

Annex to the Notification of the Board of Special Case

(No. 8) B.E. 2565 (2022)

Prescribing the Nature of Crime Regarded as Special Case

under Section 21 Paragraph One (1) of the Special Case Investigation Act, B.E. 2547 (2004)

1. *The offences under the Law on Borrowings which are Regarded as Public Cheating and Fraud*

The offences punishable under Section 12 and Section 15 of the Emergency Decree on Borrowings which Are Regarded as Public Cheating and Fraud, B.E. 2527 (1984) and its amendments which involve or are likely to involve at least three hundred injured persons or one hundred million baht of total loans

2. *The offences under the Law on Exchange Control*

The offences punishable under Section 8 and Section 8 *bis* of the Exchange Control Act, B.E. 2485 (1942) and its amendments which involve or are likely to involve the foreign currency prices or values of at least fifty million baht

3. *The offences under the Law on the Offences Relating to the Submission of Bids to Government Agencies*

The offences punishable under Section 4, Section 5, Section 6, Section 7, Section 8, Section 10, Section 11, Section 12, and Section 13 of the Act on the Offences Relating to the Submission of Bids to Government Agencies, B.E. 2542 (1999) which involve or are likely to involve the commission of offences relating to bid submission so as to become the person entitled to enter into contracts with government agencies with the amounts or values of at least thirty million baht

4. *The offences under the Law on Consumer Protection*

The offences punishable under Section 47 and Section 48 of the Consumer Protection Act, B.E. 2522 (1979) and its amendments which involve or are likely to involve total values of the goods or services of at least ten million baht or one hundred injured persons, excluding the violation of Section 23, Section 24, Section 25, and Section 26 of the Consumer Protection Act, B.E. 2522 (1979) and the offences punishable under Section 58 and Section 59

5. *The offences under the Law on Trademarks*

The offences punishable under Section 108, Section 109, Section 109/1, Section 110, and Section 114 of the Trademark Act B.E. 2534 (1991) and its amendments which involve or are likely to involve the commission of an offence in the manner of being a place of production, place of distribution, place of purchase and place of storage, or importing into the Kingdom, while having in possession items or goods which are intended to be used in committing a crime or which are derived from a crime or of which the possession is unlawful in itself, with market values of at least 5 million baht or likely damages of at least 5 million baht

6. The offences under the Law on Public Company

The offences punishable under Section 193, Section 197, Section 216, Section 217, Section 221, and Section 222 of the Public Company Act, B.E. 2535 (1992) and its amendments that have the damages of at least fifty million baht

7. The offences under the Law on Anti-Money Laundering

The offences punishable under Section 60 and Section 61 of the Anti-Money Laundering Act, B.E. 2542 (1999) and its amendments that have the predicate offences as the special cases under the authority of special case inquiry officials, or other cases with predicate offences likely to involve the damages of at least three hundred million baht

8. The offences under the law on Industrial Product Standards

The offences punishable under Section 48 and Section 48 *bis* of the Industrial Product Standards Act B.E. 2511 (1968) and its amendments which involve or are likely to involve the product values of at least ten million baht or one hundred injured persons or fifty thousand units for each type of products related to safety or public hazard

9. The offences under the Law on Copyrights

The offences punishable under Section 69, Section 69/1, Section 70, and Section 70/1 of the Copyright Act, B.E. 2537 (1994) which involve or are likely to involve the commission of an offence in the manner of being a place of production, place of distribution, place of purchase and place of storage, or importing into the Kingdom, while having in possession items or goods which are intended to be used in committing a crime or which are derived from a crime or of which the possession is unlawful in itself, with market values of at least 5 million baht or likely damages of at least 5 million baht

10. The offences under the Law on Patent

The offences punishable under Section 85, Section 86, and Section 88 of the Patent Act, B.E. 2522 (1979) and its amendments which involve or are likely to involve the commission of an offence in the manner of being a place of production, place of distribution, place of purchase and place of storage, or importing into the Kingdom, while having in possession items or goods which are intended to be used in committing a crime or which are derived from a crime or of which the possession is unlawful in itself, with market values of at least 5 million baht or likely damages of at least 5 million baht

11. The offences under the Law on Securities and Exchange

The offences punishable under Section 278, Section 281/2 paragraph two, Section 288, Section 289, Section 296, Section 296/1 and Section 300 but only insofar as offences under Section 278 are concerned, Section 288, Section 289, and from Section 306 to Section 315 of the Securities and Exchange Act, B.E. 2535 (1992) and its amendments that involve the damages of at least one hundred million baht

12. The offences under the Revenue Code

The offences punishable under Section 37, Section 90/4, Section 90/5, and Section 92/21(7) of the Revenue Code and its amendments, either a single act or several and distinct acts of offence, which cause or are likely to cause the State to lose its revenue from the duty and tax payment including penalty and surcharges or from tax return fraud of at least one hundred million baht

13. The offences under the Law on Customs

The offences punishable under Section 205, Section 206, Section 242, Section 243, Section 244, Section 245, Section 246, Section 247, and Section 253 of the Customs Act, B.E. 2560 (2017), either a single act or several and distinct acts of offence, which involve or are likely to involve the values of exhibits as well as all types of duty and tax totaling at least thirty million baht or the value of duty or duty return fraud as well as all types of duty and tax totaling at least thirty million baht

14. The offences under the Law on Excise Tax

The offences punishable under Section 186, Section 202, Section 203, Section 204, and Section 208 of the Excise Tax Act, B.E. 2560 (2017), either a single act or several and distinct acts of

offence, which involve or are likely to involve the values of merchandise or the income of establishments providing services totaling at least ten million baht, or the quantity of tobacco or sliced tobacco of at least one million grams, or the quantity of liquor of at least five thousand liters

15. The offences under the Law on Computer-Related Crime

The offences punishable under Section 5, Section 6, Section 7, Section 8, Section 9, Section 10, Section 11, Section 12, Section 14, and Section 17 of the Computer-Related Crime Act, B.E. 2550 (2007) and its amendments that have any of the following nature:

- (1) causing impact on critical information infrastructure of the country, security and key public services, finance, information technology and telecommunications, transport and logistics, energy and utilities, public health, or justice system
- (2) causing impact on national security
- (3) causing severe impact on public order or morality
- (4) causing impact on economic system and finance of the country

16. The offences under the Law on Foreign Business

The offences punishable under Section 34, Section 35, Section 36, Section 37, Section 38, and Section 41 of the Foreign Business Act, B.E. 2542 (1999), which involves an accusation against a foreign juristic or natural person having total assets of at least one hundred million baht declared in the financial statement

17. The offences under the Law on Anti-Trafficking in Persons

The offences punishable under Section 52, Section 52/1, Section 53, Section 53/1, Section 53/2, Section 54, Section 55, Section 56, and Section 56/1 of the Anti-Trafficking in Persons Act, B.E. 2551 (2008) and its amendments which have any of the following nature:

- (1) Government officials or foreign entities are involved
- (2) A request is made by government agencies, foreign government agencies, or non-governmental organizations
- (3) A request is made by injured persons as defined by the Criminal Procedure Code
- (4) The daily revenue or revolving fund in businesses relating to trafficking in persons amounts at least one hundred thousand baht
- (5) The offenders commit the crime in the manner of connected networks that span domestically and internationally

(6) The offence is committed in the manner of a large establishment operating the business conspicuously without fear of legal consequences

18. The offences under the Law on Minerals

(1) The offences punishable under Section 159 of the Mineral Act, B.E. 2560 (2017) which involve minerals of at least five thousand tons, or the total area of at least fifty *rais*, or the total value of minerals of at least ten million baht

(2) The offences punishable under Section 163 of the Mineral Act, B.E. 2560 (2017) which involve the sale, possession, storage or transport of minerals of at least fifty tons, or the total value of minerals of at least fifty million baht

(3) The offences punishable under Section 166 of the Mineral Act, B.E. 2560 (2017) which involve the violation of law pertaining to at least fifty tons of the minerals specified in the Notification

or the total value of minerals of at least fifty million baht

(4) The offences punishable under Section 169 and Section 170 of the Mineral Act, B.E. 2560 (2017) which cause extensive impacts on environment, with the total area of at least one hundred *rais* or the total number of people in the locality of at least one hundred

19. The offences under the Law on Financial Institution Business

The offences punishable under Section 121, Section 132, Section 139, Section 140, Section 141, Section 142, Section 143, Section 144, Section 145, Section 146, Section 147, Section 148, Section 149, and Section 150 of the Financial Institution Business Act, B.E. 2551 (2008) and its amendments

20. The offences under the Law on Hazardous Substances

(1) The offences punishable under Section 73 of the Hazardous Substance Act, B.E. 2535 (1992) and its amendments which involve or are likely to involve the possession of at least fifty cubic meters or fifty tons of hazardous substances or of at least one hundred victims

(2) The offences punishable under Section 74, Section 75, Section 76, and Section 78 of the Hazardous Substance Act, B.E. 2535 (1992) and its amendments which involve or are likely to involve at least ten million of hazardous substances or at least one hundred victims

21. The offences under the Law on Wildlife Reservation and Protection

(1) The offences punishable under Section 89 paragraph two but insofar as offences under Section 22 paragraph one are concerned, Section 93 but only insofar as offences under Section 23 paragraph one are concerned, and Section 94 but only insofar as offences under Section 25 paragraph one are concerned, of the Wildlife Reservation and Protection Act, B.E. 2562 (2019) which involve or are likely to involve the damages of at least fifty million baht, as assessed by a relevant government agency

(2) The offences punishable under Section 99 of the Wildlife Reservation and Protection Act, B.E. 2562 (2019) which involve the encroachment and possession of at least twenty-five *rais* of wildlife sanctuaries or the encroachment and possession of at least twenty-five *rais* in total of wildlife sanctuaries for which the land title deeds in accordance with the Land Code are unlawfully issued

22. The offences under the Law on Forests

(1) The offences punishable under Section 69 of the Forest Act, B.E. 2484 (1941) and its amendments which involve or are likely to involve the damages in the form of teak or rosewood of at least ten cubic meters in volume

(2) The offences punishable under Section 79 *ter* of the Forest Act, B.E. 2484 (1941) and its amendments which involve the encroachment and possession of at least fifty *rais* of forest lands, or the encroachment and possession of at least fifty *rais* in total of forest lands for which the land title deeds in accordance with the Land Code are unlawfully issued, or the damages of at least one hundred million baht, as assessed by a relevant government agency

(3) The offences punishable under Section 73, only insofar as offences under Section 48 are concerned, of the Forest Act, B.E. 2484 and its amendments which involve or are likely to involve the damages in the form of teak or rosewood of at least ten cubic meters in volume

23. The offences under the Law on National Reserved Forests

The offences punishable under Section 31 of the National Reserved Forest Act, B.E. 2507 (1964) and its amendments which involve the encroachment and possession of at least fifty *rais* of national reserved forests, or the encroachment and possession of at least fifty *rais* in total of national reserved forests for which the land title deeds in accordance with the Land Code are unlawfully issued, or the damages of at least one hundred million baht, as assessed by a relevant government agency

24. The offences under the Law on National Parks

The offences punishable under Section 41 of the National Park Act, B.E. 2562 (2019) which involve the encroachment and possession of at least twenty-five *rais* of national parks, or the encroachment and possession of at least twenty-five *rais* in total of national parks for which the land title deeds in accordance with the Land Code are unlawfully issued, or the damages of at least fifty million baht, as assessed by a relevant government agency

25. The offences under the Land Code

The offences punishable under Section 108 and Section 108 *bis* of the Land Code, B.E. 2497 (1944) and its amendments which involve the encroachment and possession of at least fifty *rais* of state lands of which the ownership is not vested in any person in accordance with the Land Code, or the encroachment and possession of at least fifty *rais* in total of state lands for which the land title deeds in accordance with the Land Code are unlawfully issued, or the damages of at least one hundred million baht, as assessed by a relevant government agency
