

Items	Contents	Remarks
Legal backgrounds of water right system	<p>There are three act of legislation. They are 1) STATE IRRIGATION ACT B.E. 2485</p> <p>[ The State Irrigation Act B.E. 2485 was published in the Government Gazette Vol. 59, Part 62, dated 22nd September B.E. 2485 (1942).]</p> <p>2) PEOPLE IRRIGATION ACT B.E. 2482</p> <p>[ The People Irrigation Act was published in the Government Gazette Vol. 56, Part 53, dated 20 October B.E. 2482(1939).]</p> <p>3) FIELD DYKES AND DITCHES ACT B.E. 2505 (1962)</p>	
Ownership of water	Everybody have the ownership of water.	
Character of water right	Water right is for the use of natural river, canal of Royal Irrigation Department, appurtenant structure, a penalty provision of a law.	
Contents of Right	<p>1) STATE IRRIGATION ACT B.E. 2485:</p> <p>1.1) PRELIMINARY PROVISIONS</p> <p>1.2) chapter 1 : General Provisions</p> <p>1.3) chapter 2: Construction</p> <p>1.4) chapter 3: Maintenance</p> <p>2) PEOPLE IRRIGATION ACT B.E. 2482</p> <p>2.1 chapter 1: Private Irrigation</p> <p>2.2 chapter 2: People Irrigation</p> <p>2.3 chapter 3: Contractual Irrigation</p> <p>2.4 chapter 4: Penalties</p> <p>2.5 chapter 5: Execution of the Act</p> <p>3) FIELD DYKES AND DITCHES ACT B.E. 2505</p>	
Necessity or not of permission	Necessary	
Permitter	<p>River Administrator can be divided to two level.</p> <p>First, it's the level of country policy. The permitter are:</p> <ol style="list-style-type: none"> <li>1. A minister: Ministry of Agriculture and Co-operatives and</li> <li>2. A director general of a department: Royal Irrigation Department.</li> </ol> <p>Second, it's the level of local policy. The permitter are:</p> <ol style="list-style-type: none"> <li>1. Officer of Royal Irrigation department;</li> <li>2. A governor;</li> <li>3. A district officer;</li> <li>4. A village chief;</li> <li>5. A village headman; and</li> <li>6. Head of water userss group.</li> </ol>	
Limitation of water right holder	The limitation of water right holder isn't provided in Water River, but water user have not to obstruct other water users for using river water. Most of river water use is occupied by irrigation, water supply, hydropower generation and industrial use.	
Charges for water use	<p>In act of legislation, STATE IRRIGATION ACT B.E. 2485:</p> <p>Section 8. The Minister shall have the power to collect irrigation rates from the owner or possessor of the Irrigation Area, by prescribing the Ministerial Regulations specifying the following.</p> <ol style="list-style-type: none"> <li>(1) Each line or area of the Irrigation Waterway where irrigation rates are to be collected with a map showing the boundaries thereof.</li> <li>(2) Districts and precinct of each Irrigation Area where irrigation rates are to be collected with a map showing the boundaries thereof.</li> <li>(3) Irrigation rates to be collected from owners or possessors of the land in Irrigation Area or agricultural users outside the Irrigation Area.</li> <li>(4) Irrigation rates to be collected from users for factory waterworks or other purposes in or outside the Irrigation Area.</li> <li>(5) Rules, regulations and procedures for collecting or paying irrigation rates including exemption, reduction or installment plan of the irrigation rates.</li> </ol> <p>The irrigation rates to be collected from the owner, of the possessor of the land or the land inside the Irrigation Area or the agricultural users outside the Irrigation Area, shall not exceed five Bath per rai per year.</p> <p>The irrigation rates to be collected for water user for factory, waterworks or other purposes, shall not exceed fifty Stang per Cubic Metre.</p> <p>(There shall be added the following as Section 8 bis by Section 5 of the State Irrigation Act. (No.4) B.E. 2518)</p> <p>Section 8 bis. There shall be established in the Royal Irrigation Department a revolving fund called the Revolving Fund for Irrigation.</p> <p>The irrigation fee collected under section 8 shall be credited to the account of the Revolving Fund for Irrigation, and not be remitted to the Treasury.</p> <p>The payment of money from the Revolving Fund for Irrigation shall be mead only for the irrigation pursuant to the rules prescribed by the Minister w</p> <p>The Minister of Agriculture and Cooperatives shall, within ninety days after the end of every fiscal year, publish in the Government Gazette a report</p> <p>When the report of receipts and expenditures under paragraph four has been audited by the Audit Council, the Office of the Auditor-General, an au</p>	
Permitted period	Permitted period is usually not decided. However, if water userss don't progress follow as the act, permission can be canceled by permitter.	
Register of river water use	In act of legislation, PEOPLE IRRIGATION ACT B.E. 2482, Section 7. Any person desirous of constructing any private irrigation must apply for permission from the Official except when the work is constructed for the benefit of an area of not over 200 rai or the work is of a temporary nature with no permanent structure thereon; in the latter case the work must in no way obstruct any public waterway or cause damage to some other people.	
Priority of water use	<p>Priority of water use doesn't provided by water right in Thailand. However, coordination about the amount of intake at the time of drought is concerned.</p> <p><b>PEOPLE IRRIGATION ACT B.E. 2482</b></p> <p><u>Section 5.</u> For the purpose of diversion of water in time of drought or for the purpose of public safety or welfare, the Provincial Commission shall have power to order a temporary closing or suspension of the use of any part of irrigation of all categories or to order any alteration to the diversion of water for such purpose.</p> <p>In case the diversion of water is made in time of drought the person who receives the benefit therefrom shall bear the expense himself.</p> <p><u>Section 6.</u> No person shall use water from any private or people irrigation more than that is necessary or shall allow such water to flow to waste when the Official has ordered him not to do so.</p>	
Compulsory measure	<p>PEOPLE IRRIGATION ACT B.E. 2482</p> <p>chapter 4: Penalties</p> <p>Section 38. Whoever:</p> <ol style="list-style-type: none"> <li>(a) Disobeys the orders of the Official as specified in Section 5, Section 6, Section 9, Section 11, Section 14, Section 18 and Section 21.</li> <li>(b) Does not comply with Section 7, first and last paragraphs and Section 10, Section 24, Section 35 and Section 36.</li> <li>(c) Does not allow the excavation of earth or depositing the spoil on his land under Section 19.</li> <li>(d) Abolishes, changes, or alters the work provided for the division of water definitely ordered by the Official under Section 21.</li> <li>(e) Extends the irrigation area without any permission being obtained as specified in Section 7.</li> </ol> <p>Shall be punished with imprisonment not exceeding one month or with a fine not exceeding one thousand bath, or both.</p> <p>(There shall be added the following as Section 38 bis and Section 38 ter of the People Irrigation Act (No. 2) B.E. 2523 as the following.)</p> <p>Section 38 bis. When the compensation is paid or lodged with the Court, any land owners or occupants obstructing or not co-operating to the waterway training in Section 10 bis or the waterway maintenance and utilization in Section 10 ter shall be punished with a fine not exceeding</p> <p>Section 38 ter. Whoever obstructs such waterway in Section 10 bis or performs any actions causing decrease in benefits and convenience of</p> <p>Section 39. Whoever constructs contractual irrigation without receiving concession, shall be punished with a fine not exceeding one thousand</p> <p>Section 40. Whoever does not apply for concession within the period specified in Section 37 shall be punished with a fine not exceeding five</p> <p>Section 41. The concessionaire for contractual irrigation who does not comply with Section 34 shall be punished with imprisonment not exce</p> <p>Section 42. The Court may order the person acting in contravention of the provisions of this Act, apart from the punishment provided for in ot</p>	

Procedure of permission for water use	PEOPLE IRRIGATION ACT B.E. 2482 Chapter 1, section 7: ... Application for permission must be lodged with local authorities and the District Commission shall put up a notice at the District Office and in the communes adjoining the place of construction for fifteen days. If any person considers that he will be adversely affected by the construction, then he can file a protest to the District Commission within the period stated. In case of emergency prior permission may be granted by the District Commission	
Documents which has to be attached with application	PEOPLE IRRIGATION ACT B.E. 2482 Chapter 1, section 8: The applicant under Section 7 shall comply with the following: (1) To submit a sketch map showing the following particulars viz.: (a) The area of land cultivated at the time of application. (b) The area of land which will receive benefit from such irrigation. (c) The alignment of the waterway, source of water, villages, and such permanent structures as are situated in the area. (d) The alignment and site of the irrigation work for which permission is applied.  (2) To submit details on. (a) the nature of the waterway to be used for such irrigation and how much water will remain therein during the dry season and how much is the normal supply of water in the Rainy season and the highest level of water measured from the bed of the waterway. (b) the width, depth of the original waterway and the dimensions of the irrigation structures for which permission is applied for. (c) the number of rice-field owners within the area which will receive water from such irrigation inclusive of both the original owners and new owners.	
Coordination among stakeholders in the procedural flow of permission	1. Officer of Royal Irrigation department for each project; 2. A governor; 3. A district officer; 4. A village chief; 5. A village headman; and 6. Head of water user group.	
Criteria for permission	It's not decided in the act of legislation. However, permitter will concern the criteria of permission base on the right. For example, new water users will not make an influence to old water users and both new water users and old water users should have an equality.	
Transfer of water right	It's not decided in the act of legislation.	
Concept of environmental flow	It's not decided in the act of legislation. However, in practice, Royal Irrigation Department (RID) takes care of discharge for environment flow. For example, there is water discharge to protect sea water that will flow in to land at Thai Gulf.	
Coordination of water use in drought term	PEOPLE IRRIGATION ACT B.E. 2482  chapter 1: Section 5. For the purpose of diversion of water in time of drought or for the purpose of public safety or welfare, the Provincial Commission shall have power to order a temporary closing or suspension of the use of any part of irrigation of all categories or to order any alteration to the diversion of water for such purpose. In case the diversion of water is made in time of drought the person who receives the benefit therefrom shall bear the expense himself.	
Customary Water Right	Section 6. No person shall use water from any private or people irrigation more than that is necessary or shall allow such water to flow to waste when the Official has ordered him not to do so. Most of water users think that water is belong to Royal Irrigation Department and the responsibility of Royal Irrigation Department is to serve water to water users. Then, water users doesn't interesting water right and they think water right is also an issue of Royal Irrigation Department. Many people in Thailand think there are no water right .	
Issues on water right system 1		
Issues on water right system 2		
Other information 1	Some part in the act of legislation isn't used by related person such as water charge. Farmer doesn't necessary to pay water cost.	

(Country Name:Thailand )