be deducted for revoking and auction Processes and pay for Preliminary Compensation to the motor vehicle victims or return to the Funds, as the case may be, if there is any money left has to return to the owner of motor vehicle , in the case of no one identify oneself as the owner of the motor vehicle that cause damage, the Ministry of Insurance shall keep that money according to the Ministry's stipulations by publication in the Government Gazette and if the owner of motor vehicle does not claim that money within five years from the auction date that money shall be accumulated into the Funds.

* **Section 31** In the case of damage causes from the third person's action or causes by intentionally or severely careless.

*former statement in Section 31 and Section 32, terminated by Section 12 of Protection for Motor Vehicle Victims Act (Volume 3) B.E.2540 (1997) and replaced by new statement as published here with

The owner of motor vehicle, driver of Motor Vehicle who is in the motor vehicle or motor vehicle victim, after the Company paid preliminary compensation or compensation or the Victim Compensation Funds has paid preliminary compensation to the motor vehicle victim or after the organization according to Section 8(1) (2) (3) or the owner of motor vehicle according to Section 8 (4) has already returned money to the Victim Compensation Funds, according to Section 32 already regardless of the amount of the money, the Company or Victim Compensation Funds or Organization according to Section 8(1) (2) (3) or the owner of motor vehicle according to Section 8(4) as the case may be, has the right to recourse from the mentioned persons or has the right to claim money from the mentioned motor vehicle victims.

Utilizing right according to Paragraph one, shall be made within one year after acknowledgement of person's liability, however not exceeding five years from paying compensation date according to this part to the motor vehicle victim.

* **Section 32** In the case of the Registrar pays for preliminary compensation to the motor vehicle victims that cause damage from motor vehicle according to Section 8 but does not claim for Insurance Against Loss according to Section 7, the organization who is the owner of motor vehicle according to Section 8 (1)(2)(3) or the owner of Motor Vehicle according to Section 8(4) as the case may be, shall return the money to the Fund that the Funds had paid earlier.

Returning money to the Funds of Section 8(1) (2) or (3) has to be according to the criteria and procedure of the Ministry of Finance's Stipulation.

*former statement Section 31 and Section 32, terminated by Section 12 of Protection for Motor Vehicle Victims Act (Volume 3) B.E.2540 (1997) and replaced by new statement as published here with

Chapter 3

Victim Compensation Funds

Section 33 Establishing fund called “Victim Compensation Funds”, the objective is to be the capital for preliminary compensation for Victims expenses when there is a case under to section 23, to be for other proceeding expenses according to this Act :

The funds consists of :

- (1) Funds that is contributes from Government allocation
- (2) The reserved compensation from the Company contribution according to the criteria that prescribed according to section 36 and additional money that received from Section 36 bis
- (3) Supporting money from government’s budget allocation from the fiscal year
- (4) Money or properties that are from Section 28, Section 30, Section 31 or Section 32
- (5) Money or properties from donation or subsidy
- (6) Interest of the Funds
- (7) Money that is from selling properties by auction according to clause (4) and (5)
- (8) Other incomes

The mentioned money and properties shall belong to the Department of Insurance for being beneficial to the fund’s objective and is not required to be remitted to the Ministry of Finance as state revenue.

* Former statement in Section 33(2) has been terminated by Section 13 of Protection for Motor Vehicle Victims (Vol.3) B.E 2540 (1997) and replaced by new statement as published herewith.

**** Section 34** to establish the Office of Victim Compensation Funds in the Department of Insurance, for funds execution

The Office of Victims Compensation Funds may allocate the Funds not exceeding 20% of interest rate of the fund annually, for being the expenses in administration and other expenses for the office of the Victims Compensation funds.

Defraying, keeping, managing on Funds, proceeding on expenses and Meeting Allowance of the Committee and sub-committee and other expenses of the Office of Victims Compensation Funds have to be according to the regulation on prescription with an approval of Ministry of Finance.

Section 35 When there is a case in Section 23, and the Motor Vehicle Victims can not request for preliminary compensation from the owner that caused damage or the Company, then imposing the Office of the Victims compensation Funds to pay Preliminary Compensation to the motor vehicle victim after the victim revealing evidences on Daily Memorandum Case of the Police Investigator along with filing for application.

Requesting for preliminary compensation from the Funds and paying preliminary compensation from the Funds has to comply with the criteria, procedure and condition as prescribe in the Ministerial Regulation.

***Section 36** The Company has to pay additional contribution for the Funds every three month at the rate of not exceeding 10% of the premium that acquired from the Insured of each three month period, this additional contribution can be calculated for the Company’s deducting for income tax according to Revenue Code.

** Former statement in Section 34 has been terminated by section 14 of the Protection for Motor Vehicle Victims (Vol.3) year 2540 (1977) and being replaced by new statement as published herewith.

* Former statement in Section 36 has been terminated by section 15 of Protection for Motor Vehicle Victims (Vol.3) B.E.2540(1997) and being substituted by new statement as published herewith.

Collecting money and additional contribution from the Company has to be comply with the criteria and procedure that has been prescribed in the Ministerial Regulations.

**** Section 36 bis** Any company does not pay for additional contribution for the Fund correctly and fully under to Section 36, shall have to pay at the rate of 2% per month additionally of the remaining unpaid

Chapter 4

Penalty Provision

* **Section 37** Any motor vehicle victims fails to comply under Section 7 or Section 9 shall be liable for punishment for a fine not exceeding ten thousand baht.

* **Section 38** Any Company fails to comply under Section 10 or under Section 10 bis shall be liable for punishment for a fine from fifty thousand baht up to two hundred fifty thousand baht

* **Section 39** Any person infringes to comply with Section 11 has to be liable for punishment for a fine not exceeding ten thousand baht

* **Section 40** Any owner of Motor Vehicle fails to comply with Section 12, paragraph two, or the Company or the owner of Motor Vehicle fails to comply with section 13 shall be liable for punishment to a fine not exceeding ten thousand baht.

Section 41 Forges sticker from Any one shall be liable for imprisonment for a term of 6 months up to five years and shall have a fine from ten thousand baht to one hundred thousand baht

****Section 36 bis** adding by section 16 of Protection for Motor Vehicle Victims (Vol.3) B.E.2540 (1997)

*Former statement in Section 37, Section 38, Section 39 and Section 40 has been terminated by Section 17 of Protection for Motor Vehicle Victims Act (Vol.3) B.E.2540 (1997) and has been replaced as published herewith.

Section 42 Any one seals sticker or reveals sticker that is forgery according to Section 41 on any motor vehicle shall be liable for punishment the same penalty as Section 41

If any one make an offence according to paragraph one, as a wrongdoer in Section 41, has to be punished according to this Section only one count.

**** Section 43** Any motor vehicle owner seals sticker on or revealing sticker that is supposed to be returned under Section 13, shall be liable for punishment to a fine not exceeding five thousand baht

**** Section 44** Any company fails to comply under Section 25 or the owner of motor vehicle or any company fails to comply under Section 26, shall be liable to a fine from ten thousand baht to fifty thousand baht.

Section 45 Any motor vehicle victims file an application for preliminary compensation with dishonesty according to this Act, or revealing forgery evidence for preliminary compensation shall be liable for punishment to a fine not exceeding twenty thousand baht or to be imprisoned for a term not exceeding one year or both.

Section 46 All of the offences according to this Act are liable for paying a fine only, the Registrar has the authority to calculate a fine and after having paid within thirty days, the case shall be deemed to be terminated according to the Penal Procedure code.

**** Former statement in Section 43 and Section 44 has been terminated by section 18 of Protection for Motor Vehicle Victims Act (Vol.3) B.E.2540 (1977) and being replaced by new statement published herewith.**

Transitory Provision

Section 47 The owner of Motor Vehicle or possessing motor vehicle for using during the insured-period that this Act comes into force. This Act shall be enforced for having Insurance Against Loss for Motor Vehicle Victims within one hundred and eighty days from the date of this Act comes into force and however, before the expiry insured-period comes in to force as mentioned, shall not be considered that the owner of Motor Vehicle does not comply with section 7 or section 9.

Promulgating on Section 23 (5) is entitle to enforce the owner of Motor Vehicle that have Insurance Against loss under Act 7 or under Act 9.

Under the paragraph two, the promulgation under Section 23 shall not be enforced until three hundred and Sixty days has elapsed from the date of this Act comes into force.

Countersigned by :

Anan Panyarachoon

Prime Minister

Remarks: Appended Act

1. Protection for Motor Vehicle Victims Act B.E.2535 (1992),
Publication of Government Gazette, Vol.109 (Section 44) dated 9th
April B.E. 2535 (1992)
2. Protection for Motor Vehicle Victims (Vol.2) B.E.2535 (1992),
Publication of Government Gazette Vol109, Section 111, dated 4th
November B.E.2535 (1992)
3. Protection for Motor Vehicle Victims Act (Vol.3) B.E.2540(1997).
Publication of Government Gazette, Vol.114, Section 72 Gor 16th
November B.E.2540 (1997)



Ministerial Regulations
Vol.2 (B.E.2535)1992
issued according to the Protection for
Motor Vehicle Victims Act
B.E. 2535 (1992)

By virtue of the Act under Section 5, and under Section 9 of Protection for Motor Vehicle Victims Act BE.2535(1992), the Ministry of Commerce issued this Ministerial Regulations as follows:

Clause 1 The motor vehicle owner who neither domiciles nor resides in the Kingdom, import registered motor vehicle from aboard into the Kingdom temporally, shall have insurance against loss for motor vehicle victims by being the Insured with the Company for life or body protection of motor vehicle victim that causes from using that motor vehicle or staying in the run-way or loading or installing in that motor vehicle by having the sum insured of each person and damage not less than the amount that prescribed in Ministerial Regulations that issued under the statement in Section 7, Paragraph two of Protection for Motor Vehicle Victims Act BE.2535 (1992)

Clause 2 Claiming for Insurance Against Loss according to clause one, the insured period shall not be less than the duration of that motor vehicle staying in the Kingdom

Clause 3 When exporting motor vehicle, the owner of motor vehicle shall return the sticker revealing insurance against loss for motor vehicle victims to an immigration officer while exporting that motor vehicle except for the owner of motor vehicle that import regularly with the valid insurance.

Clause 4 This Ministerial Regulations comes into force since 6th October BE.2535 (1992) hereafter.

Given date 17th September B.E. 2535 (1992)

(Signature) Amaret Sila-on

(Mr.Amaret Sila-on)

Minister of Commerce

Publication in Government Gazette Royal Decree Issue, Vol.109 section 104 Dated 30th September BE.2535 (1992)



Ministerial Regulations

Vol.5 B.E.2535 (1992)

issued according to the Protection for

Motor Vehicle Victims Act

B.E. 2535 (1992)

By Virtue of the Act under Section 5 and under Section 13 Paragraph two of Protection for Motor Vehicle Victim Act B.E.2535 (1992) the Ministry of Commerce has issued Ministerial Regulation as follows :

Clause 1 In the case of the company's termination on Insurance Policy prior expiry insured-date from any reasons the Company shall notify the termination in written, no less than thirty days to the Insured according to the latest domicile address by postal registered mail with reply and the Company shall notify that termination to the Registrar within seven days from mailing termination date to the Insured.

Clause 2 In the case of the Insured terminate Insurance Policy prior expiry insured date with any reason, the Company shall notify that termination to the Registrar in written within seven days from the Insurance Policy's expiration date.

Clause 3 When there is a insurance termination according to clause 1 or clause 2 as the case may be, the owner of that motor vehicle has to return sticker that revealing the insurance against loss for motor vehicle victims back to the Registrar or destroy that sticker in disfigured or defacement within limit of times as follows :

(1) Within fifteen days from thirty days elapsed Company's Insurance Policy Termination according to clause 1

(2) Within fifteen days from the date that the Insured terminate the Insurance Policy according to clause 2

Clause 4 This Ministerial Regulations comes into force dated 6th October BE.2535 (1992) hereafter.

Given date 17th September B.E. 2535 (1992)

(Signature) Amaret Sila-on

(Mr.Amaret Sila-on)

Minister of Commerce

Publication in Government Gazette, Vol.109 section 104 Dated 30th September BE.2535



Ministerial Regulations
Vol.9 (B.E.2536) 1993
issued according to the Protection for
Motor Vehicle Victims Act
B.E. 2535 (1992)

By Virtue of the Act under Sections 5 and under Section 6 (4) of Protection for Motor Vehicle Victims Act B.E.2535 (1992) the Ministry of commerce issued the Ministerial Regulations as follows :

Clause 1 The following motor vehicles is not subject to have insurance against loss according to Section 7

- (1) Motorcycle that registered prior 5th April B.E.2536 (1993)
- (2) Three-wheel car that is modified from motorcycle (sky lab)
- (3) Agricultural car according to Motor Vehicle Law

Clause 2 Such Ministerial Regulations shall come into force for one year and six months, after the following date of publication in the Government Gazette.

Given date 20th September B.E. 2536 (1993)

(Signature) Uthai Pimjaichon

(Mr.Uthai Pimjaichon)

Minister of Commerce

Remark :- Reasons on come into force in this Ministerial Regulations is due to motorcycle that is registered prior 5th April BE.2536 (1993), three-wheel car that is modified from motorcycle and agricultural car that mostly belongs to the low income person or agriculturist that possesses for being convenient transportation or for agricultural profession only if forcing the owner of mentioned motor vehicle to have insurance against loss, this may create difficulties, meanwhile the available insurance companies and their branches, however is not ready to serve thoroughly and the numbers of the mentioned motor vehicle are not sufficient then it is suitable to extend the registration date for those mentioned motor vehicles for not having insurance against loss for the time being according to the Protection for Motor Vehicle Victims Act BE.2535 (1992) which shall come into force elapsed one year and six months, therefore it is necessary to issue this Ministerial Regulations

Publication in Government Gazette, Special Vol.110, Section 104 Dated 22th September BE.2536 (1993)



Ministerial Regulations
Vol.10 (BE.2538) 1995
issued according to the Protection for
Motor Vehicle Victims Act
B.E. 2535 (1992)

By Virtue of the Act under Section 5 and under Section 8 (4) of Protection for Motor Vehicle Victims B.E.2535 (1998) then the Ministry of Commerce has issued the Ministerial Regulations as follows :

Clause 1 Motorcycle that registered before 5th April B.E.2536 (1993) does not have the arrangement for insurance against loss according to Section 7 until due date of annual Tax payment date according to each mentioned motor vehicle.

Clause 2 This Ministerial regulations comes into force on 23rd March BE.2538 (1995) hereafter.

Given date 20th September B.E. 2536 (1993)

(Signature) Uthai Pijaichon

(Mr.Uthai Pijaichon)

Minister of Commerce

Remarks :- Reasons on announcement of this Ministerial Regulations due to having extend registration date for motorcycle that registered before 5th April B.E.2536 (1993) which is not required to have insurance against loss for motor vehicle victims according to the Ministerial Regulations, Vol.9 (B.E.2536) 1993, issued according to the statement of the Protection for Motor Vehicle Victims Act B.E.2535 (1998) which shall be expired on 22nd March B.E.2538 (1995) hence to provide more comfortable towards the owner of motor cycles which are more than eight million motor cycles and the Insurance company as the Insurer shall extend the Registration date of insurance against loss to the owner of motorcycles throughout the nation. Then it is proper to extend the registration date to the mentioned motorcycles by having insurance against loss for the mentioned motorcycles when the next Annual Tax Payment is due, therefore it is an essential to issue this Ministerial regulations.



Ministerial Regulations
Vol.16 (BE.2543) 1990
issued according to the Protection for
Motor Vehicle Victims Act
B.E. 2535 (1992)

By Virtue of the Act under Section 5 and under Section 8 (4) of Protection for Motor Vehicle Victims BE.2535 (1998) Ministry of Commerce then has issued the Ministerial Regulations as follows :

Motor Vehicle in the administrative organization that has been established according to the Constitution and any independent administrative organization as clarified in the Constitution that have been excepted from having insurance against loss according to Section 7

Given date 17th September BE. 2543 (2000)

(Signature) Supachai Panichpak

(Mr.Supachai Panichpak)

Minister of Commerce

Publication in Government Gazette, Royal Decree Issue, Vol.117 section 11 Gor. Dated 25th February BE.2543 (2000)



Ministerial Regulations
Imposing on Criteria, Procedure and Condition for Requesting the Indemnity
for Preliminary Compensation from the Victim Compensation Funds and
Payment Procedure from the Funds
B.E.2545 (2002)

By virtue of the Act under Section 5 of Protection for Motor Vehicle Victims Act B.E.2535 (1992) which is amended by the Protection for Motor Vehicle Victims Act (Vol.3) B.E.2540(1997) under Section 21 and under Section 35 Paragraph two of Protection for Motor Vehicle Victims B.E.2535 (1992) the Ministry of Commerce has issued the Ministerial Regulations as follows :

Clause 1 Termination on Ministerial Regulations Vol.7 (B.E.2535) 1992, issued according to the statement of Protection for Motor Vehicle Victims Act B.E.2535 (1992) :

Clause 2 In the case of the Insurance Company does not pay for preliminary compensation to motor vehicle victim or pay not in full amount, the motor vehicle victim has to notify the office of the Victim Compensation Funds, Ministry of Commerce truthfully as the following information :

- (1) Name of Insurance Company and insurance Policy No.
- (2) The preliminary-compensation indemnity that wish to acquire
- (3) Filing the application date on submitting preliminary compensation

from the Insurance Company

If the Motor Vehicle Victim is not able to notify the hospital or clinical place that the victim is being cured, relative or a concern person of motor vehicle victim or heir at law of motor vehicle victim can notify instead, as the case may be.

Clause 3 When there is a case according to Section 23 and the motor vehicle victim is not able to request for preliminary compensation from the owner of motor vehicle that caused damage or not being able to request from the Insurance Company. The motor vehicle victim may petition for preliminary compensation according to the Registrar's regulation to the Office of the Victim Compensation Funds, Department of Insurance along with the evidence as follows:

(1) Receipt or any Notifying Debt concerning medical services

(2) A copy of Identification Card or a copy of Alien Certification or a copy of Passport or any official evidence that officially issued and can be proved of such name of the person that revealing in the evidence is the motor vehicle victim in the case of the Motor Vehicle Victims is injured, as the case may be, shall require.

(3) A copy of Death Certificate and evidence according to clause (2) in the case of the motor vehicle victim dies due to the car accident

(4) A copy of Daily Memorandum Case of Police investigator

In the case of the motor vehicle loss of life, the heir at law of motor vehicle victims shall submit document according to clause (2) along with the evidence revealing of being heir at law

If any motor vehicle victims can not request, the hospital or clinical place that motor vehicle victim being cured, relative, concern person or heir at law of the motor vehicle victims can notify instead, as the case may be.

Clause 4 Filing of application for requesting on preliminary compensation, shall not elapse one hundred and eighty days form the damage date, as the case under Section 23.

Clause 5 Preliminary compensation indemnity to the Motor Vehicle Victim or hospital or clinical place that filing of application on behalf of the motor vehicle victim, as the case may be.

Given date 11th April BE. 2545 (1992)

(Signature) Adisai Bodharamik

(Mr.Adisai Bodharamik)

Minister of Commerce

Publication in Government Gazette, Royal Decree Issue, Vol.119 Setion35 Gor.

Dated 19th April B.E.2544 (2001)



Ministerial Regulations

Imposing on the characteristic and how to put the sticker on for revealing of Insurance Against Loss for Motor Vehicle Victims

B.E. 2545 (2002)

By Virtue of the Act under Section 5 of Protection for Motor Vehicle Victims BE.2535 that has been amended by Protection for motor vehicle victims (Volume 3) B.E.2540(1997) and Section 12, paragraph 3 of Protection for Motor Vehicle Victims Act B.E.2535 (1992), the Minister of Commerce has issued Ministerial Regulations as follows :

Clause 1 Termination

(1) Ministerial Regulations Volume 14 (B.E.2541) 1998 issued according to the statement of the Protection for Motor Vehicle Victims B.E.2535 (1992)

(2) Ministerial Regulations Volume 17 (B.E.2543) 2000 issued according to the statement of the Protection for Motor Vehicle Victims B.E.2535(1992)

Clause 2 Characteristic of sticker revealing of having insurance against loss for motor vehicle victims, shall comply with the Appended Form in this Ministerial Regulations by having color, pattern

and details for forgery protection according to the Director-General of the Department of Insurance has imposed.

Clause 3 The owner of Motor Vehicle shall seal the sticker on according to clause 2 on the front miller inside motor vehicle and has to reveal front statement of the sticker on the miller.

In the case of having no miller, put the mentioned sticker that revel the tenor on the front sticker in conspicuous place.

Clause 4 Sticker revealing of protection for motor vehicle victims according to the Ministerial Regulations Volume 17 (B.E.2543) 2000 issued according to the Protection for Motor Vehicle Victims Act B.E.2535(1992) is still effective prior date of this Ministerial Regulations come into force, and still can be used until that sticker is expired.

Clause 5 This Ministerial Regulations come into force date 1st January B.E.2546(2003) hereafter.

Given date 17th December BE. 2545 (2002)

(Signature) Adisai Bodharamik

(Mr.Adisai Bodharamik)

Minister of Commerce

Publication in Government Gazette, Royal Decree Issue, Vol.119 Part 125 Gor.

Dated 27th December B.E.2545 (2002)

**Sticker Form revealing of having insurance against loss
for Motor Vehicle Victims**

Insurance for Motorcycle Victims Protection

Company
.....

Policy No.
.....

Make Licence No.
.....

Chassis No.
.....

Expiry Insured-Period No.
.....

Registrar

Department of Insurance, Ministry of Commerce

**Sticker Form of
Insurance for Motorcycle
Victims Protection**

Insurance for other Motor Vehicle Victim Protection

Company
.....

Policy No.
.....

Make Licence No.
.....

Chassis No.
.....

Expiry Insured Period No.
.....

Registrar

Department of Insurance, Ministry of Commerce

**Sticker Form of
Insurance for other motor
vehicle victims Protection**



Ministerial Regulations

**Imposing on amount of the Sum Insured classified by Kind, Type and Size of Motor Vehicle
B.E. 2547 (2004)**

By virtue of the Act under Section 5 of Protection for Motor Vehicle Victim B.E.2535 (1992) which has been amended by Protection for Motor Vehicle Victim (Volume 3) B.E.2540 (1997) and under section 7 paragraph two of Protection for motor vehicle Act B.E.2535 (1992) which is the Act that stipulates on concerning part of limitation on personal right and freedom of person, which under Section 29, along with Section 48 and Section 50 of Thai Constitution has imposed for action by virtue of the Act of the Law, the Minister of Commerce then issues the Ministerial Regulations follows:

Clause 1 Termination on Ministerial Regulations, Volume 11 (B.E.2540) 1997 then issued the Protection for motor vehicle victims B.E. 2535 (1992)

Clause 2 The owner of Motor Vehicle that use, motor vehicle or possesses motor vehicle for using then shall have the insurance against loss for motor vehicle victims by having the Sum Insured for each damage as follows:

- (1) Five million baht, for motor vehicle not exceeding 7 persons or passenger truck that included driver not exceeding 7 persons
- (2) Ten million baht, for motor vehicle exceeding 7 persons or passengers truck that included driver exceeding 7 persons

Clause 3 For each Insurance Against Loss according to clause 2, the limitation of covering damage per person shall be as follows :

- (1) Fifty thousand baht per person for bodily or heath harm, besides from Clause (2)

(2) One hundred thousand baht per persons for either bodily harm or health harm as follows :

- (A) Loss of sight
- (B) Loss of hearing
- (C) Mute or loss of ability to speak or cutting of tongue
- (D) Loss of genital organ
- (E) Loss of limb, hand, foot, finger or any organ
- (F) Insane
- (G) Permanently disability

(3) One hundred thousand baht per person for loss of life

Clause 4 In the case of the Motor vehicle is the driver and is a liable party or no one is liable to the motor vehicle victim the motor vehicle victim who is the driver shall acquire the Sum Insured for indemnity at the amount of preliminary compensation as imposing in Ministerial Regulations which issued according to the statement under in section 20 paragraph two.

Clause 5 This Ministerial Regulations comes into force dated 1st April B.E.2546 (2003) hereafter.

Given date 11th March BE. 2547 (2003)

(Signature) Wattana Muangsuk

(Mr.Wattana Muangsuk)

Minister of Commerce



Ministerial Regulations

Imposing the Indemnity on Preliminary Compensation and filing of application for Preliminary Compensation

B.E. 2547 (2004)

By virtue of the Act under Section 5 of Protection for Motor Vehicle Victims B.E.2535 (1992) which is amended by Protection for Motor Vehicle Victims (Volume 3) B.E.2540 (1997) and Article 20 Paragraph two of Protection for Motor Vehicle Victims B.E.2535 (1992) which is the Act's stipulation on some part concerning limitation on personal right and freedom of person which under Section 29 along with Section 48 and Section 50 of Thai Constitution that has imposed for action by virtue of the Act of the law, the Minister of Commerce then issues the Ministerial Regulations as follows :

Clause 1 Termination on Ministerial Regulations, Volume 12 (B.E.2540) 1997 issued according to the statement of Protection on Motor Vehicle Victims Act B.E.2535 (1992)

Clause 2 Acquired indemnity on preliminary compensation as follows :

(1) Damage from bodily harm, which are :

- A. Drug, Tube feeding, Oxygen and other similar expenses on medical services
- B. Artificial organ and other curing by equipment including equipment's maintaining
- C. Medical Services, examination, analyzing disease, hence this shall not be included for special nurse fee and other similar services

D. In-patient accommodation and food while being cured

E. Transportation to bring Motor Vehicle Victims to hospital or clinical place

(2) Loss of life, which are :

A. Mortuary services

B. Necessary expenses concerning mortuary services of motor vehicle victims

Publication in Government Gazette, Royal Decree Issue, Vol.121 Part 29 Gor. Dated 28th April BE.2547 (2003)

Clause 3 Amount of indemnity on Preliminary Compensation, as follows :

- (1) Actual expense but not exceeding fifteen thousand baht for bodily harm
- (2) The amount of thirty five thousand baht for Loss of life
- (3) The amount of (1) or (2) altogether for the Motor Vehicle Victim that loss of life after being cured in the hospital

Clause 4 Filling of application for Preliminary Compensation, has to submit the Petition Form according to the Registrar imposed, with the following evidence :

- (1) Loss of life
 - A. Receipt or on Notifying Death concerning medical services
 - B. Identification Card or a copy of Alien Certificate or Passport or any of official evidence that can be proved that the person's name as revealed in an evidence is the Motor Vehicle Victims, as the case may be.
 - C. A copy of Daily Memorandum Case of Police Investigator or any evidence revealing that person is motor vehicle victim due to the Motor Vehicle accident.
- (2) Damage to life
 - A. Death Certificate
 - B. A copy of Identification Card or Alien Certificate or Passport or any official Evidence that officially issued and can be proved of such name of that person that revealed in the evidence is the motor vehicle victim, as the case may be
 - C. A copy of Daily Memorandum Case of Police Investigator or other evidence revealing of that person is motor vehicle victim, as the case may be.

(3) In case of the Motor Vehicle Victim die after being cured in the hospital or clinical place, has to provide evidence according to (1) and (2)

The Motor Vehicle Victim is the petitioner, if the Motor Vehicle Victim is not able to request, then the hospital or clinical place that the motor vehicle victim is being cured or relative or any concern person to the motor vehicle victim shall be a petitioner as the case may be.

In the case of Motor Vehicle Victim loss of life, heir at law of that motor vehicle victim is the petitioner, then shall reveal the evidence according to (2) or (3) as the case may be and present the evidence revealing of being the heir at law.

Clause 5 Requesting on preliminary compensation from the Company that being the Insurer, shall be made within one hundred and eighty days from the damage date.

Clause 6 For Indemnity on preliminary compensation shall act accordingly :

- (1) Paying to motor vehicle victim or hospital or clinical place that file of application on behalf of the motor vehicle victim.
- (2) Paying cash or check with no posted check
- (3) Shall pay completely within 7 days from the filing of application date according to clause 4, at any rate, without waiting for approval of liability.

Clause 7 This Ministerial Regulations has come into force date 1st April B.E.2546 (2003) hereto.

Given date 11th March BE. 2547 (2004)

(Signature) Wattana Muangsuk

(Mr. Wattana Muangsuk)

Minister of Commerce

Publication in Government Gazette, Royal Decree Issue, Vol.121 Part 29 Gor. Dated 28th April BE.2547 (2004)



Ministerial Regulations

Imposing-rate, criteria and how to pay reserved money that the Insurance company has to pay to the Victim Compensation Funds

B.E. 2547 (2004)

By virtue of the Act in Section 5 of Protection for Motor Vehicle Victim B.E.2535 (1992) which has been amended by Protection for Motor Vehicle Victim (Volume 3) B.E.2540 (1997) and Section 7 Paragraph two of Protection for motor vehicle Act B.E.2535 (1992) which is the Act stipulating on some part concerning on limitation on personal right and freedom of person, which Section 29, along with Section 48 and Section 50 of Thai Constitution has stipulated for action, by virtue of the act of the Law, the Minister of Commerce then issues the Ministerial Regulations as follows:

Clause 1 Termination Ministerial Regulations : on rate, criteria and how to pay reserved to the Insurance Company to the Victim Compensation Funds B.E.2546(2003)

Clause 2 The Company shall pay reserved money to the Funds within thirty days after completed 3 month period at 1% of premium rate that acquired from the Insured according money to the Protection for Motor Vehicle Victims Act B.E. 2535 (1992)

Calculation on premium that acquired from the Insured according to paragraph one shall use the standard of criteria by bringing any 3-month interval premium that occurred even though has not received that 3 month payment yet, to be calculated for the premium of that interval three-month payment.

Clause 3 Reserved payment according to clause 2, the company shall pay according to the following :

(1) Cash, check or draft

(2) Transferring money to the Funds Account that has already deposited in the Bank

Clause 4 In the case of paying reserved money by check or draft, the company shall to pay for Funds and can not be posted check or draft.

Clause 5 in the case of paying reserved money to the Funds exceeding the interval three-month payment requirement, the Company shall request for Petition Form that the Registrar imposed for bringing that exceeding money to be paid as reserved money to the Funds in the next interval three-month payment until the exceeding amount will be used up.

Clause 6 This Ministerial Regulation has come into force 1st January B.E.2547 (2004) hereafter.

Given date 8th June BE. 2547 (2004)

(Signature) Wattana Muangsuk

(Mr.Wattana Muangsuk)

Minister of Commerce

Publication in Government Gazette, Royal Decree Issue, Vol.121 Part 47 Gor. Date 26th July BE.2547 (2004)

