

(Unofficial Translation)



**Counter-Terrorism and  
Proliferation of Weapons of Mass Destruction Financing Act (No. 2)**

**B.E. 2567 (2024)**

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HIS MAJESTY KING MAHA VAJIRALONGKORN PHRA VAJIRAKLAOCHAORYUHUA;

Given on the 17<sup>th</sup> Day of November B.E. 2567;

Being the 9<sup>th</sup> Year of the Present Reign.

His Majesty King Maha Vajiralongkorn Phra Vajiraklaochaoyuhua is graciously pleased to proclaim that:

Whereas it is expedient to amend the law on counter-terrorism and proliferation of weapons of mass destruction financing;

This Act contains certain provisions in relation to the restriction of rights and liberties of a person, in respect of which section 26, in conjunction with section 32, and section 37 of the Constitution of the Kingdom of Thailand so permit by virtue of the law.

The rationale and necessity for the restriction of rights and liberties of a person under this Act is to ensure that effective measures for prevention and suppression of terrorism and proliferation of weapons of mass destruction financing are effective and in line with international standards. The enactment of this Act is consistent with the criteria prescribed under section 26 of the Constitution of the Kingdom of Thailand.

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

Section 1 This Act shall be called the “Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act (No. 2) B.E. 2567 (2024)”

Section 2 This Act shall come into force after the expiration of one hundred eighty days from the date of its publication in the Government Gazette.

Section 3 The following provisions shall be added as section 8/1, section 8/2 and section 8/3 of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016):

“Section 8/1 Freezing of the assets under section 8 (1) shall not affect necessary basic expenses. The designated person under section 7 or the creditor of such expenses shall have the right to take action against the said assets for the necessary basic expenses.

The Office shall be responsible for facilitating the designated person or creditor of the necessary basic expenses to utilize the frozen money or assets for necessary basic expenses as deemed necessary and appropriate.

Where the designated person under section 7 or the creditor of the necessary basic expenses disagree with the Office’s decision under paragraph two, regardless of whether the entitled person has exercised their right to receive money or assets for necessary basic expenses, and shall have the right to request a review by the committee appointed under section 7 paragraph five. The request shall be submitted to the Office within fifteen days from the date that the decision was notified. The committee shall complete its review within thirty days from the date of receiving the case from the Office. If the designated person or creditor disagrees with the committee's review, they may file a petition with the court for consideration.

The undertakings of the Office under paragraph two and the review of the committee under paragraph three shall be prescribed by criteria, procedures and conditions specified in the Ministerial Regulations.

Section 8/2 The necessary basic expenses under section 8/1 refers to the expenses of the designated person including the following expenses of spouse, father, mother and dependent children of the designated person.

- (1) Meal expenses
- (2) Housing rent or repayment for housing mortgage
- (3) Medical expenses
- (4) Tax payment
- (5) Insurance premiums
- (6) Utility expenses
- (7) Fee or service charges for maintenance of frozen account or assets
- (8) Expenses relating to education of children
- (9) Other expenses prescribed by an ordinance issued by the committee.

Section 8/3 Any person is prohibited from providing, collecting funds or undertaking a financial or asset transaction with the knowledge that the beneficiary is the designated person under section 6 and section 7.

The provision under paragraph one shall not apply to provision, collection of funds or undertaking of a financial or asset transaction for necessary basic items or other items permitted under this Act.”

Section 4 The following provision shall be added as section 9, paragraph two, of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016):

“The provision under paragraph one shall not apply to a reporting entity who is Bangkok Metropolitan Land Office, Provincial Land Office, Branch Land Office and District Land Office.”

Section 5 The provision under section 13 of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016) shall be repealed and replaced by the following:

“Section 13 Any person other than persons designated under section 6 or section 7 may file a petition with the Office in order to pay off debt to the designated person by depositing money or assets into an account frozen in accordance with section 8 (1) or undertaking in any way to increase the value of the assets frozen in accordance with section 8 (1). Except in cases where the person is a reporting entity who froze the assets of customer who is a designated person in accordance with section 8 (1) and the payment is made into the customer’s account under a contract concluded prior to the notification to designate such persons, the reporting entity undertake such action without filing a petition to the Office.,

Any person other than persons designated under section 7 may file a petition with the Office to receive payment from account or assets frozen in accordance with section 8 (1) due to being the designated person and such designated person is a debtor or undertake in any way to decrease the value of the assets frozen in accordance with section 7.

The petitioner under paragraph one or paragraph two who disagrees with the Office’s decision shall have the right to request a review by the committee appointed under section 7 paragraph five. The request shall be submitted to the Office within fifteen days from the date that the decision was notified. The committee shall complete its review within thirty days from the date of receiving the case from the Office. If the petitioner disagrees with the committee's review, they shall file a petition with the court for consideration.

Criteria, procedures and conditions for filing a petition and the consideration under paragraph one, paragraph two and paragraph three shall be prescribed in the Ministerial Regulations.”

Section 6 The provision under section 14 of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016) shall be repealed and replaced by the following:

“Section 14 Court proceeding under Section 7, Section 8/1, Section 12 and Section 13 shall be brought to the Civil Court and provisions under Civil Procedural Code shall apply *mutatis mutandis*.”

Section 7 The following provision shall be added as section 17/1 of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016):

“Section 17/1 Any person is prohibited from providing, collecting funds or undertaking a financial or asset transaction with the knowledge that the beneficiary is the designated person under section 15.

The provision under paragraph one shall not apply to provision, collection funds or undertaking of a financial or asset transaction for necessary basic items or other items permitted under this Act.”

Section 8 The following provision shall be added as section 18 of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016):

“The provision under paragraph one shall not apply to a reporting entity who is Bangkok Metropolitan Land Office, Provincial Land Office, Branch Land Office and District Land Office.”

Section 9 The provision under section 22 (4) of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016) shall be repealed and replaced by the following:

“(4) To collect information and evidence for undertaking in relation to designation or delisting of a designated person under this Act or undertake actions relating to assets freezing, seizure or confiscation under this Act or other laws”

Section 10 The following provision shall be added as section 22 (5) of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016):

“(5) To undertake other actions under this Act”

Section 11 The following provision shall be added as section 22/1 of Chapter III, Power and duty of the Board and the Office, under the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016):

“Section 22/1 For the purpose of designation and delisting of a designated persons under this Act, the Office shall have the following powers and duties.

(1) To inquire or summon a representative of a reporting entity who is a financial institution or profession under the law on anti-money laundering to give a statement

in person or furnish written explanation or account information, document or evidence for examination or consideration

(2) To inquire or summon any person to give statement or furnish written explanation or account information, document or evidence for examination or consideration”

The Office may request information that is in possession or control of government agencies or state organization for consideration of designation or delisting of a designated person under this Act.”

Section 12 The provision under section 24 of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016) shall be repealed and replaced by the following:

“Section 24 Any reporting entity who fails to comply with section 8 (3), section 9, section 17 (3) or section 18 shall be liable to a fine not exceeding five hundred thousand baht and a daily fine of five thousand baht until rectification is made.”

Section 13 The following provision shall be added as section 24/1 and section 24/2 of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016):

“Section 24/1 Any person who violates Section 8/3 or Section 17/1 shall be liable to a fine not exceeding two hundred thousand baht.

Any reporting entity who is a financial institution and profession under the law on money-laundering who violates Section 8/3 or Section 17/1 shall be liable to a fine not exceeding five hundred thousand baht.

In the case where the person who committed an offense under paragraph one or paragraph two is a legal person and the commission of the offense occurred under direction or action of a director or a manager or any person responsible for the operation of such legal person, or in the case where such person has the duty to give direction or take action and refrain from giving direction or taking action, thereby causing the legal person to commit an offense, such person shall be liable to the penalty prescribed in paragraph one or paragraph two as the case may be.

Section 24/2 Any person who failed to give statement in person or to furnish written explanations, account information, documents or evidence under Section 22/1 (1) or (2) shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding five thousand baht or both.

Any legal person who committed an offense under paragraph one shall be liable to a fine not exceeding five hundred thousand baht as well as a daily fine of five thousand baht until rectification is made.

In the case where the commission of the offense by a legal person under paragraph two occurred under direction or action of a director or a manager or any person responsible for the operation of such legal person, or in the case where such person has the duty to give direction or take action and refrain from giving direction or taking action, thereby causing the legal person to commit an offense, such person shall be liable to an imprisonment not exceeding three months or a fine not exceeding five thousand baht or both.”

Section 14 The provision under section 25 paragraph one and paragraph two of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016) shall be repealed and replaced by the following:

“Section 25 Any person who provides, collects or undertakes a financial or asset transaction or act in any way for terrorist act or with the intention that the funds or asset are to be used in support of any activity of a designated person or a person, a group, a legal person or an entity involved in terrorism shall be deemed to commit an offense of terrorism financing and shall be liable to an imprisonment for a term of two to ten years or a fine forty thousand to two hundred thousand baht or both.

Any person who provides, collects funds or undertakes a financial or asset transaction in any way to proliferate weapons of mass destruction or with the intention that the funds or asset are to be used in support of any activity of a designated person or a person, a group, a legal person or an entity involved in proliferation of weapons of mass destruction shall be deemed to commit an offense of financing the proliferation of weapons of mass destruction and shall be liable to an imprisonment for a term of two to ten years or a fine of forty thousand to two hundred thousand baht or both.”

Section 15 The provisions of section 26 of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016) shall be repealed and replaced by the following:

“Section 26 Offenses under section 23, section 24, section 24/1, and section 24/2 committed by a legal person can be settled for a fine by the Settlement Committee under the law on anti-money laundering.

When the settlement committee has settled the fine and the accused has paid the fine in full amount and within the period of time specified by the committee, the case shall be deemed settled under the Criminal Procedural Code.”

Section 16 Any petition filed with the court under section 13 of the Counter-Terrorism and Proliferation of Weapons of Mass Destruction Financing Act B.E. 2559 (2016) before this Act comes into force, shall be considered by the court until the final decision is made.

Section 17 The Prime Minister shall have charge and control over the execution of this Act.

Countersigned by:  
Paetongtarn Shinawatra  
Prime Minister