

(Translation)

Unofficial Translation*

PROFESSIONAL SPORTS PROMOTION ACT B.E.2556

BHUMIBOL ADULYADEJ, REX.

Given on the 29th Day of November B.E. 2556;

Being the 68th Year of the Present Reign

His Majesty King Bhumibol Adulyadej has the Royal Proclamation to announce that:

Whereas it is expedient to have a law governing professional sports promotion;

This Act contains certain provisions relating to the limitation of individual's rights and liberties which is permitted by virtue of the provisions of laws under Section 29 together with Section 33, Section 43 and Section 64 of the Constitution of the Kingdom of Thailand.

Therefore, His Majesty the King Bhumibol Adulyadej has graciously been pleased to enact this Act, with the advice and consent of the Parliament, as follows:

Section 1 This Act shall be called the "Professional Sports Promotion Act B.E. 2556".

Section 2¹ This Act shall come into force when a period of sixty days as from the date following the date of its publication in the Government Gazette has been elapsed.

Section 3 This Act shall not apply to professional sports that are particularly prescribed by law on the promotion or protection of professional athletes and personnel relating to professional sports.

Section 4 In this Act:

"Professional Sports" means sports of which competition is systematically organized under the international standards and participated by professional athletes and of which incomes from competition are generated as per types and categories prescribed and announced by the Committee;

"Professional Athlete" means a person who plays professional sports as profession;

"Professional Sports Personnel" means a referee, coach or personnel relating to the competition of professional sports, thus, as prescribed and announced by the Committee;

¹ The Government Gazette, Volume 130 Section 118A, Page 1 dated 16th December 2013

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“Professional Sporting Event Organizer” means a person, body of persons or juristic person who organizes a professional sporting event;

“Professional Sports Association” means a sports association registered under the law and having main objectives relating to professional sports and professional sports promotion;

“Professional Sports Club” means a body of persons or juristic person established with main objectives relating to professional sports and professional sports promotion, no matter whether it is called a club or not, but it shall not include professional sports association;

“Pretended Defeat in Sports” means participation in the competition of a professional sporting event by pretending to lose, or competition or omission to compete in a professional sporting event in bad faith; and it shall also include participation in the competition of a professional sporting event by conniving at the pre-determined result of competition.

“Fund” means the Professional Sports Promotion Fund;

“Committee” means the Professional Sports Committee;

“Registrar” means the Governor of the Sports Authority of Thailand or the person designated in writing the Governor of the Sports Authority of Thailand;

“Competent Authority” means the person appointed by the Minister for the execution of this Act.

“Minister” means the Minister taking charge under this Act.

Section 5 The Minister of Tourism and Sports shall take charge under this Act, and shall have powers to appoint the competent authority and to issue Ministerial Regulations, regulations or announcements for the execution of this Act.

Upon their publication in the Government Gazette, such Ministerial Regulations, regulations or announcements shall be in force.

CHAPTER 1 THE COMMITTEE

Section 6 The Professional Sports Committee shall be established, consisting of:

- (1) Minister of Tourism and Sports, as the Chairperson;
- (2) Six *ex officio* members, including the Permanent Secretary for Finance, the Permanent-Secretary for Tourism and Sports, the Permanent-Secretary for Interior, the Permanent-Secretary for Labour, the Director of the Bureau of the Budget, and the Governor of the Sports Authority of Thailand;
- (3) Members appointed by the Minister from those who have been elected as:
 - (a) Four representatives of professional athletes elected among the professional athletes of different types of sports;

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(b) Four representatives in professional sports including representative of professional sports personnel, representative of professional sporting event organizer, representative of professional sports club, and representative of professional sports association elected among themselves, each from different types of sports;

(4) Six expert members appointed by the Minister from people who have knowledge, abilities, expertise and manifest experiences in different fields which are beneficial to professional sports promotion; whereas, each of them shall be an expert either in sports management, marketing and benefit system, law, and sports mass media and at least one in each field is required;

The Governor of the Sports Authority of Thailand shall appoint a Deputy Governor of the Sports Authority of Thailand as secretary.

Section 7 Subject to Section 8, the qualifications, prohibited characteristics, criteria and method of selection or appointment of members under Section 6 (3) and (4) shall be in accordance with the regulations prescribed by the Minister.

Section 8 A member under Section 6 (3) and (4) shall have the Thai nationality and shall not have any prohibited characteristics, as follows:

- (1) Being an incompetent or quasi-incompetent person;
- (2) Being a bankrupt or used to be a corrupt bankrupt;
- (3) Used to be sentenced by a final judgment to imprisonment, except for offences committed by negligence or petty offences;
- (4) Being an employee or worker of the Sports Authority of Thailand;
- (5) Having been dismissed, removed or discharged from the governmental service, state agencies, state enterprises or private organizations due to malfeasance;
- (6) Used to be sentenced by a final judgment of commission of offence under this Act;

Section 9 A member under Section 6 (3) and (4) shall have each term in office of three years and may be reappointed; however, such member may assume the office for not exceeding two consecutive terms;

In the event that a member under Paragraph 1 has vacated the office before the term in office expires, the Minister shall appoint a person to fill such vacancy within sixty days, unless the remaining term in office of such member is less than one hundred and eighty days; and the person who has been appointed to fill such vacancy shall be in office only for the remaining term in office of such member who has vacated the office.

In the event that a member under Paragraph 1 has vacated the office at the end of the term, in case, a new member has not yet been appoint, then, such member who has vacated the office at the end of the term shall still be in office for continuous operation until a new member shall be appointed.

Section 10 In addition to vacating the office at the end of the term, a member under Section 6 (3) and (4) shall vacate the office upon:

- (1) Death;

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- (2) Resignation;
- (3) Dismissal by the Minister due to indiscretion, infamous conduct or defective competency;
- (4) Disqualification or having any prohibited characteristics under Section 7 or Section 8;
- (5) Having been sentenced by a final judgment to imprisonment, except for offences committed by negligence or petty offences;
- (6) Having been sentenced by a final judgment of commission of offence under this Act;

In the event that the office of a member is vacated and a new member has not yet been appointed to fill such vacancy, then, the committee shall consist of the remaining members;

Section 11 The Committee shall have powers and duties, as follows:

- (1) Propose policies, strategies and master plans on professional sports promotion and development to the Cabinet for consideration and approval;
- (2) Recommend the Cabinet on the use of tax measures for professional sports promotion and development;
- (3) Give opinions or advice to the Minister or the Cabinet on matters which may have impacts on professional sports promotion and development;
- (4) Prescribe types or categories of sports to be regarded as professional sports under this Act;
- (5) Prescribe characteristics or definitions of referees, coaches or personnel relating to the competition of professional sports who shall be regarded as professional sports personnel under this Act;
- (6) Issue regulations prescribing the criteria, methods and conditions relating to the submission of notification, notification of particulars, evidences of notification, change of particulars and evidences of notification, cancellation of evidences of notification, determination of form of notification, determination of form of certificate of notification, issuing of certificate of notification and replacement copy or any other actions relating to the provision of database, storage of data, dissemination of data of professional athletes, professional sports personnel, professional sports clubs or professional sports associations, and professional sporting event organizers or other actions relating to professional sports;
- (7) Determine the employment standard, the professional sporting event organization standard, safety standard in a fair manner and in conformity with the international standard;
- (8) Issue the Code of Conduct and Ethics of professional athletes and professional sports personnel;
- (9) Prescribe measures and conditions on the protection, assistance, promotion and support of professional athletes, professional sports personnel, professional sporting event organizers, professional sports associations and professional sports clubs;
- (10) Issue regulations on the criteria, methods and procedures relating to the appeal and complaints;

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(11) Adjudicate appeals and complaints of professional athletes and professional sports personnel and operations relating to professional sports;

(12) Issue regulations on the receipt of money, payment, retention of money, remittance of money, fund management, and procurement of benefits, with the approval of the ministry of Finance;

(13) Issue regulations on the provision of reports of financial status and fund management;

(14) Take other actions as prescribed by laws to be powers and duties of the Committee or as assigned by the Cabinet or the Prime Minister;

Section 12 The provisions governing the committee that has powers to conduct the administrative proceedings under the law governing the administrative procedures shall, *mutatis mutandis*, apply to the Committee's meetings.

Section 13 The Committee for Consideration of Complaints shall be appointed by the Committee, consisting of the Chairman and four other members; whereas, at least one of them shall have knowledge, expertise or experiences in laws.

Qualifications, prohibited characteristics, term in office and vacation of office of the Committee for Consideration of Complaints shall be in accordance with the regulations as prescribed and announced by the Committee.

The provisions of Section 22 shall, *mutatis mutandis*, apply to meetings of the Committee for Consideration of Complaints.

Section 14 The Committee or the Committee for Consideration of Complaints may appoint a subcommittee for consideration or taking any action as assigned by the Committee or the Committee for Consideration of Complaints.

Section 15 The Committee, the Committee for Consideration of Complaints and the subcommittee shall receive the meeting allowances and other benefits as fixed by the Cabinet.

Section 16 The Sports Authority of Thailand shall act as the Secretariat of the Committee, the Committee for Consideration of Complaints and the Fund Management Committee, and shall be responsible for general affairs, meetings, study, analysis and collection of data, and affairs relating to operations of the Committee, the Committee for Consideration of Complaints and the Fund Management Committee.

CHAPTER 2

PROFESSIONAL SPORTS CLUBS AND PROFESSIONAL SPORTS ASSOCIATIONS

Section 17 Professional sports clubs or professional sports associations shall notify their operations to the Registrar.

The notification under Paragraph 1 shall at least contain details of professional athletes and professional sports personnel under their affiliation or supervision.

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Upon receiving the form of notification and evidences, the Registrar shall accept the notification and shall issue certificates of notification to applicants for notification without delay, unless applicants for notification have taken actions incorrectly or incompletely, then, the Registrar shall recommend applicants for notification to simultaneously take actions correctly and completely within fifteen days as from the date of receiving the form of notification and evidences of notification; and when applicants for notification have taken actions correctly and completely, then, the Registrar shall accept the notification and shall issue certificates of notification to the applicants.

The criteria, methods and conditions of submission of application for notification, notification, particulars of evidences of notification, form of notification, form of certificates, and issuing of replacement certificates of notification, shall be in accordance with the regulations prescribed by the Committee.

Section 18 Upon receiving a certificate of notification, such professional sports club or professional sports association may use words indicating professional sports with the name of its club or association.

Professional sports clubs or professional sports associations that have received certificates of notification shall be entitled to receive assistance, promotion and support as per conditions and measures prescribed by the Committee, including other benefits prescribed by laws.

Section 19 Professional sports clubs or professional sports associations that have received certificates of notification under Section 17 and wishing to apply for assistance, promotion and support from the Fund shall submit an application to the Fund Management Committee.

Qualifications of applicants, criteria, methods and conditions of submission of application shall be in accordance with the regulations prescribed by the Fund Management Committee.

Section 20 In case of changes of details, data or particulars of evidences of which application for notification has been submitted, such professional sports club or professional sports association shall notify the changes to the Registrar within fifteen days as from the date of such changes.

The criteria, methods and conditions of submission of application for changes, particulars of evidences of notification, cancellation of evidences of notification shall be in accordance with the regulations prescribed by the Committee.

Section 21 Any professional sports club or professional sports association that has received professional athletes or professional sports personnel to be under its affiliation or supervision shall be obliged to execute employment contracts or mutual agreements in writing, as the case may be.

The terms in such employment contracts or mutual agreements under Paragraph 1 shall be in accordance with the employment standard or protection measures as prescribed and announced by the Committee and shall be at least specified with provisions on the normal working hours, holidays, leave days, dismissal, safety measures and protection of professional athletes or professional sports personnel, remedies of damage or danger resulting from injury during practice or

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competition of professional sports, incomes, sharing of benefits between professional sports clubs or professional sports associations and professional athletes or professional sports personnel.

Section 22 Professional sports clubs or professional sports associations shall clearly issue rules or regulations on ethics for professional athletes or professional sports personnel under their affiliation or supervision which shall not be contrary to or inconsistent with the Code of Conduct and Ethics for internal enforcement.

Professional sports clubs or professional sports associations shall prescribe penalties against professional athletes or professional sports personnel under their affiliation or supervision who have breached the rules or regulations on ethics under Paragraph 1 or have failed to comply with the Code of Conduct and Ethics, regulations or announcement issued in accordance with this Act.

In the event that professional sports clubs or professional sports associations have failed to punish their professional athletes or professional sports personnel as per the penalties under Paragraph 2, such professional sports clubs or professional sports associations may be deprived with the whole or part of their rights under Section 18.

Section 23 For the purpose of supervision of operations to be in accordance with Section 22, professional sports clubs or professional sports associations shall submit the rules or regulations on ethics for professional athletes or professional sports personnel under their affiliation or supervision under Section 22 to the Registrar within one year as from the date of receiving the certificates of notification under Section 17.

In the event that the rules or regulations on ethics as submitted under Paragraph 1 have been changed, the professional sports clubs or professional sports associations shall notify such changes in writing to the Registrar within one year as from the date of such changes.

Section 24 In the event that the Court has adjudged that such professional athletes or professional sports personnel have committed offence under Section 64 to Section 67, the professional sports clubs or professional sports associations shall deprive the rights of such professional athletes or professional sports personnel under their affiliation or supervision from nomination to participate in professional sports competition on behalf of such professional sports clubs or professional sports associations in any sporting event as per the period of time fixed by such professional sports clubs or professional sports associations, which shall not be less than one year.

The provisions of Section 22 Paragraph 3 shall, *mutatis mutandis*, apply to cases that professional sports clubs or professional sports associations have failed to punish professional athletes or professional sports personnel under Paragraph 1.

Section 25 The provisions of Section 34 shall, *mutatis mutandis*, apply to cases that any professional sports clubs or professional sports associations have failed to receive justice, resulting from actions of other professional sports clubs or professional sports associations.

Section 26 In the event that any professional sports clubs or professional sports associations have failed to comply with regulations or announcements issued in accordance with this Act or orders or decisions of the Committee, then, the Committee shall have powers to cancel the whole or part of such assistance, promotion and support.

Section 27 Regarding the participation in professional sports competition, professional sports clubs or professional sports associations shall be obliged to supervise their professional athletes, professional sports personnel and cheering teams or spectators for their professional athletes

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or their teams within the compound of the sporting competition venue to be in good order throughout the period of the sporting event participated by their teams.

Section 28 The provisions in this Chapter, except for Section 27, shall not apply to foreign professional sports clubs or professional sports associations participating in professional sporting events organized from time to time in the Kingdom of Thailand.

CHAPTER 3

PROFESSIONAL ATHLETES AND PROFESSIONAL SPORTS PERSONNEL

Section 29 For the purpose of protection and promotion of professional athletes and professional sports personnel, such professional athletes and professional sports personnel shall submit an application for notification of their being professional athletes and professional sports personnel to the Registrar.

Qualifications of applicants for notification, as well as the criteria, methods and conditions of submission of an application for notification, the notification of particulars and evidences of notification, changes of particulars and evidences of notification, cancellation of evidences of notification, determination of form of notification shall be in accordance with the regulations prescribed by the Committee.

Section 30 Upon receiving the application for notification under Section 29, the Registrar shall issue identification cards to professional athletes and professional sports personnel.

The form of identification cards, validity of identification cards and issuing of replacement identification cards under Paragraph 1 shall be in accordance with the regulations prescribed by the Committee.

Section 31 Professional athletes and professional sports personnel who have received the identification cards under Section 30 shall be entitled to receive protection, assistance, promotion and support as per the conditions and measures prescribed by the Committee, as well as other benefits prescribed by law.

The provisions of Section 19 and Section 26 shall, mutatis mutandis, apply to the application for receipt of protection, assistance, promotion and support from the Fund, and to the non-compliance with regulations or announcements issued under this Act or orders or decisions of the Committee, by professional athletes and professional sports personnel under Paragraph 1.

Section 32 The Code of Conduct and Ethics shall have mechanism and system relating to operations for effective enforcement; and punishments in case of breach or non-compliance thereof shall be in accordance with the gravity of such actions.

Regarding the provision of the Code of Conduct and Ethics under Paragraph 1, opinions of all stakeholders shall be extensively taken into account.

Section 33 The relationship between professional athletes and professional sports personnel with professional sports clubs or professional sports associations shall be in accordance with contracts and mutual agreements between professional athletes or professional sports personnel and

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professional sports clubs or professional sports associations that they are under the affiliation or supervision.

Section 34 Any professional athlete or professional sports personnel who has considered that he/she has not received the justice, resulting from action of a professional sports club or professional sports association that he/she is under the affiliation or supervision, shall be entitled to file a complaint to the Registrar.

The Registrar shall, within fifteen days as from the date of receiving the complaint, propose the complaint to the Committee for Consideration of Complaints as appointed by the Committee under Section 13 to mediate or consider and decide the complaint.

Any professional athlete, professional sports personnel, professional sports club or professional sports association that is unsatisfied with decisions of the Committee for Consideration of Complaints under Paragraph 2 shall be entitled to appeal the decision to the Committee within thirty days as from the date of receiving such decision.

The criteria, methods, conditions and procedures relating to complaints and appeal shall be in accordance with the regulations prescribed by the Committee.

Section 35 Professional athletes and professional sports personnel shall have freedom of association for protection of dignity and benefits of members and for negotiation and joint agreement with professional sports clubs or professional sports associations.

Upon registration, organizations under Paragraph 1 shall be in the capacity of juristic persons.

The criteria, methods and conditions of association, powers and duties of organizations, relationship between organizations and members and professional sports clubs or professional sports associations, organization supervision by the Registrar, the criteria and method of registration and other necessary actions shall be prescribed as the Royal Decree.

Section 36 In the event that any professional athlete or professional sports personnel who has not obtained the Thai nationality has travelled into the Kingdom of Thailand for a professional sporting event or for performance of duties relating to professional sports under employment contract or mutual agreement with a professional sports club or professional sports association and wished the Sports Authority of Thailand to assist, liaison, or facilitate the operations under the immigration law and the law governing working of aliens, such person or professional sports club or professional sports association that such person is under the affiliation or supervision shall notify the data relating to the number of personnel and the term of such contract or mutual agreement or other necessary data for such operations to the Sports Authority of Thailand.

The Sports Authority of Thailand shall coordinate and submit necessary data for consideration and permission to the person authorized for consideration and actions under the immigration law and the law governing working of aliens, as the case may be, or to take any other actions as may be suitable for circumstances.

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CHAPTER 4

ORGANIZATION OF PROFESSIONAL SPORTING EVENTS

Section 37 Regarding the organization of each professional sporting event, the professional sporting event organizer shall notify the management plan relating to the organization of professional sporting event, including the division of benefits or incomes, to the Registrar prior to the organization of such professional sporting event as prescribed by the Registrar; and shall also provide the standard of organization of professional sporting events and the safety standard for professional athletes, professional sports personnel and people involved in the professional sports competition, including spectators of professional sports competition.

The standard of organization of professional sporting events and the safety standard under Paragraph 1 shall be in accordance with those prescribed and announced by the Committee, which shall be, at least, specified with matters to be carried out by the professional sporting event organizer, as follows:

- (1) The safety and standard of buildings, premises for organization of professional sporting events, entrances and exits of such buildings and premises, facilities, premises and systems required for control and organization of such professional sporting events;
- (2) Standard of supervision and keeping of peace in the premises for organization of professional sporting events or for operation of activities in connection with professional sports competition;
- (3) Monitoring of operations of people involved in the professional sports competition or operation of activities in connection with professional sports competition not to have behaviors with cause damage to professional athletes and professional sports personnel;
- (4) Provision of health checkup of professional athletes by modern medical practitioners and certification that such professional athletes are healthy enough to participate in such professional sports competition or safe operation of businesses in connection with such professional sports competition;
- (5) Provision of medical personnel, medical equipment necessary and suitable for maintenance of health and physical condition of professional athletes and professional sports personnel to be available at competition arena or premises for organization of professional sporting activities throughout the period of professional sports competition or organization of activities in connection with professional sports competition;
- (6) Provision of convenience to professional athletes, professional sports personnel and people involved in professional sports competition;

Section 38 In the event that the Registrar found that there was a breach of Section 37 and there was a reasonable cause to believe that it was the commission of offence under other laws, then, the Registrar shall notify the responsible person or shall submit the matter to the related unit for actions according to the law.

Section 39 The professional sporting event organizer who has complied with Section 37 shall be entitled to receive assistance, promotion and support as per conditions and measures prescribed by the Committee, as well as other benefits as prescribed by law.

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The provisions of Section 19 and Section 26 shall, *mutatis mutandis*, apply to the application for receipt of assistance, promotion and support from the Fund and the non-compliance with regulations or announcements issued in accordance with this Act, or orders or decisions of the Committee of the professional sporting event organizer under Paragraph 1.

CHAPTER 5 THE FUND

Section 40 The “Professional Sports Promotion Fund” shall be established in the Sports Authority of Thailand to be used as the working capital for operations relating to the assistance, granting, welfare, promotion, support, development and any other actions relating to professional sports, professional athletes and professional sports personnel.

Section 41 The Fund shall consist of:

- (1) Money transferred under Section 70;
- (2) Initial fund allocated by the Government;
- (3) Government subsidy or money allocated from the annual expenditure budgets as may be necessary;
- (4) Administrative penalties under this Act;
- (5) Donated money or property;
- (6) Money obtained from the disposal of property of the Fund or from generation or joint-generation of incomes into the Fund or from the benefit system operated by the Sports Authority of Thailand for the purpose of professional sports promotion;
- (7) Money or property vested in or received by the Fund according to the law;
- (8) Fruits generated from money or property of the Fund, including benefits from intellectual property;
- (9) Other incomes.

Section 42 Money, property and fruits received by the Fund under Section 41 shall not be remitted to the Ministry of Finance as state revenue.

Section 43 Money or property donated or given to the Fund shall be managed according to the conditions prescribed by donors or givers and in accordance with objectives of the Fund; however, in case, it is necessary to change such conditions, the Fund shall receive consent from donors, givers or their successors; in case, there is no successor, or in case, no successor has appeared, it shall be approved by the Fund Management Committee.

Section 44 The Fund shall be spent for the following affairs:

- (1) Assistance on welfare to professional athletes, professional sports personnel and accident victims or people who have suffered damage or danger from professional sports competition and other circumstances that should be granted with funds;
- (2) Support of development of professional athletes and professional sports personnel;

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(3) Honor awarded to the national professional athletes and the national professional sports personnel;

(4) Promotion and support of preparation of athletes to be professional athletes at national and international level;

(5) Promotion and support of organization of professional sporting events for generation of incomes into the Fund;

(6) Expenses for the Fund management as per the regulations prescribed by the Committee;

Section 45 The Fund Management Committee shall consist of:

(1) The Chairman appointed by the Committee from expert members under Section 6 (4);

(2) The Governor of the Sports Authority of Thailand, representative of the Revenue Department, representative of the Comptroller General's Department, and representative of the Bureau of the Budget, as members;

(3) Eight expert members as appointed by the Committee (four of them shall have knowledge, expertise or experiences in sports, one of them in public administration, one of them in business administration, one of them in finance or banking, and one of them in law), as members;

The Governor of the Sports Authority of Thailand shall appoint one employee of the Sports Authority of Thailand as the Secretary, with the approval of the Fund Management Committee.

Section 46 The provisions of Section 9, Section 10, Section 12 and Section 14 shall, *mutatis mutandis*, apply to the term in office, vacation of office, meetings and appointment of subcommittees of the Fund Management Committee.

Section 47 In the event that the person who has been appointed as the Chairman of the Fund Management Committee has vacated the office of a director under Section 6 (4), such person shall also vacate the office of the Chairman of the Fund Management Committee.

Section 48 The Fund Management Committee shall have powers and duties, as follows:

(1) To consider and allocate funds for operations in accordance with objectives of the Fund;

(2) To manage the Fund and to procure benefits, thus, in accordance with the regulations prescribed by the Committee;

(3) To report the financial status and the fund management to the Committee, as per the regulations prescribed by the Committee;

(4) To take any other actions as provided by this Act or other laws to be powers and duties of the Fund Management Committee or as assigned by the Minister.

Section 49 In the event that the person who has received the assistance, promotion and support from the Fund has failed to comply with the conditions of such assistance, promotion or support as prescribed by the Fund Management Committee, then, the Sports Authority of Thailand shall report the same to the Fund Management Committee for consideration and claim-back of

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money given for assistance, promotion or support, including interest according to the law or under the contract.

The Sports Authority of Thailand shall remit the refunded money to the Fund as per the criteria and methods as prescribed and announced by the Fund Management Committee.

Section 50 The receipt of money, payment, retention of money, remittance of money, fund management and procurement of benefits shall be in accordance with the regulations prescribed by the Committee, with the approval of the ministry of Finance.

Section 51 The Fund Management Committee shall provide financial statements and working accounts to be audited by the auditor within sixty days as from the accounting year end date of each year.

The Office of the Auditor General of Thailand shall be the auditor of the Fund in every accounting period and shall report the audit results and certification of all types of accounting and finance of the Fund to the Committee within one hundred and fifty days as from the accounting year end date so that the Committee shall propose the same to the Cabinet for acknowledgment.

CHAPTER 6 GLORIFICATION

Section 52 Professional athletes or professional sports personnel who have been notified under Section 29 may be glorified as the national professional athletes or the national professional sports personnel.

The qualifications, criteria and method of selection of the national professional athletes or the national professional sports personnel, announcement of recognition, as well as benefits to be received by the national professional athletes or the national professional sports personnel from the Fund, removal and deprivation of rights to receive benefits, shall be in accordance with those prescribed in the Ministerial Regulations.

Section 53 The national professional athletes or the national professional sports personnel shall behave themselves as role models and shall maintain the dignity of being the national professional athletes or the national professional sports personnel.

In the event that the national professional athletes or the national professional sports personnel have failed to comply with the criteria prescribed in the Ministerial Regulations under Section 52 or have been punished under the law governing the control of use of prohibited substances in sports, then, the Registrar shall remove such person from being that the national professional athletes or the national professional sports personnel, and the rights to receive benefits from the Fund in the capacity of the national professional athletes or the national professional sports personnel shall be cancelled.

CHAPTER 7 THE REGISTRAR AND THE COMPETENT AUTHORITY

Section 54 Regarding the performance of duties under this Act, the Registrar and the competent authority shall have powers, as follows:

(1) To enter offices of professional sports clubs or professional sports associations, premises for organization of professional sporting events or any other places in connection with the organization of professional sporting events to inspect buildings, premises and equipment for sports

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competition, including tools, utensils and vehicles used for organization of professional sporting events or sports activities with objectives relating to professional sports, as well as documents and evidences relating to professional sports during sunrise and sunset or during the operating hours of such premises, when there is a reasonable cause to suspect that there is a breach of the provisions of this Act.

(2) To issue a letter of calling to the related parties to make statements, to send documents or related objects for consideration;

Section 55 Regarding the performance of duties of the Registrar and the competent authority under Section 54, professional athletes, professional sports personnel, or professional sporting event organizers, as well as the related parties shall be at such premises to provide reasonable convenience.

Section 56 Regarding the performance of duties, the Registrar and the competent authority shall produce identification cards to the related parties.

Identification cards of the Registrar and the competent authority shall be in accordance with the form prescribed and announced by the Minister.

Section 57 For the execution of this Act, the Registrar and the competent authority shall be the official under the Criminal Code.

CHAPTER 8 STIPULATED PANALTIES

PART 1 ADMINISTRATIVE PANALTIES

Section 58 Any professional sports club or professional sports association that has failed to notify the operation under Section 17 Paragraph 1 or has failed to notify the change of details, data or particulars of evidences that used to be submitted for notification under Section 20 Paragraph 1 shall be punished with administrative penalties for an amount of ten thousand Baht to one hundred thousand Baht.

Section 59 Any professional sports club or professional sports association that has failed to execute an employment contract or a mutual agreement in writing or has failed to comply with the standard of employment as prescribed and announced by the Committee under Section 21, shall be punished with administrative penalties for an amount of not exceeding one hundred thousand Baht.

Section 60 Any professional sports club or professional sports association that has failed to comply with Section 22, Section 23 or Section 24 shall be punished with administrative penalties for an amount of not exceeding one hundred thousand Baht.

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Section 61 Any professional sports club or professional sports association that has failed to supervise professional athletes, professional sports personnel and cheering teams or spectators for its professional athletes or team within the compound of the sporting competition venue to be in good order under Section 27 shall be punished with administrative penalties for an amount of not exceeding one hundred thousand Baht.

Section 62 Any professional sporting event organizer who has breached or failed to comply with Section 37 shall be punished with administrative penalties for an amount of not exceeding ten thousand Baht per day.

Section 63 Regarding the determination of administrative penalties in this Part and consideration of administrative punishment, the Committee shall take account of the gravity of circumstances of damage resulting from such action, thus, in accordance with the criteria, methods and rates as prescribed by the Committee.

PART 2 CRIMINAL PANALTIES

Section 64 Whoever has given or requested or promised to give property or any other benefits to professional athletes or others to induce professional athletes to have any pretended defeat in sports, shall be imprisoned for not exceeding five years or shall be fined for an amount of two hundred thousand Baht to five hundred thousand Baht, or both.

Section 65 Whoever has demanded, received or agreed to receive property or any other benefits for himself/herself or others for any pretended defeat in sports, shall be imprisoned for not exceeding five years or shall be fined for an amount of two hundred thousand Baht to five hundred thousand Baht, or both.

Section 66 Whoever has given or requested or promised to give property or any other benefits to referees or others to induce referees to make decisions not in accordance with the regulations or competition rules or to make decision in an incorrect and unequitable manner, shall be imprisoned for not exceeding five years or shall be fined for an amount of two hundred thousand Baht to five hundred thousand Baht, or both.

Section 67 Any referee who has demanded, received or agreed to receive property or any other benefits for himself/herself or others to make decisions not in accordance with the regulations or competition rules or to make decision in an incorrect and unequitable manner, shall be imprisoned for a period of one year to ten years or shall be fined for an amount of three hundred thousand Baht to six hundred thousand Baht, or both.

Section 68 Whoever has taken any of the following actions shall be imprisoned for not exceeding one month or shall be fined for not exceeding one thousand Baht, or both:

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(1) Failed to make statements or to send documents or evidences or anything as per orders of the Committee, the Committee for Consideration of Complaints, subcommittees, the Registrar or the competent authority, as the case may be, without any proper reason; or

(2) Obstructed or failed to facilitate the performance of duties of the Registrar or the competent authority under Section 54.

TRANSITORY PROVISIONS

Section 69 The Minister shall appoint members under Section 6 (3) (a) and (b) and (4) within ninety days as from the date when this Act shall come into force.

During the period when members under Paragraph 1 have not yet been appointed, the Professional Sports Committee shall consist of the Minister of Tourism and Sports, as the Chairperson, the Permanent Secretary for Finance, the Permanent Secretary for Tourism and Sports, the Permanent Secretary for Interior, the Permanent Secretary for Labour, the Director of the Bureau of the Budget and the Governor of the Sports Authority of Thailand, shall perform their duties as the Committee for the time being; whereas, the Deputy Governor of the Sports Authority of Thailand as appointed by the Governor of the Sports Authority of Thailand shall act as the Secretary.

Section 70 All businesses, money and property as well as rights and debts of the Professional Sports Promotion Fund as per the Regulations of the Sports Authority of Thailand Governing Fund Management, Provision of Benefits and Professional Sports Promotion Fund Management B.E.2552 shall be transferred to the Professional Sports Promotion Fund under this Act.

Section 71 At the outset, the Professional Sports Committee under Section 69 or the Committee under Section 6, as the case may be, shall perform their duties as the Fund Management Committee for the time being until the Fund Management Committee under this Act shall be established.

Section 72 Professional Sports Clubs and Professional Sports Association operating prior to the date when this Act shall come into force shall notify their operations to the Registrar within ninety days as from the date when this Act shall come into force; provided that during this time, the provision of Section 58 shall not apply.

Section 73 The provisions of Section 37 and Section 62 shall not apply to the professional sporting events organized prior to the date when this Act shall come into force and have not yet finished.

Section 74 Ministerial Regulations, rules or announcement for the execution of this Act shall be issued completely within two years as from the date when this Act shall come into force.

All regulations, rules, announcements or orders of the Sports Authority of Thailand relating to professional sports, which have been in force prior to the date of enforcement of this Act shall continue to be in force insofar as they are not contrary to or inconsistent with this Act until the rules, announcements or order under this Act shall come into force.

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Counter-Signature:
Yingluck Shinawatra
Prime Minister

Office of Justice Affairs

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Note:- Reason for promulgation of this Act: Whereas, professional sports are sports activities that many countries have given the importance and being occupation that professional athletes, professional sports personnel and people involved in professional sports are able to generate their incomes; moreover, the organization of professional sporting events or activities in connection with professional sports shall also promote the tourism industry and spread out reputations and dignity of the country; however, at present, there is no enactment of law relating to professional sports promotion to have equivalent standard to those of foreign countries and determination of clear measures for protection, assistance, promotion, support and development of professional athletes, professional sports personnel and people involved in professional sports; therefore, it is expedient to prescribe the law governing the professional sports promotion to determine standards relating to professional sports to be in conformity with the international standards and to improve the standard of professional sports in Thailand and to provide protection, assistance, promotion, support and development of professional athletes, professional sports personnel and people involved in professional sports; therefore, it is necessary to enact this Act.

Prepared by: Preeyanuch
17th December 2013

Checked by: Nattaporn
18th December 2013

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