

Regulations for Consignment Land Sale and Issuance of New Title Deeds



On May 25, 2023, the Director-General of the Department of Land signed a proclamation implementing new regulations to protect villagers involved in consignment land sales (or conditional land sales). These regulations aim to ensure the proper implementation of the law on the protection of citizens in consignment sale agreements for agricultural or residential purposes (Version 2) of 2566 (2023), and establish consistent and lawful practices for government officials.

According to the regulations, if a depositor has paid the deposit amount or provided collateral to the Land Office and the financier refuses to accept the collateral, the Land Office must promptly issue a new title deed and initiate the withdrawal of the deposit.

Isra News Agency reported that these regulations align with the Land Department's regulations on the protection of citizens in conditional land sale agreements for



agricultural or residential purposes of 2562, which aim to comply with the principles of Section 18, Paragraph 3 of the Consumer Protection Act concerning deposit sale agreements for agricultural or residential purposes of 2562.

The additional provision, numbered 9, states the following:

“If the depositor has paid the deposit or provided collateral at the Land Office, thereby waiving the right to withdraw the deposited property, and the land officer has issued an order for depositing the collateral and provided a notification to the depositor, including the requirement to receive the collateral and register the title deed from the deposit sale as outlined in section 8, certain conditions apply. If 30 days have elapsed since the notification was received, or 30 days have passed since it was deemed to have been received as per Article 71 of the Administrative Procedure Act of 2539, and the depositor fails to contact or report any hindrances, or if they make contact but fail to deliver the title deed for the deposit sale, it shall be deemed that the original title deed is at risk and can be replaced with a new one for registration under the provisions of Article 63 of the Land Code, complemented by Ministerial Regulation No. 43 (2537) issued in accordance with the Land Code of 2547, Section 17 (1). The issuance of replacement documents shall adhere to the established criteria and procedures”.

Furthermore, Isra News Agency reported that if villagers who have entered into deposit sale agreements with financiers wish to withdraw the deposit sale of the land before the legally stipulated deadline, and the financier refuses to accept the withdrawal amount, the depositor, as the contracting party, has the option to pay the agreed amount to the Land Office where the land is located.

Once the land official receives the payment, they must notify the depositor to withdraw the deposited amount within 30 days. However, if the deadline of 30 days passes and the debtor, who is the deposit recipient, remains unresponsive, fails to contact or notify any obstacles, or comes but does not deliver the title deed for the

deposit sale, the Land Office will proceed to issue a new title deed and facilitate the withdrawal of the deposit sale without delay.

This legal update clarifies the procedures to be followed in cases where financiers refuse to accept the withdrawal of deposit sales, ensuring that the rights and interests of depositors are protected under the regulations issued by the Department of Land.

Bangkok, June 2023

**OSTACOLI
AL COMMERCIO
PROPRIETÀ
INTELLETTUALE**



ITCA 
ITALIAN TRADE AGENCY

Italian Trade Commission

Agenzia ICE di Bangkok

14/th floor, Bubhajit Building
20 north Sathorn rd
10500, Bangkok

Per ulteriori informazioni contattare:

 + 00662/6338491

 + 00662/6338355

 + 00662/6338494

 bangkok@ice.it

Responsabile: GIUSEPPE LAMACCHIA

IPR/FAIR BANGKOK

Desk Assistenza e Tutela della Proprietà Intellettuale e Ostacoli
al Commercio

Referente: Avv. Luca Bernardinetti

Layout grafico e impaginazione

ICE-Agenzia per la promozione all'estero e l'internazionalizzazione
delle imprese italiane

Ufficio Coordinamento Promozione del Made in Italy
[Nucleo Grafica@ice.it](mailto:NucleoGrafica@ice.it) | Vincenzo Lioi & Irene C. Luca