

**Regulation of Department of Industrial Works**  
**Re: Criteria for sharing reward and expenditure from criminal fining**  
**(No.2)**  
**B.E. 2548 (2005)**

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With reference to the Regulation of Department of Industrial Works regarding criteria for sharing reward and expenditure from criminal fining B.E. 2547 (2004) dated 4<sup>th</sup> August B.E.2547 (2004), in pursuing to the Regulation of Ministry of Finance regarding deduction of fining before submitting to treasury B.E. 2546 (2003) and (No.2) B.E. 2547 (2004), the Regulation of Ministry of Finance regarding payment of reward and implementing expenditure B.E. 2546 (2003), and the Notification of Ministry of Finance regarding category and rate of fining deduction prior submitting to treasury dated 11<sup>th</sup> February B.E. 2547 (2004), and became enforceable on 12<sup>th</sup> August B.E. 2547 (2004) which is the date following its publication in the Government Gazette.

With the recommendation of the DIW Reward and Gratuity Committee as in the resolution of the meeting No. 1/2547 on 24<sup>th</sup> November B.E. 2547 (2004) and No. 2/2547 on 21<sup>st</sup> December B.E. 2547 (2004) that it deems appropriate to revise the Regulation of Department of Industrial Works regarding criteria for sharing reward and expenditure from criminal fining B.E. 2547 (2004) dated 4<sup>th</sup> August B.E.2547 (2004) for clarification, Department of Industrial Works hereby issues the Regulation regarding criteria for sharing reward and expenditure from criminal fining (No.2) B.E. 2548 (2005) as follows:

Article 1        This regulation shall be called “Regulation of Department of Industrial Works regarding criteria for sharing reward and expenditure from criminal fining (No.2) B.E. 2548 (2005)”.

Article 2        This regulation shall enter into force on the day following the date of its publication in the Government Gazette, except the provisions under Article 17.3, Article 19 paragraph two, and Article 21 paragraph two that are revised as prescribed in Article 7, Article 8 and Article 9 of this Regulation that shall be enforceable on 12<sup>th</sup> August B.E. 2547 (2004).

Article 3        Any regulation, announcement or order concerning the matter prescribed here or inconsistent with this regulation, this regulation shall be applied instead.

Article 4        Any definition or statement that has no other interpretation shall be considered of its interpretation as prescribed in the Regulation of Ministry of Finance regarding deduction of fining before submitting to treasury B.E. 2546 (2003) and (No.2) B.E. 2547 (2004), the Regulation of Ministry of Finance regarding payment of reward and implementing expenditure B.E. 2546 (2003), and the Notification of Ministry of Finance regarding category and rate of fining deduction prior submitting to treasury dated 11<sup>th</sup> February B.E. 2547 (2004).

Article 5        To repeal the statement of “Arrest” under Article 5 of the Regulation of Department of Industrial Works regarding criteria for sharing reward and expenditure from criminal fining B.E. 2547 (2004) and shall use the following statement instead.

“Arrest” shall mean an arrest in accordance with Criminal Procedure Code and shall include the following cases:”

Article 6        To repeal the statement under Article 7 paragraph one of the Regulation of Department of Industrial Works regarding criteria for sharing reward and expenditure from criminal fining B.E. 2547 (2004) and shall use the following statement instead.

“Article 7 Department of Industrial Works shall appoint “the DIW Reward and Gratuity Committee” consisting of Director-General or Deputy Director-General of Department of Industrial Works as the Chairman, one representative from Human Resource Division, one representative from Finance Division, one representative from Office of the Department Secretary, two representatives from Legal Division as members, two officers from Factory Control and Inspection Bureau appointed by Director-General as members and one representative from finance unit of Finance Division who shall be a member and secretary to the Committee, one representative from Legal Division accounting who shall be a member and associate secretary to the Committee and one representative from accounting unit of Finance Division who shall be a member and associate secretary to the Committee.”

Article 7 To repeal the statement under Article 17 of the Regulation of Department of Industrial Works regarding criteria for sharing reward and expenditure from criminal fining B.E. 2547 (2004) and shall use the following statement instead.

“Article 17 In case there is an arrest and presence of a person filing for such arrest by which the case has been sent to Department of Industrial Works or Provincial Industrial Office to proceed with the case, the fining after being deducted under Article 14(3) or Article 15, as the case may be, shall be allotted into 75 parts as reward and gratuity as follows:

17.1 As reward for a person filing for an arrest at the rate of 25 parts. If there is more than one person, the money shall be divided equally.

17.2 As reward for arrest officers or officers implementing his duty and resulting in such fining at the rate of 50 parts by allotting as follows:

(1) Police officers or administrative officer shall receive 15 parts.

(2) For wrongdoing taking place in Bangkok Metropolis, an officer responsible for the case shall receive 11 parts, division chief shall receive 5 parts, director of bureau shall receive 3 parts, or

For wrongdoing taking place in other provinces, an officer responsible for the case in Provincial Industrial Office shall receive 12 parts, division chief of such officer shall receive 4 parts, and Provincial Industrial Chief shall receive 3 parts.

(3) Legal officer responsible for the case shall receive 7 parts, chief of such legal officer shall receive 2 parts, and Director of Legal Division shall receive 2 parts.

(4) All Deputy Director-General of Department of Industrial Works together shall receive 3 parts and Director-General of Department of Industrial Works shall receive 2 parts.

17.3 It is prohibited to allot the gratuity to officers under Article 17(2) who are appointed as member, secretary or associate secretary to the case settlement committee who consider settlement of the case that they have involved in case proceeding.”

Article 8 To repeal the statement under Article 19 of the Regulation of Department of Industrial Works regarding criteria for sharing reward and expenditure from criminal fining B.E. 2547 (2004) and shall use the following statement instead.

“Article 19 In case there is an arrest with no person filing for such arrest by which the case has been sent to Department of Industrial Works or Provincial Industrial Office to proceed with the case, the fining after being deducted under Article 14(3) or Article 15, as the case may be, shall be allotted into 100 parts as gratuity as follows:

(1) An arresting officer shall receive 25%.

(2) For wrongdoing taking place in Bangkok Metropolis, an officer responsible for the case shall receive 25%, division chief shall receive 8%, and director of bureau shall receive 5%.

For wrongdoing taking place in other provinces, an officer responsible for the case in Provincial Industrial Office shall receive 25%, division chief of such officer shall receive 7%, and Provincial Industrial Chief shall receive 6%.

(3) Legal officer responsible for the case shall receive 21%, chief of such legal officer shall receive 5%, and Director of Legal Division shall receive 2%.

(4) All Deputy Director-General of Department of Industrial Works together shall receive 6% and Director-General of Department of Industrial Works shall receive 3%.

It is prohibited to allot the gratuity to officers under Article 17(1)-(4) who are appointed as member, secretary or associate secretary to the case settlement committee who consider settlement of the case that they have involved in case proceeding.”

Article 9 To repeal the statement under Article 21 of the Regulation of Department of Industrial Works regarding criteria for sharing reward and expenditure from criminal fining B.E. 2547 (2004) and shall use the following statement instead.

“Article 21 In case there is an exposure of wrongdoing, the fining after being deducted under Article 14(3) shall be allotted into 100 parts as gratuity as follows:

(1) For wrongdoing taking place in Bangkok Metropolis, an officer exposing such wrongdoing and responsible for the case shall receive 34% (if there is other officers helping in this conduct, they shall receive 25% of the gratuity that an officer exposing such wrongdoing has received), division chief shall receive 10% and director of bureau shall receive 7%.

For wrongdoing taking place in other provinces, an officer responsible for the case in Provincial Industrial Office shall receive 34% (if there is other officers helping in this conduct, they shall receive 25% of the gratuity that an officer exposing such wrongdoing has received), division chief of such officer shall receive 9% and Provincial Industrial Chief shall receive 8%.

(2) Legal officer responsible for the case shall receive 24%, chief of such legal officer shall receive 7% and Director of Legal Division shall receive 3%.

(3) All Deputy Director-General of Department of Industrial Works together shall receive 9% and Director-General of Department of Industrial Works shall receive 6%.

It is prohibited to allot the gratuity to officers under Article 21(1)-(3) who are appointed as member, secretary or associate secretary to the case settlement committee who consider settlement of the case that they have involved in case proceeding.”

Article 10 The following statement shall be amended as paragraph two of Article 24 of the Regulation of Department of Industrial Works regarding criteria for sharing reward and expenditure from criminal fining B.E. 2547 (2004).

“In case there is no officer in unit or division available to function the duty and due to necessity that the chief of unit or division has to carry out the duty himself, the chief of unit or division shall receive allotment of gratuity for the part that he has performed the duty for his under officer and the gratuity for the part that shall be allotted to Chief of unit or division in position shall then be considered as national revenue. This provision shall be applied to superior officer of the next level thru the top level.”

Announced on the    day of August B.E. 2547 (2004)

(signed) .....

(Mr.Issara Shoteburakarn)

Director-General of Department of Industrial Works