

Unofficial Translation

Initiative Process Act,
B.E. 2556 (2013)

BHUMIBOL ADULYADEJ, REX.

Given on the 7th Day of December B.E. 2556 (2013);
Being the 68th Year of the Present Reign.

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

Whereas it is expedient to revise the law on initiative process;

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 “Initiative Process Act, B.E. 2556 (2013)”.

Section 2 This Act shall come into force as from the day following the date of its publication in the Government Gazette.

Section 3 The Initiative Process Act, B.E. 2542 (1999) shall be repealed.

Section 4 In this Act:

“eligible voter” means an eligible voter as stipulated in the Constitution of the Kingdom of Thailand;

“initiator” means an eligible voter who initiates the submission of a petition for introducing a bill or a motion for amending the Constitution to the President of the National Assembly.

Section 5 A person who has the right to subscribe his or her name to a petition to the President of the National Assembly for the National Assembly to consider a bill or a motion for amending the Constitution under the Constitution of the Kingdom of Thailand must be an eligible voter on the day of submitting a request to the President of the National Assembly under section 9 or section 12, as the case may be.

*Translated by Bureau of Foreign Languages, the Secretariat of the House of Representatives.

**Edited by Ms. Arriya Phasee under contract with the Office of the Secretariat of the House of Representatives.

*** Published in the Government Gazette dated 7th December B.E. 2556 (2013).

There shall be not less than ten thousand eligible voters subscribing their names to a petition for introducing a bill.

There shall be not less than fifty thousand eligible voters subscribing their names to a motion for amending the Constitution.

Section 6 Submission of a petition for introducing a bill to the President of the National Assembly must be carried out by at least twenty initiators who are eligible voters who shall collect signatures of eligible voters and inform the President of the National Assembly in writing with the following documents:

(1) a bill with accompanying memorandums under section 8;

(2) a name list of the initiators with copies of their identification cards, expired identification cards or any other cards or evidence issued by the government sector or a government agency with identifiable photos and identification numbers of such persons.

If the initiators require the Secretariat of the House of Representatives, the Office of the Law Reform Commission of Thailand or an agency having the authority in relation to the facilitation of drafting legislation for the public to draft the bill before informing the President of the National Assembly as set out in paragraph one, the Secretariat of the House of Representatives, the Office of the Law Reform Commission of Thailand or such agency shall proceed as appropriate to the case without delay.

In the submission of a petition for introducing a law under this Act, fund support from the Civil Political Development Fund under the law on Political Development Council may be requested.

If the bill under (1) contains a principle and content not as prescribed in section 8, the President of the National Assembly shall inform the initiators in writing within fifteen days from the date of receiving the matter under paragraph one and return the matter to the initiators.

Before eligible voters have subscribed their names to a petition for introducing a bill under section 9, the initiators may revise the bill under (1), but shall inform the President of the National Assembly in writing with a revised bill and accompanying memorandums.

Section 7 After carrying out the actions under section 6, the initiators may invite eligible voters to subscribe their names to a petition for introducing such bill to the President of the National Assembly.

In every page of the document to which eligible voters are to subscribe their names, there must be a statement to inform the eligible voters who intend to subscribe

their names of which bill will be presented and where to examine the bill, and the details of eligible voters as follows:

- (1) first name and family name;
- (2) identification number;

An eligible voter who subscribes his or her name shall attach a copy of his or her identification card, expired identification card or any other card or evidence issued by the government sector or a government agency with identifiable photo and identification number of such person.

Section 8 A bill that is eligible for being presented to the National Assembly for consideration must contain a principle regarding the rights and freedoms of Thai people or a principle of fundamental State policies as stipulated in the Constitution of the Kingdom of Thailand.

A bill under paragraph one must contain a clear principle of the bill and be divided into sections, each of which must contain a provision that clearly demonstrates the matters intended to be enacted, and contain the following accompanying memorandums:

- (1) memorandum of principle of the bill;
- (2) memorandum of reason for presenting the bill;
- (3) memorandum of analysis and summary of the bill.

Section 9 When not less than ten thousand eligible voters have subscribed their names to a petition for introducing a bill under section 7, the initiators shall submit their request to the President of the National Assembly together with the following documents:

- (1) a copy of the bill and accompanying memorandums under section 6 (1) or section 6, paragraph five, as the case may be;
- (2) the document to which eligible voters have subscribed their names with copies of their identification cards under section 7, paragraph three;
- (3) a name list of the representatives of the persons presenting the bill as stated by the initiators, which shall not be more than sixty persons.

Section 10 After receiving the request under section 9, the President of the National Assembly shall complete examination of the accuracy and completeness of the documents under section 9 within forty five days. If it appears that the number of signatures of the eligible voters is less than ten thousand or the documents are incorrect or incomplete, the President of the National Assembly shall inform the initiators in writing for rectification to ensure the accuracy and completeness. If the request is found to be correct and complete,

the President of the National Assembly shall announce a name list of the persons subscribing their names to a petition for introducing the bill through information technology media of the Secretariat of the House of Representatives and arrange the documents for public examination at the Secretariat of the House of Representatives and inform the persons on the list in writing.

In the case where any person is named on the list of the persons subscribing their names to a petition for introducing the bill according to the announcement under paragraph one but he or she did not subscribe his or her name to such petition, such person may, within thirty days from the date of the announcement under paragraph one, file an objection with the President of the National Assembly or a person appointed by the President of the National Assembly so that his or her name can be withdrawn from the list of the persons subscribing their names to the bill.

After the period of objection has expired under paragraph two, it shall be deemed that the name list of the persons subscribing their names to the bill is correct.

Section 11 In the case where the number of signatures of the eligible voters who have subscribed their names to a petition for introducing a bill is less than ten thousand, the President of the National Assembly shall inform the initiators in writing to arrange to have ten thousand persons subscribing their names to a petition for introducing the bill within ninety days from the date of informing by the President of the National Assembly. If such period has expired and no additional persons have subscribed their names to fill the shortfall, the President of the National Assembly shall dispose of the matter and return the matter and the relevant documents to the initiators.

If the number of signatures of the eligible voters who have subscribed their names to a petition for introducing a bill is not less than ten thousand, the President of the National Assembly shall proceed to cause the House of Representatives and the House of Senate to consider the bill according to the provisions of the Constitution of the Kingdom of Thailand.

In the case where a decision pursuant to the provisions of the Constitution of the Kingdom of Thailand rules that the proposed bill concerns finance, the President of the National Assembly shall forward the bill to the Prime Minister for consideration and endorsement.

Section 12 No submission of a motion for amending the Constitution which has the effect of changing a democratic regime of government with the King as Head of State or changing forms of the State may be permitted.

The provisions of section 6, section 7, section 9, section 10 and section 11 shall apply *mutatis mutandis* to the submission of a motion for amending the Constitution.

Section 13 Any person who commits the following shall be liable to imprisonment for a term of not exceeding five years or to a fine not exceeding one hundred thousand baht:

(1) giving, offering or agreeing to give property or any other benefit to an eligible voter to induce such person to initiate the submission of a petition for introducing a bill or a motion for amending the Constitution, or subscribe his or her name, not subscribe his or her name or withdraw from being subscribed to a petition for introducing a bill or a motion for amending the Constitution;

(2) deceiving, forcing, coercing or using power to threaten an eligible voter to subscribe his or her name, not subscribe his or her name or withdraw from being subscribed to a petition for introducing a bill or a motion for amending the Constitution.

Section 14 Any person who puts a false signature to a document or uses or claims that false signature in order to make any person believe that it is a genuine signature of a person subscribing their name to a petition for introducing a bill or a motion for amending the Constitution, shall be liable to imprisonment for a term of not exceeding ten years or to a fine not exceeding two hundred thousand baht or to both.

Section 15 The President of the National Assembly shall have charge and control over the execution of this Act.

Countersigned by:

Yingluck Shinawatra
Prime Minister