

Provincial Waterworks Authority Act, B.E. 2522

BHUMIBOL ADULYADEJ, REX.

Given on the 24th Day of February B.E. 2522;

Being the 32th Year of the Present Reign.

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

Whereas it is deemed expedient to establish the Provincial Waterworks Authority

Be it, therefore, enacted by the King, by and with the advice and consent of the National Assembly, as follows:

Section 1 This Act is called the “Provincial Waterworks Authority Act, B.E. 2522”

¹Section 2 This Act shall come into force since the date of its publication in the government gazette.

Section 3 In this Act:

“Committee” means the Committee of the Provincial Waterworks Authority.

“Committee member” means a committee member of the Board of committee the Provincial Waterworks Authority.

“Governor” means the Governor of the Provincial Waterworks Authority.

“Officer” means the officer of the Provincial Waterworks Authority, including the Governor.

“Employee” means employee of the Provincial Waterworks Authority.

“Minister” means the Minister who shall be in charge of the execution of this Act.

¹ Government Gazette, Vol. 96, Part No. 26, Special Volume page 1, dated February 27, B.E. 2522.
(Effective on 28 February, B.E. 2522).

Section 4 The Minister of Interior shall be in charge of the execution of this Act and shall have authority to issue an announcement for the execution of this act

Chapter 1

Establishment, Capital and Reserve Funds

Section 5 There shall be established a waterworks authority , called the “Provincial Waterworks Authority”, called in brief “PWA” and shall be a juristic person with the objectives of waterworks business transaction and promotion by surveying, procuring raw water sources and acquiring raw water for production, transmission and distribution of water, including transaction of other business concerning or in connection with the waterworks business for the benefit of public utility service mainly with regard to public interest and health of the people.

Section 6 PWA shall establish its head office in Bangkok and may establish its branch office or agencies at any other places inside and outside the Kingdom. Establishment of branch office outside the Kingdom shall be obtained prior approval of the Minister.

Section 7 PWA shall have the power to act within the scope of its objectives under Section 5. Such power shall include the following

(1) to own, possess any properties, construct , purchase, procure, sell, dispose of, hire, let, buy on hire-purchase, sell on hire-purchase, borrow, lend, secure a pledge, accept a mortgage, exchange, transfer, receive a transfer or undertake anything regarding the properties inside and outside the Kingdom, including receive properties from givers;

(2) to survey, plan and develop sources of raw water including to manage to acquire the raw water;

(3) to survey, plan and construct the systems of water production, transmission and distribution;

(4) to determine the water charge fee rate, costs of equipment and facilities including methods and conditions of payment such charge and remuneration ;

(5) to determine the rule, methods and conditions of water supply use for the benefit of public utility service;

(6) to determine the regulations on the use and maintenance of the properties of PWA;

(7) to take out a loan or borrow money inside and outside the Kingdom;

(8) to grant a loan or lend money with given property as security for the benefit of PWA's business operation and promotion;

(9) to issue bonds or any other instruments for the purpose of investment;

(10) to hold shares or become a partner or join a joint venture with other parties for the benefit of PWA's business operation and promotion.

Section 8 PWA shall have authority to deal with the water distribution within the area outside the authority of the Metropolitan Waterworks Authority. However, PWA may distribute water within the area of the authority of the Metropolitan Waterworks Authority upon obtaining an approval of the Metropolitan Waterworks Authority.

Section 9 The capital of PWA shall consist of:

(1) money and property transferred in accordance with Section 49 and Section 50 after debt has been deducted;

(2) Money allocated under the Expenditure Budget Act for operation or business expansion;

(3) money or property donated by givers.

Section 10 The reserve funds of PWA shall consist of ordinary reserve fund for contingency, reserve fund for business expansion, reserve fund for debt redemption and other reserve funds as may be deemed appropriate by the Committee.

The reserve funds shall be used only by an approval of the Committee.

Section 11 Any property of PWA used or to be used for efficient operation of the water supply system shall not be liable to the execution.

Chapter 2

The Committees and Governor

Section 12 There shall be established a Committee, called the “Committee of the Provincial Waterworks Authority”, consisting of a chairman, ²**Director General of Department of Public Works and Town Planning**, Director-General of Department of Health, the Governor and not more than seven other members.

The Council of Ministers shall appoint the Chairman and other Committee member.

The Governor shall be a secretary to the Board.

Section 13 For the benefit of the PWA's business, the Committee shall have power to appoint a subcommittee to carry out any of the PWA's business , then give a report to the Committee.

Section 14 The Chairman or the Committee member to appointed by the Council of Ministers shall:

- (1) not be the Officer or the Employee;
- (2) not have any direct or indirect interest in business undertaken with the PWA or any transaction which is incompetition with that of PWA
- (3) have qualifications and not have disqualification as prescribed by law governing the standard qualifications for director and employee of state enterprise.

Section 15 The Chairman or the Committee members who are appointed by the Council of Ministers shall hold office for a period of three years.

In the case where a Committee member appointed by the Council of Ministers vacates office before the expiration of his term or in the case where the Council of Ministers appoints an additional Committee member during the period in which the committee members who have already been appointed still have their term of office, the committee member who is appointed in replacement of that vacating one and the committee member who is additionally

² Amended by Section 26 of the Royal Decree of Amendment or Provisions to be in conformity with the authority of government sector transfer in accordance with the Reorganization of the Ministries Act, B.E. 2545, published in the Government Gazette, Vol. 119 , Part No. 102 Kor, page 70, dated 8 October, B.E. 2545 (Effective on 9 October, B.E. 2545).

Section 26 of the Provincial Waterworks Authority Act, B.E. 2522 has amended the term of “Director General of Department of Public Works” to be **“Director General of Department of Public Works and Town Planning”**.

appointed shall hold office for a term equal to those committee members who have already been appointed

Upon expiration of such term as prescribed in paragraph one, if the appointment of a new Chairman or new Committee members have not yet been done, the committee members who vacate office at the expiration of their term shall hold office for conducting the business until the new Chairman or the new Committee members are appointed.

The Chairman or the Committee member who vacates office at the expiration of his term is eligible for reappointment for not exceeding two consecutive terms.

Section 16 Apart from the vacation of office at the expiration of their terms of office under Section 15, the Chairman or the Committee member appointed by the Council of Ministers shall vacate their offices upon:

- (1) death;
- (2) resignation;
- (3) becoming incompetent or quasi-incompetent;
- (4) being absent for more than three consecutive sessions of the committee without reasonable cause;
- (5) being retired by the resolution of the Council of Ministers;
- (6) lacking any of the qualifications set forth in Section 14.

Section 17 The Board shall have powers and duties to lay down policies and exercise general control over the affairs of PWA. Such powers and duties shall include:

- (1) to issue regulations for the execution of Section 5 and Section 7;
- (2) to issue regulations on the meeting and the functioning of the Committee and sub-committees;
- (3) to issue regulations on organization arrangement of PWA and to issue regulations on various work managements of the PWA;
- (4) to issue regulations on operations of the Governor and the delegation of power to other persons to act on behalf of the Governor;

(5) to issue regulations on determination of position, salary rate, wage and other money for officers and employees;

(6) to issue regulations on recruitment, appointment, raises in salaries or wages, removal, disciplines, disciplinary measures and appeal against such measure for officers and employees;

(7) to issue regulations on petition of the officers and employees;

(8) to issue regulations on aid fund or other aids for the welfare of the officers and employees and their families with approval of the Council of Ministers;

(9) to issue regulations on payment of travelling expenses, per diem, rent, overtime, meeting allowance and other expenditures;

(10) to issue regulations on uniforms of officers and employees;

(11) to determine the amount of water charge and service fee rates as well as methods and conditions of payment; thereof

(12) to issue regulations concerning the safety use of and upkeep of properties of PWA.

Section 18 In the regulation issued under Section 17, if there is any content , in any manner sets a limitation on the power of the Governor to execute a juristic act, the Minister shall announce such content in the government gazette.

Section 19 The Committee shall have authority to appoint the Governor and to determine the the salary of the Governor with the approval of the Council of Ministers.

Section 20 The Governor shall:

(1) not have any direct or indirect interest in the business undertaken with PWA or any transaction which is incompetition with that of PWA;

(2) have qualifications and not have disqualifications as prescribed by law on the standard qualifications for director and employee of state enterprise.

Section 21 The Governor shall vacates office upon:

(1) death;

(2) resignation;

(3) being retired by the resolution of the Committee;

(4) become incompetent or quasi-incompetent;

(5) being absent from more than three consecutive sessions of the Committee without reasonable cause;

(6) lacking any of the qualifications set forth in Section 20.

The resolution of the Board to retire the Governor as prescribed in (3) shall be passed with the votes of not less than three-fourth of the total number of the Committee members still holding office, except for the Governor and it shall be given an approval from the Council of Ministers.

Section 22 The Governor shall have powers to administer the affairs of PWA in compliance with the law, under the objectives and authority of PWA and under the policies and regulations laid down by the committee and shall be in charge of all officers and employees.

The Governor shall be responsible to the Board for the administration of PWA.

Section 23 The Governor shall have powers:

(1) to recruit, appoint, remove, promote, demote, **set** salary or wages, impose disciplinary measures on officers and employees as well as to retire officers and employees from office in accordance with the regulations laid down by the committee, **except** in the case where the officer or employee is of the rank of Advisor, Expert, Head of Department or its equivalent upwards, prior approval of the committee is required;

(2) to determine the conditions of employment of officers and employees and issue regulation governing the operation of PWA which are not contrary to or inconsistent with those laid down by the Committee.

Section 24 In its relation with third persons, the Governor shall act in the name and on behalf of PWA. For this purpose, the Governor may delegate his power to any person to act in a particular transaction on his behalf subject to the regulations laid down by the committee.

All juristic acts executed by the Governor in violation of the regulations stated in Section 18, shall not be binding on PWA unless they are ratified by the committee.

Section 25 In the case where the Governor is unable to perform his duties, or where the post of the Governor becomes vacant pending the appointment of the Governor, the committee shall appoint an officer to serve as Acting Governor.

The Acting Governor shall have the same authority as that of the Governor.

Section 26 The Chairman and the Committee members shall receive remunerations in accordance with the regulation laid down by the Council of Ministers.

Section 27 The Chairman, the Committee member, and Officers may receive bonuses in accordance with the regulation laid down by the Council of Ministers.

Section 28 During the course of performing duties under this Act, the Chairman, the Committee member and officers shall be the officials under the Penal Code.

Chapter 3

Construction and Maintenance of

Water Production, Transmission and Distribution System

Section 29 For the benefit of construction and maintenance of the water production, transmission and distribution system such as raw water sources, pipes, water pumping houses, water meters, water tanks, water treatment plant, precipitating tanks system and other equipment, the officers and employees shall have the power to make use or take possession of any immovable property which is not a dwelling place of any person, temporarily, subject to the following conditions:

(1) such use or possession is necessary for the survey for construction and maintenance of the water production, transmission and distribution system or for the prevention of danger or damage which may be caused to the water production, transmission and distribution system;

(2) PWA gives a written notice to the owner or possessor of the immovable property for information in advance for a reasonable period which shall not be less than 7 days. If it is not possible to contact the owner or the possessor of the immovable property, announcement shall be carried out in advance for a period of not less than 30 days. Such announcement shall be accomplished by made in writing and posted it at the place where the

immovable property is located and at district office or Amphor office, sub-district headman office and at village headman office of the locality of where such immovable property is located. A schedule of date and time and business operation shall be specified in such announcement.

In the operation under this Section, the officers or employees must show their identity cards to the person concerned.

If any act of the officers or employees under this Section causes damage to the owner or possessor of the immovable property or other right holders, such person shall be entitled to claim compensation from PWA, and if the settlement of the amount of the compensation is unable to be reached, the dispute shall be presented to an arbitral tribunal to make a decision and the provisions of the Civil Procedure Code shall apply mutatis mutandis.³

Section 30 For water production, transmission and distribution, PWA shall have powers to lay down pipe and install equipment under, above, along or across any land belonging to any person, so long as such land is not the site of a dwelling house.

PWA shall have power to specify land areas for a pipe with a diameter of 80 cm. onwards for the laid- down pipe and the installed equipment ,on condition that the width of the specified land area shall not exceed two meters and fifty centimeters from each side of the pipe. PWA shall make a boundary sign within such area as prescribed by the regulation which shall be laid down and announced by the Minister.

In the specified area in paragraph two, PWA shall have power to demolish things constructed or made, or to cut trunks, branches or roots of trees or any plants and PWA shall pay fair compensation to the owner or possessor of the property for of the land and for the demolishing or cutting, as the case may be, unless the owner or the possessor has worthily gained benefit from such action. In the case where a settlement of an amount of compensation is unable to be reached, Section 29 paragraph three shall be apply mutatis mutandis.

When the compensation has already been paid to the said owner or possessor, or in the case where it appears that the owner or the possessor of the property voluntarily

³ Amended Section 29 paragraph three by Section 3 of the Provincial Waterworks Authority Act (No. 2), B.E. 2530, published in the Government Gazette, Vol. 104 , Part No. 164 Special Volume page 56, dated 19 August, B.E. 2530 (Effective on 19 August, B.E. 2530)

Previous provisions “In the case where any act of the officers or those who mutually work in association with the officers under this Section causes damage to the owner or possessor of the immovable property or other right holder , such person shall have right to demand compensation from PWA, and if a settlement of an amount of compensation is unable to be reached the dispute shall be presented to an arbitral tribunal to make a decision **and the law on the Expropriation of Immovable Property shall apply**”.

abandons or has no right to compensation, no claim of such compensation shall be able to be made thereafter.

Prior to taking such action as aforesaid, PWA shall give a written notice to the owner or the possessor of the property and Section 29 paragraph one (2) shall apply mutatis mutandis. The owner or possessor of the property may file a petition ~~on~~ describing the inappropriate cause of such action with the Committee for making a decision within thirty days from the date of receipt of the petition. The decision of the Committee shall be final.

Section 31 In the area described in Section 30 paragraph two, construction of a building or other structures, or growing any trees or doing any act which may cause danger or obstruction to the water production, transmission and distribution system shall be forbidden, unless permission has been received in writing from PWA. Such permission may be subject to any prescribed condition. For buildings, any structures constructed or trees or any other things which are constructed or planted or made without permission from PWA, PWA shall have power to remove, transfer or cut down or do any act, as it may be appropriate, without paying compensation and at the infringing person's expense.

Section 32 In the case of necessity and urgency of preventing dangers or damage, the officers or employees may enter the land or place of any person for inspecting, repairing or fixing up the production, transmission and distribution system. In the case where the owner or the possessor of the land or place is present the officer the employee shall give him prior notice

To implement the activities in paragraph one during the period between sunrise and sunset, prior consent shall be obtained from the owner or possessor. But if the owner or possessor is not present there, prior consent shall be obtained from a person who is living in that place.

Section 33 When it is necessary to acquire immovable property for the purpose of using for laying down or constructing the water production, transmission and distribution system, if no settlement of property transfer is able to be reached, expropriation of property shall be made under the provisions of the Law governing the expropriation of Immovable Property.

Section 34 Whoever obstructs any action of PWA or the Officers or Employees, under Section 29, Section 30, Section 31 or Section 32, shall be liable to

imprisonment for a term not exceeding six months, or to a fine not exceeding five thousand Baht, or to both.

Chapter 4

Petition and Aids

Section 35 the officers and employees shall have the right to petition or appeal under the regulation laid down by the Committee.

Section 36 PWA shall provide an aid fund or other aids to be utilized for the welfare of the officers and the employees and their families in the case of their retirement, accident, sickness or other causes which are eligible for aid.

The provision of an aid fund or other aids under first paragraph, the payment of contribution into the fund, the determination of categories of person eligible for aid from the fund, the payment out of the fund as well as the management of the fund shall be in accordance with the regulations laid down by the Committee.

Chapter 5

Finance, Accounting and Audit

Section 37 PWA shall prepare an annual budget classified into capital budget and operating budget. The capital budget shall be presented to the Council of Ministers for consideration and approval, while the operating budget shall be presented to the Council of Ministers for information.

Section 38 The annual revenue derived from its operation shall belong to PWA to cover operating expenses. The annual revenue remaining after the operating expenses, the appropriate burden cost such as cost of maintenance, depreciation, reserve fund as prescribed in Section 10 and contribution to the aid fund or/and other aids as prescribed in Section 36 as well as the investment fund have been deducted therefor as approved by the Council of Ministers shall be remitted as state revenue.

In the case where the revenue is insufficient to cover the expenses as prescribed in paragraph one except for the reserve fund under Section 10, and PWA is unable to obtain fund from other sources, the government shall provide PWA with fund in the amount necessary for covering the deficiency.

Section 39 PWA shall open a bank account with the Bank of Thailand or other banks as prescribe by the regulation laid down by the Council of Ministers.

Section 40 PWA shall set up and maintain accounting system proper for the business with classification of major work, and shall keep books of account of receipt and payment, assets and liabilities, which shall represent, according to the categories of work, the transactions as they really and duly are and shall bear the supporting information relevant to the particulars as recorded therein. The books of account shall be subject to an internal audit to be carried out at regular intervals.

Section 41 PWA shall prepare its balance sheet, operating account, and profit and loss account within ninety days from the accounting year- end date.

Section 42 Every year the Office of the Auditor General shall be an auditor to audit and certify all kinds of account and monetary matters of PWA.

Section 43 The auditor shall have power to examine all books, books of account and documents of PWA, and for this purpose, shall also have power to question the Chairman, Committee members, officers, and Employees of PWA.

Section 44 The auditor shall submit a report on the result of auditing to the committee within one hundred and fifty days from the accounting year end date for the purpose of the Committee submitting to the Minister.

Section 45 The committee shall give a report to the Minister once a year. This report shall mention the work performance of PWA in the past year with explanation regarding the policies of the Committee, projects and work plan for the future undertaking.

PWA shall publish its annual report of the past year showing its balance sheet, operating account, and profit and loss account which has been certified to be correct by the auditor within one hundred and eighty days from PWA's accounting year end date.

Chapter 6

Supervision and Control

Section 46 The Minister shall have authority to carry out the general supervision of activities of PWA, and for this purpose may order PWA to give facts , comment, reports, or to restrain any action of PWA which is contrary to the government

policy or Council of Ministers' resolution and shall have authority to order an action to be taken in compliance with such policy or resolution as well as to order an investigation into the facts concerning the transaction of business.

Section 47 In the case where PWA has to submit any matter to the Council of Ministers, the matter shall be submitted to the Minister for making further submission of the matter to the Council of Ministers.

⁴Section 48 PWA shall obtain approval of the Council of Ministers before undertaking the following:

- (1) increasing its capital or decreasing its capital;
- (2) borrowing or lending fund exceeding fifty million Baht;
- (3) issuing bonds or other instruments for the purpose of investment;
- (4) disposing of immovable property with a value over ten million Baht.
- (5) holding shares or becoming a partner or joining the business with other persons for the benefit of PWA's business undertaking and promotion.

Transitory Provisions

Section 49 All transactions, property, rights, obligations including budget and revolving fund for provincial water distribution of the Department of Public Works, Ministry of Interior which are related to the waterworks business as agreed upon by the Minister of Interior and PWA shall be transferred to and owned by PWA within a period not exceeding 90 days from the date this Act comes into force.

⁴ Amended by Section 3 of the Provincial Waterworks Authority Act (No. 3), B.E. 2550, published in the Government Gazette, Vol. 124 , Part No. 46 Kor page 2, dated 24 August, B.E. 2550 (Effective on 25 August, B.E. 2550).

Previous provisions ^{“4)}Section 48 PWA shall obtain approval of the Council of Ministers before undertaking the following:

(1) investing for expansion of existing projects or for initiation of new projects in the amount exceeding five million Baht;

(2) borrowing or lending funds in the amount exceeding five million Baht;

(3) issuing bonds or other instruments for the purpose of investment;

(4) disposing of immovable property with a value over five hundred thousand Baht;

(5) writing property with a value over one hundred thousand Baht off the account as lost property;

(6) determining selling price of water;

(7) holding shares or become a partner or join the business with other persons for benefits of business conduct and promotion of PWA.

Section 50 All transactions, properties, rights, obligations including a part of budget of the Department of Public Health, Ministry of Public Health which are related to the waterworks business as agreed upon by the Minister of Public Health and PWA shall be transferred to and owned PWA within a period not exceeding 90 days from the date this Act comes into force.

Section 51 Rights under Section 49 and Section 50 shall include the right to the use Ratchapatsadu land of the Department of Public Works, Ministry of Interior and of the Department of Public Health, Ministry of Public Health, as the case may be, only in the part related to the transferred transactions and property.

Section 52 As for the government official or the employee of the Department of Public Works, Ministry of Interior and of Department of Public Health, Ministry of Public Health who performs duty related to the transferred transactions under Section 49 or Section 50, as the case may be, if he is willing to be transferred to work for PWA and makes a declaration of his intention in writing to the Director-General in charge within thirty days from the date this Act comes into force, such government official or Employee shall be transferred to be an officer or an employee of PWA, as the case may be.

The employee in paragraph one shall include the employee whose employment is financed by the revolving fund for the provincial water distribution of the Department of Public Works

The government official or employee transferred to become an officer or an employee of PWA in paragraph one shall receive the same salary or wage including rights and other benefits as those previously due to him until the Governor recruits and appoints him to a certain position, however, he shall not be appointed to receive salary or wage lower than those previously due to him.

Section 53 Transfer of government official under Section 52 shall be deemed as retirement from office due to the termination or dissolution of the position in accordance with the law on the official gratuity and pension.

Transfer of employee under Section 52 shall be deemed as the discharge from the job due to dissolution of the position or the termination of employment without fault and shall be eligible for a gratuity under the Ministry of Finance's regulation on employee's gratuity.

For the benefit of the calculating of working period for calculating the gratuity or pension under the regulation of PWA (if any), in the case where any transferred government official or employee under Section 52 wishes to add his government service period or working period while being a government official or an Employee before the transfer to the working period of the officer or employee of PWA, as the case may be, he shall be entitled to do so by abandoning the right to receive the gratuity and pension.

The abandonment of the right to receive the gratuity and pension in paragraph three shall be carried out within thirty days from the date of transfer. In the case of the government official, the abandonment shall be carried out under the law on the official gratuity and pension. In the case of employee, the abandonment shall be carried out in writing on a written form which shall bear his signature as evidence and shall be submitted to the employer for forwarding it to the Ministry of Finance for information.

Section 54 Within one hundred eighty days from the date this Act comes into force, pending the appointment of the Governor, the committee shall appoint a Committee member or an officer to serve as Acting Governor, whose authority shall be the same as that of the Governor, and in this regard, Section 14 shall not apply to this case.

Section 55 Within two years from the date this Act comes into force the Minister of Interior may appoint any civil official to another position in PWA to perform duty therein as his additional work upon an approval given by the Minister in charge of that official and such civil official shall be entitled to the salary either of the previous position or of the position in PWA and for this purpose, the provisions of Section 17 (5) Section 20 of the law on civil service and law governing standard qualifications for director and employee of state enterprise shall not apply to that official.

Countersigned by:

S. Hotrakit

Deputy Prime Minister

Note:- the reason for promulgation of this Act is that: whereas the government has a policy to improve and expand the water supply in provincial areas. In this regard, it is expedient to transfer the provincial water supply business and the provincial water supply construction unit of the Department of Public Works, Ministry of Interior and the rural water supply construction unit of the Department of Public Health, Ministry of Public Health to establish a state enterprise called “Provincial Waterworks Authority” under the supervision of the Ministry of Interior with the objective of performing duty to carry out the work concerning the production, transmission and distribution of water in provincial area. Therefore this Act is necessary to be enacted.

Note:- the reason for promulgation of this Act is that: whereas Provincial Waterworks Authority Act, B.E. 2522 has a provision which provides that a dispute shall be presented to an arbitral tribunal to make a decision thereon and the law on the expropriation of unmovable property shall apply mutatis mutandis. However, the said law has already repealed the provisions governing that arbitral tribunal making an appropriate cause of amendment to the Provincial Works Authority Act to conform thereto. Therefore, this Act is necessary to be enacted.

*The royal decree amending provisions to conform to the transfer of government agencies” authority according to reorganization of the Ministries Act, B.E. 2545.

Section 26 As for the Provincial Waterworks Authority Act, B.E. 2522, the word “Director General of Department of Public Works shall be amended as “Director General of Department of Public Works and Town Planning”.

Note:- the reason for promulgation of this royal decree is that: whereas the Act on the reorganization of ministries, ministerial bureau and departments, B.E. 2545 provides for the establishment of new government agencies with new mission, for the purpose of which the royal decree transferring the administration and the authority of government agencies to conform to the Act on the reorganization of ministries, ministerial bureau and departments has already enacted, and whereas such Act provides for the transfer of the authority of government agencies, minister in office or those having performed duty in previous government agencies to the new government agencies and for the amendment to be made to

various provisions to make them consistent with the transferred authority. Therefore, in order to conform with the principal laid down in the said Act and royal decree, it is appropriate to amend the relevant provisions of law to conform to the transfer of the government agency for the purpose of the person concern, having clear understanding of the law while enforcing it, without necessity of consulting the authority transfer law to find out which legal missions to be carried out under the related law by certain government agencies or by those in charge of such law have already been transferred and to which government agencies or to whom such mission are transferred. To that effect, the provisions of law shall be amended by changing the name of government agencies, the minister, the position holder or the person performing duty of government agencies to correspond with the transfer of authority and by adding the government agencies' representatives into the committee to correspond with the missions which have been transferred from the previous government agencies to the new ones as well as by terminating the previous government agencies which have been canceled to correspond with such Act and royal decree. Therefore, it is necessary to enact this royal decree.

Note:- the reason for promulgation of this Act is that: whereas the Provincial Works Authority Act, B.E. 2522 takes effect for such a long time that some of its provision is not suitable any longer for the economic and social situation that changes in the present time causing a hindrance to the improvement and the expansion of the business which is in connection with or beneficial to the Provincial Works Authority. For the purpose of bringing about the Provincial Works Authority to carry on its business flexibly as well as to extensively carry out its business activities and services for the people's benefit, the amendment is appropriate to be carried out for allowing the Provincial Works Authority to expand the existing projects or to initiate new project, to determine the amount of water charge as well as to write property off the account as lost property without prior approval of the council of ministers including allowing the Provincial Works Authority to increase or to decrease its capital and to borrow funds or to dispose of the immovable property with approval of the council of ministers in large amount. Therefore, this Act is necessary to be enacted.