Implementation and Enforcement of Building Energy Codes in Thailand
Structure of Building Control Law

Building Control Act, B.E. 2522

Royal Decree
Ministerial Regulation
Local Ordinance

Notification of the Ministry
The objective of a Building Control Law is to provide minimum standards for safety, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, alteration, relocation, and demolition of any buildings or structures.
Section 4. In this Act:

“building” means edifice, home, house, shed, shop, raft, warehouse, office and other structure which person or people may enter to reside or to utilize, and the meaning shall include as follows:

(1) grandstand or other structure which is utilized to function as place of assembly for people;

(2) dam, bridge, tunnel, drainage ditch or pipe, dock, pier, harbour, fence, wall or gate which is constructed adjoining or nearby public place or structure which is built for general public to utilize;

(3) signboard or other structure for the purpose of installation of signboard;

(a) installed or placed above public place with the size larger than one square meter, or with the weight including the whole structure over ten kilograms;

(b) installed or placed far from public place, with the distance, when measured horizontally, shorter than the height of such signboard when measured from the ground, and with the size or weight exceeds what is prescribed in accordance with ministerial regulation;

(4) area or structure constructed for the purpose of automobile parking, automobile turning, and automobile entrance or exit for building as prescribed in accordance with Section 8 (9);

(5) other structures as prescribed under ministerial regulation.
Section 8. For the purpose of stability, security, safety, fire protection, public health, environment protection, urban planning, architecture and traffic facilitation, along with other actions which shall be implemented in complying with this Act, the Minister shall have power to promulgate these following ministerial regulations, by the advice of the Building Control Committee:

(1) type, characteristics, design, form, proportion, area and location of building;

(2) load bearing, resistance, durability, as well as characteristics and properties of materials to be used;

(3) load bearing, resistance and durability of building or the ground which supports building;

(4) design and installation method relating to sanitary system, electrical system, gas system and fire protection system for chaos.

(5) design and quantity of bathrooms and toilets;

(6) management system of building environment such as lighting, ventilation, air conditioning, air cleaning, drainage, wastewater treatment, and garbage and waste disposal;

(7) characteristics, height, exterior open space or building line;

(8) distance or level between buildings, or between building and property line of other person, or between building and road, alley, lane, footpath or public place;
(9) area or structure constructed for automobile parking, automobile u-turn area, and automobile entrance or exit for certain class or type of building as well as characteristics and size of such area or structure;

(10) area in which construction, modification, demolition, relocation, occupancy or change of occupancy of any class or types of building is prohibited;

(11) requirements, procedures and conditions for construction, modification, demolition, relocation, occupancy or change of occupancy for building;

(12) requirements, procedures and conditions for permit application, granting of permit, permit renewal, issuance of certificate and issuance of substitute license under this Act;

(13) duty and responsibility of a designer, construction supervisor, building implementor, building occupier and building owner;

(14) specific qualifications and prohibitions of a building inspector, as well as requirements, manners and conditions for registration and revocation for building inspector;

(15) requirements, manners and conditions for building inspection, installation and inspection of building system equipments:

(16) classes or types of building in which the building owner, building occupier or building implementor is required to provide statutory insurance.
CHAPTER 2

The Building Control Committee

**Section 14.** There shall be a Building Control Committee which consists of Director - General of the Department of Public Works and Town & Country Planning* as the Chairperson, a representative of the Ministry of Public Health, a representative of the Ministry of Industry, a representative of the Department of Provincial Administration, a representative of the Department of Highways, a representative of the Office of the Attorney General*¹, a representative of DG, City Planning Department*², a representative of the Office of Natural Resources and Environmental Policy and Planning (ONEP)*³, a representative of the Bangkok Metropolitan Administration, a representative of The Committee Controlling the Practice of Professional Engineering and a representative of The Committee Controlling the Practice of Professional Architecture*⁴, one from each agency, and not exceeding four qualified people who are appointed by the Minister to be the members, and the Chief of the Office of Building Control Committee shall be a member and a committee secretary.
CHAPTER 3

Construction, Modification, Demolition, Relocation and Occupancy or Change of Occupancy of Building

Section 21. Any person who wishes to construct, modify or relocate building shall be granted a permit from the local officer, or shall notify the local officer and implement in accordance with Section 39 bis.
CHAPTER 9

Penalty

Section 65. Any person who violates or fails to comply with Section 21, Section 22, Section 31, Section 32, Section 33, Section 34, Section 52 Paragraph six, Section 57 or Section 60 shall be liable to imprisonment not exceeding three months or a fine not exceeding sixty thousand baht, or to both.

In addition to being liable under Paragraph one, any person who violates or fails to comply with Section 21, Section 31, Section 32, Section 34 or Section 57 shall be liable to a fine not exceeding ten thousand baht per day during the period of continued violation or until such person duly complies with the law.
Thailand Energy Conservation Promotion Act, B.E. 2535

Section 19

For the purpose of energy conservation for building to be constructed or modified, the Minister shall, with the advice of the National Energy Policy Council, have the power to issue the Ministerial Regulations:

1. Prescribing category or size of building to be constructed or modified to have energy conservation design;

2. Prescribing standard, rule and procedure for energy conservation design of building under (1).

The Ministerial Regulation issued under paragraph one may prescribe technical and academic details or other matters which their natures have changed responsively to economic and social conditions to be in accordance with the rule as notified by the Minister by publishing in the Government Gazette.

Section 20

Upon the issuance of the Ministerial Regulation under Section 19, if the Building Control Committee under the law on building control gives its approval for the enforcement of such Ministerial Regulation as the building control measure under the law on building control, such Ministerial Regulation is deemed to be the Ministerial Regulation issued under Section 8 of the Building Control Act, B.E. 2522. In this regard, all officials having the powers and duties under the law on building control shall have the powers and duties to control and supervise building’s construction or modification to be in compliance with such Ministerial Regulation. In this case, the building under the definition of controlled building, despite it is located in the locality that having no Royal Decree promulgating the law on building control, is deemed to be subjected to the law on building control particularly to any act which shall be done for the compliance with this Act.
Thank you