



ศาลรัฐธรรมนูญ

THE CONSTITUTIONAL COURT
THE KINGDOM OF THAILAND

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ACKNOWLEDGEMENT

In 1998, the Constitutional Court of the Kingdom of Thailand was established as one of the organs under the Constitution to perform its duties in scrutinizing, protecting as well as upholding the Constitution of Thailand in order to maintain the democratic form of government with the King as Head of the State; to enhance the fundamental rights and liberties of Thai citizens; and to help achieve political reform ultimately.

The Court is empowered by the Constitution of Thailand B.E. 2540 (A.D. 1997) to interpret the Constitution and laws within the framework of controlling the constitutionality of the laws, to adjudicate the disputes concerning the powers and functions of various constitutional organizations, to decide dissolution of political parties, to solve the problems relating to the status and tenure of members of the House of Representatives, members of the Senate, the Prime Minister, Ministers and members of the Election Commission, and to rule on complaints by the National Counter Corruption Commission relating to the declaration of the assets of persons holding political positions.

Since the establishment of the Constitutional Court of the Kingdom of Thailand in 1998, the Court has decided total 389 cases, as of 2004. There have been many cases, in which the Court declared some provisions of the law unconstitutional and caused a substantial impact on formation of constitutional conventions and directly influenced people's daily lives as well as ways of thought.

The Constitutional Court of Thailand has indeed shown itself to be an active constitutional organ of the Kingdom, representing the judicial power. The task of the Constitutional Court is therefore to be the guardian of the Constitution and the protector of the people's basic rights.

As for this brochure which composed of an overview and the basic functions of the Constitutional Court and the Court's administrative branches, I really hope that this guideline would be some of use to the general public to increase an understanding of the Constitutional Court of the Kingdom of Thailand.

Additionally, I would like to take this opportunity to express my sincere thanks and appreciation for all officers of the Constitutional Court for their endeavors in this publication.



Professor Dr. Kramol Tongdhamachart
President of the Constitutional Court of Thailand

FOREWORD

The Constitution of the Kingdom of Thailand B.E. 2540 (A.D. 1997) was promulgated with the paramount aim of reforming the Thai political system by introducing fundamental changes in six principal areas. Firstly, one of the main goals of the Constitution is to encourage and promote greater participation by Thai citizens in the political process. Secondly, the Constitution aims to bring honesty, transparency, accountability and legitimacy into the political system. Thirdly, the Constitution is framed so as to ensure greater political stability of the administrative body. Fourthly, the Constitution installs a number of mechanisms for the inspection of State powers such as the Constitutional Court, the National Counter Corruption Commission, the Election Commission, Ombudsmen and the National Human Rights Commission. Fifthly, the Constitution is aimed at enhancing greater effectiveness and efficiency to the legislative procedure. And lastly, the Constitution provides for the establishment of a new Court system which is essentially separate and independent, namely, the Courts of Justice, the Constitutional Court, the Administrative Courts and the Military Courts.

To help achieve these ends, the Constitutional Court, as an organ exercising judicial powers, was created with the underlying objectives and functions of satisfying the spirits of the Constitution in the process of political reformation. As such, the powers and duties of the Constitutional Court shall be stated as follows: (1) powers and duties in relation to the protection of rights and liberties of the people as guaranteed by the Constitution; (2) powers and duties of reviewing the Constitutionality of laws and draft laws; (3) powers and duties in relation to the promotion of public participation in the governance and the inspection of exercise of State powers; (4) powers and duties as to adjudication of disputes pertaining to the powers and functions of the various organs under the Constitution; and (5) other powers and duties prescribed by the Constitution and organic laws.

The brochure presents an overview of the Constitutional Court, the establishment of the Court, the scope of its adjudicative jurisdiction, the exercise of rights in the Court, the Procedural Rule of the Court, the rulings and effect of its rulings, the summary of proceedings in the Court and, lastly, the Secretariat, which is the Court's administrative branch. At the same time, the international cooperation of the Constitutional Court including its goals and areas of work is introduced. Office of the Constitutional Court is aimed at undertaking to develop and expand technical cooperation networks on Constitutions and Constitutional Courts at an international level.

I hope that this brochure will be of benefit to readers and relevant parties; and may I take this opportunity to acknowledge the work and cooperation of a team of Constitutional Court officers who contributed to the publication of this brochure. My thanks are also extended to the editorial staff for their endeavors in this publication.

P. Varahapaiton

Mr. Paiboon Varahapaiton

Secretary-General of Office of the Constitutional Court





THE COURTHOUSE OF THE CONSTITUTIONAL COURT

The Mansion of Chao Phraya Rattanathibet (Phum Srichaiyant) dates back in history for no less than 100 years. The construction had been influenced by Italian renaissance architecture due to the popularity of adopting western architecture to local houses and buildings during the reign of King Rama V. The general components of the building comprise the artistic values of Andrea Palladio and Vigrola, renowned Italian architects during the latter half of the sixteenth century.

Subsequent additions and renovations have converted the mansion into offices of various government agencies, such as guest accommodation for the Ministry of Interior, Offices of the Ministry of Dhamma (Ministry of Education), the Department of Agriculture and Fisheries, Office of Bangkok Metropolitan Agriculture, Department of Agricultural Development of the Ministry of Agriculture and Cooperatives respectively. Nevertheless, the additions and renovations have attempted to preserve as much of the original architecture in order to maintain the architectural value of the Chao Phraya Rattanathibet Mansion. The Mansion of Chao Phraya Rattanathibet was listed as a historical building on 30th September B.E. 2531 (1988).

When the Constitutional Court was inaugurated under the Constitution of the Kingdom of Thailand, B.E. 2540 (1997), the Mansion of Chao Phraya Rattanathibet, situated on No. 326, Chakphet Road, Khwaeng Wangburapha - phiom, Phra Nakhorn District, Bangkok, was renovated into the courthouse of the Constitutional Court. Operations commenced on 27th August B.E. 2543 (2000)*. The renovation of the

* *The Constitutional Court has leased the Chao Phraya Building situated at No. 49/1, Phra Athit Road, Khwaeng Chanasonkram, Phra Nakhorn District, Bangkok, as its temporary courthouse prior to the complete renovation of Mansion of Chao Phraya Rattanathibet as its permanent courthouse.*

Mansion of Chao Phraya Rattanathibet was conducted under the supervision of the Department of Art in order to preserve the original architectural structure of the building. Interior decorations followed the historical form in line with the western architectural influence mixed with Thai architecture. Teakwood has been the primary material used in almost all decorative items. The internal area of the building has been partitioned into two parts, namely:

First part. The Mansion of Chao Phraya Rattanathibet has been renovated into offices of the President of the Constitutional Court, Constitutional Court judges and administrators of the Office of the Constitutional Court.

Second part. The old Ministry of Dhamma building has been renovated into the offices of officials of the Office of the Constitutional Court and various meeting rooms, comprising the court trial room, deliberation room, meeting room of the Office, a museum and collection of memoirs of the Constitutional Court, library, praying room and press conference room.



1 2 3

- 1,2 *A part of the windows and doors, the original architecture of the old Ministry of Dhamma building, has been renovated into the offices of officials of the Office of the Constitutional Court.*
- 3 *A rear of the Courthouse has undergone major renovation.*





1 2 3 4

1-4 *The Surrounding of
the Courthouse of the
Constitutional Court.*



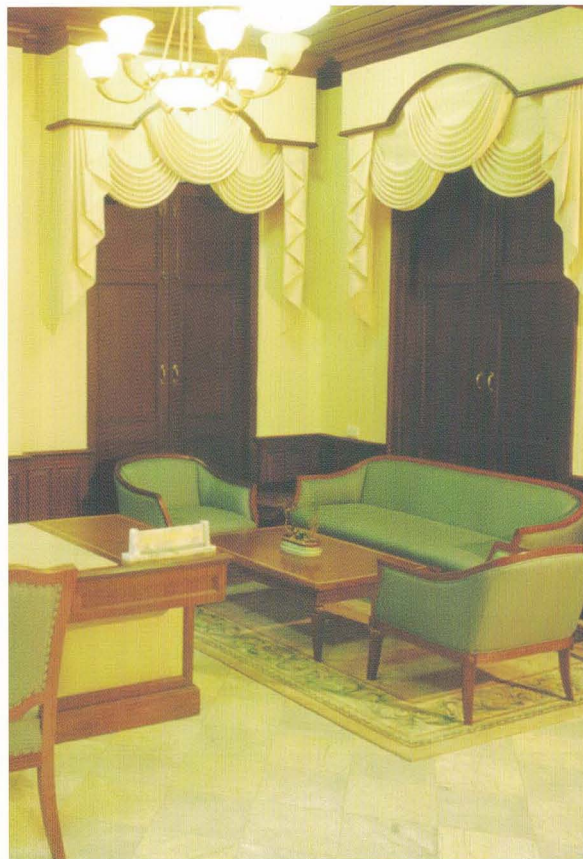
The Mansion of Chao Phraya Rattanathibet (Phum Srichaiyant) dates back in history for no less than 100 years. The construction had been influenced by Italian renaissance architecture

which comprises the artistic values of Andrea Palladio and Vigrola, renowned Italian architects during the latter half of the sixteenth century.



The renovation of the Mansion of Chao Phraya Rattana Thibet was conducted under the supervision of the Department of Art in order to preserve the original architectural structure

of the building. Interior decorations followed the historical form in line with the western architectural influence mixed with Thai architecture.



The first part of the building has been renovated into offices of the President of the Constitutional Court, Constitutional Court judges and administrators of the Office of the Constitutional Court.

1 2 3

1 *Office of the President
of the Constitutional Court*

2,3 *Offices of Judges
of the Constitutional Court*



1 2

3

- 1 *Office of the Head of the Administration,
the Secretary-General of Office of
the Constitutional Court*
- 2 *Reception Room*
- 3 *The Court Trial Room*





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3	4
5	6

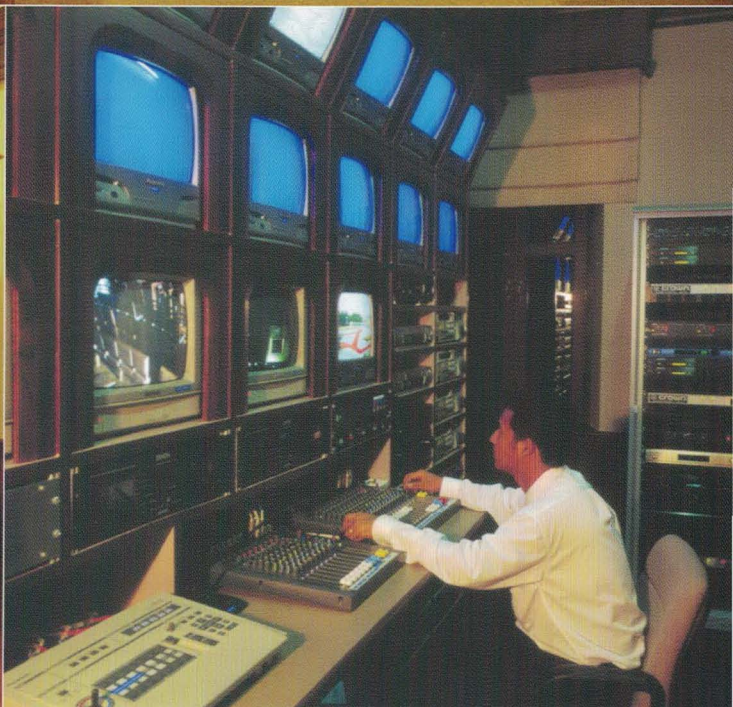
1 *Deliberation Room*

2 *Meeting Room of the Office*

3,4 *Museum and Collection of Memoirs
of the Constitutional Court*

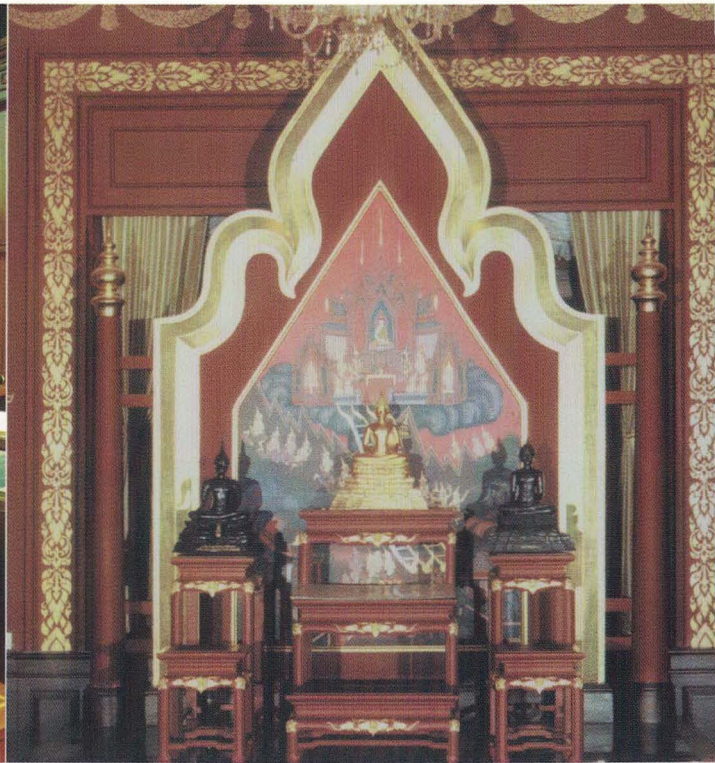
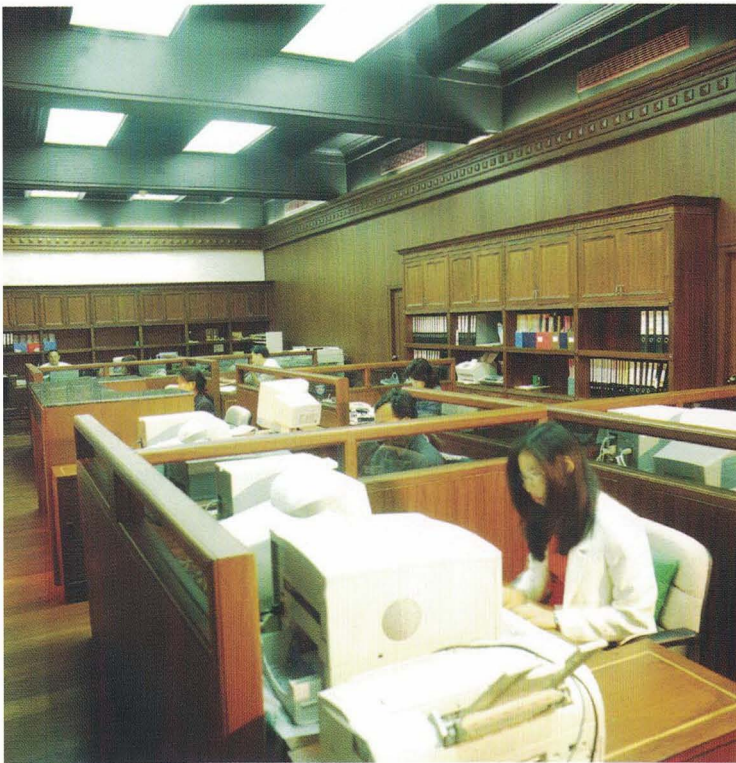
5 *Library*

6 *Audio-Visual Operation Room*





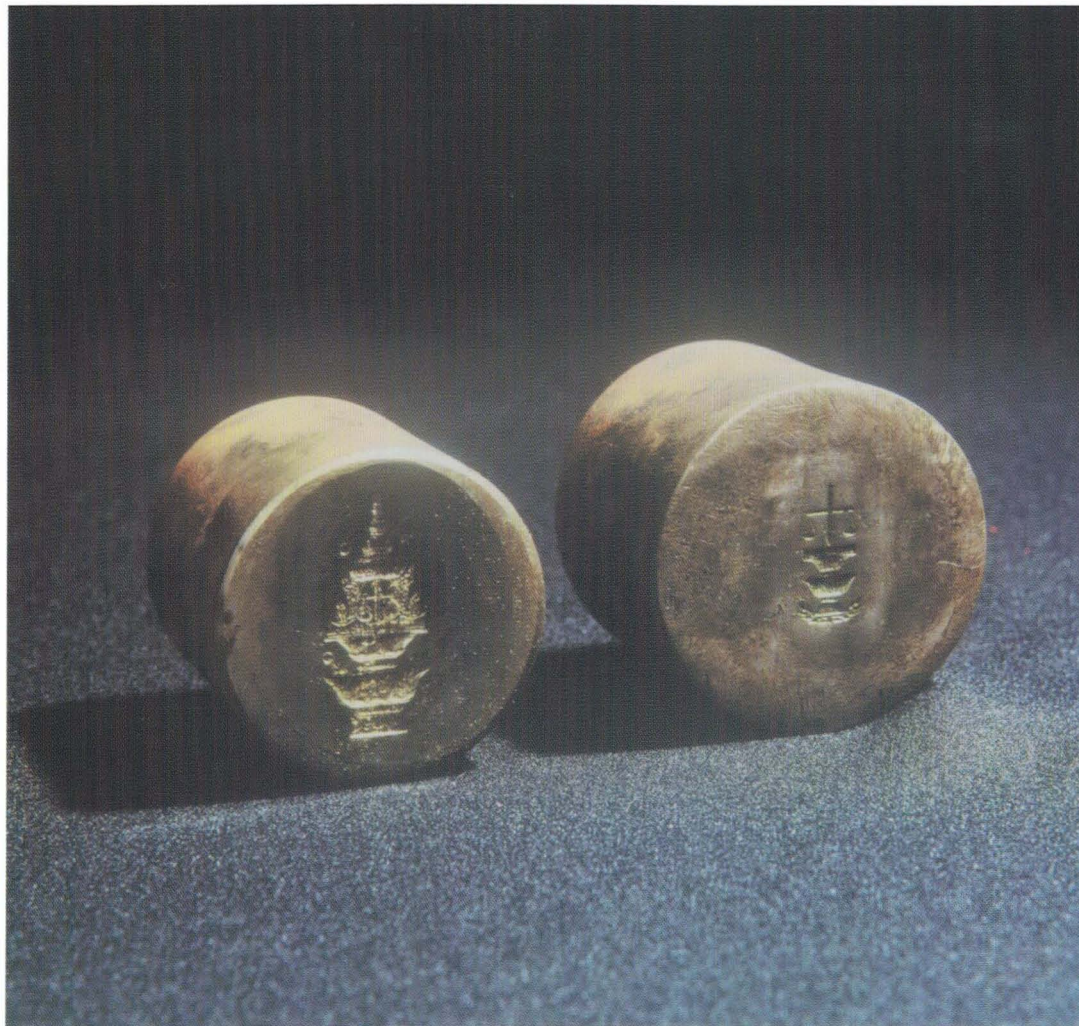
Library of Constitutional Court



1 2 3 4

- 1 *Press Conference Room*
- 2,3 *Offices of Officials of the Office of the Constitutional Court*
- 4 *Praying Room*

THE CONSTITUTIONAL COURT



THE ESTABLISHMENT OF THE CONSTITUTIONAL COURT

The Constitution of the Kingdom of Thailand, B.E. 2540 (1997), provided for the establishment of the Constitutional Court embodied as a special organ exercising judicial powers under the Constitution. Such powers and duties vested do not include the power to try and adjudicate general cases. However, the Constitutional Court is vested with adjudicative jurisdiction over problematic issues arising from the Constitution, being the supreme law of the country. In this regard, the principal function exercised by the Constitutional Court has been the control of laws against inconsistencies or contrariness with the Constitution.

The Constitutional Court has been established with the underlying objectives and functions of satisfying the spirits of the Constitution of the Kingdom of Thailand, B.E. 2540 (1997), in the process of political reformation as explicitly mentioned in enacting clauses of the Constitution:

“...the Constituent Assembly prepared the draft Constitution with the essential substance lying in additionally promoting and protecting rights and liberties of the people, providing for public participation in the governance and inspecting the exercise of State power as well as improving a political structure to achieve more efficiency and stability...”

As such, the essence of the roles and duties of the Constitutional Court may be stated in detail, as follows:

- 1. Roles and duties in relation to the protection of rights and liberties of the people.**
- 2. Roles and duties in relation to the inspection of exercise of State powers** to ensure that such powers are utilized for the benefit of the people:

- 2.1 Inspection of laws prior and subsequent to their promulgation to safeguard against inconsistencies or contrariness with the Constitution.
- 2.2 Scrutiny of constitutional qualifications and prohibitions in the case of the taking of political offices.
- 2.3 Transparency checks on political office holders by securing the submission of accounts showing particulars of assets and liabilities and supporting documents stipulated by the Constitution.

3. Roles and duties in relation to the preservation of stability and efficiency of a political system following the democratic regime with the King as Head of the State.



1

- 1 *A U-shaped staircase constructed of teakwood, ascends three storeys from the library to the offices of officials.*

PRESIDENT AND JUDGES OF THE CONSTITUTIONAL COURT



The Composition of the Constitutional Court

Section 255 of the Constitution of the Kingdom of Thailand, B.E. 2540 (1997), provided for a “Constitutional Court” comprising one President of the Constitutional Court and fourteen other judges of the Constitutional Court, or a total of fifteen Constitutional Court judges. Appointments are made by the King upon the advice of the Senate from the following persons:

- (1) five judges of the Supreme Court of Justice holding a position of not lower than Judge of the Supreme Court of Justice and elected at a general meeting of the Supreme Court of Justice by secret ballot;
- (2) two judges of the Supreme Administrative Court elected at a general meeting of the Supreme Administrative Court by secret ballot;
- (3) five qualified persons in law elected by the Senate under the procedure prescribed in section 257 of the Constitution of the Kingdom of Thailand;
- (4) three qualified persons in political science elected by the Senate under the procedure prescribed in section 257 of the Constitution of the Kingdom of Thailand.

The selection process of Constitutional Court judges

The selection of Constitutional Court judges from judges of the Supreme Court and the Supreme Administrative Court is made by means of an election process in the general meetings of the Supreme Court and of the Supreme Administrative Court respectively. In such a case, the Senate does not have the power to approve or disapprove of the nominations made by the Supreme Court or the Supreme Administrative Court, pursuant to Ruling No. 1/2541 of the Constitutional Council acting as the Constitutional Court, dated 7th January B.E. 2541 (1998).

As for the selection of qualified Constitutional Court judges from the fields of law and political science, the Constitution stipulated that the Selective Committee for Judges of the Constitutional Court should perform the selection and submit a list of nominated persons to the Senate along with the consent of such nominated persons.

The Selective Committee for Judges of the Constitutional Court comprises the President of the Supreme Court, four law faculty deans or their equivalent elected amongst themselves from all higher educational institutions of the State, four political science faculty deans or their equivalent elected amongst themselves from all higher educational institutions of the State and four representatives from political parties with a member of the House of Representatives elected amongst themselves from one member from each political party, or a total of thirteen members constituting a Selective Committee.

Thereafter, the Senate casts votes on the selection of Constitutional Court judges from the list of nominations of qualified persons made by the Selective Committee for Judges of the Constitutional Court, which must be done by secret ballot. A selection must receive the votes of not less than one-half of the total number of existing senators.

The first President of the Constitutional Court and Constitutional Court judges received royal appointments on 11th April B.E. 2541 (1998).

The Quorum of Constitutional Court Judges

The quorum of Constitutional Court judges refers to the minimum number of Constitutional Court judges required for competency to hear and decide a case. Section 267 of the Constitution provided that the quorum of Constitutional Court judges for hearing and deciding a case shall consist of not less than nine judges. Added with the fact that the Constitutional Court is a judicial organ, the provisions of the Constitution in Chapter 8 Courts, Part 1 General Provisions,



1 *The Full Bench*

are also applicable to the Constitutional Court. In relation to the trial of a case, the provision which is of direct relevance is section 236, which provides that the hearing of a case requires a full quorum of judges and any judge not sitting at the hearing of a case shall not give judgment or a decision of such case, except for the case of force majeure or any other unavoidable necessity as provided by law.

Term of Office of Constitutional Court Judges

The President of the Constitutional Court and judges of the Constitutional Court hold office for a term of nine years and only for a single term. The rationale for such prescriptions is the independence of Constitutional Court judges from influence of the appointers. Such requirements provide safeguards for decisions which are free from antagonism and made impartially and honestly.

PRESIDENT OF THE CONSTITUTIONAL COURT



H.E. Prof. Dr. Kramol Tongdhamachart
President of the Constitutional Court

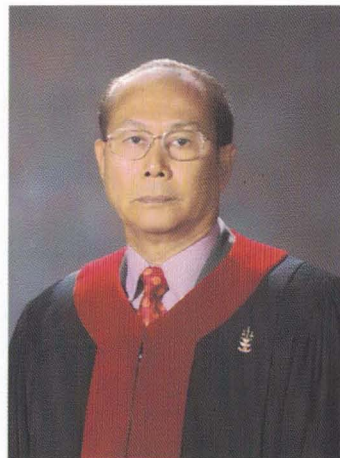
JUDGES OF THE CONSTITUTIONAL COURT



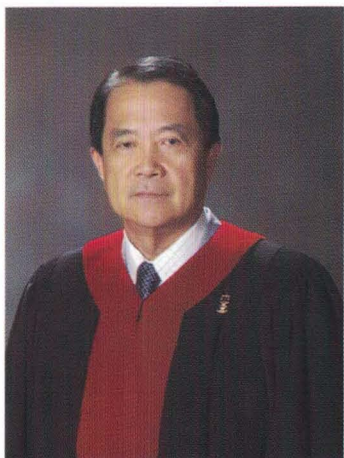
Mr. Apai Chandanachulaka



Mr. Jira Boonpojanasontorn



Mr. Jumpol Na Songkhla



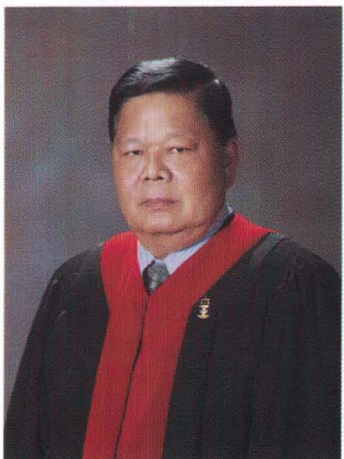
Mr. Manit Wityatem



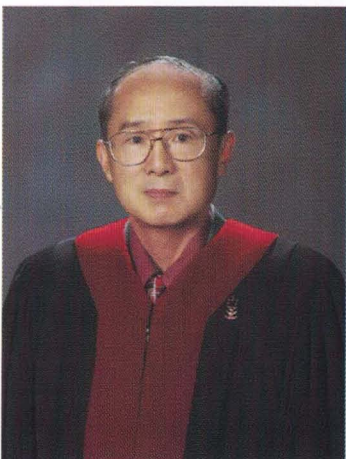
Mr. Mongkol Saratun



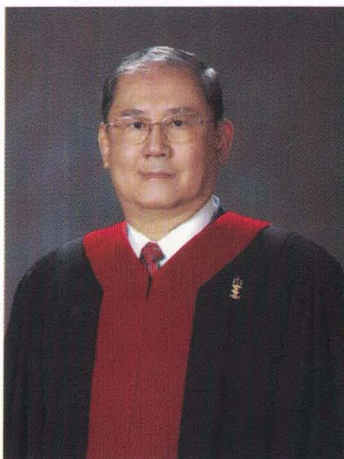
Mr. Nopadol Hengjareon



Mr. Parn Jantraparn



Mr. Preecha Chalermvanich



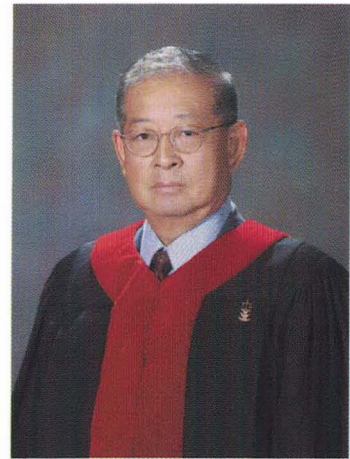
Mr. Sakdi Techacharn



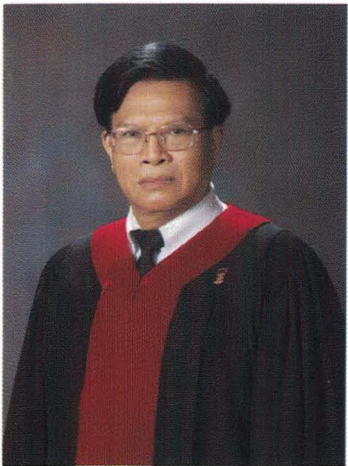
Prof. Dr. Saowanee Asawaroj



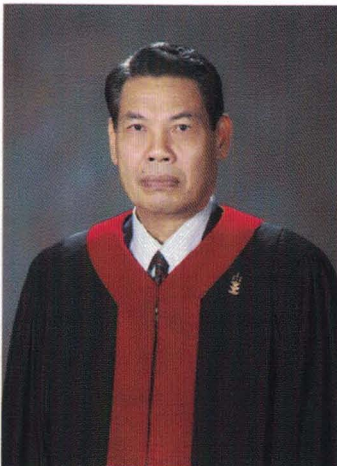
Mr. Sutee Suthisomboon



Mr. Suvit Teerapong



Pol. Gen. Suwan Suwanvecho



Mr. Ura Wang-Orm-Klang

POWERS AND DUTIES OF THE CONSTITUTIONAL COURT

The Constitution of the Kingdom of Thailand, B.E. 2540 (1997), prescribed the powers and duties of the Constitutional Court which can be categorized as follows:

1. powers and duties of controlling laws and draft laws to prevent inconsistencies or contrariness with the Constitution;
2. powers and duties to rule on the membership or qualification of members of the House of Representatives, Senators, Ministers and Election Commissioners;
3. powers and duties to rule on disputes pertaining to the powers and duties of various organs under the Constitution;
4. powers and duties to rule cases in respect of the submission of accounts of assets and liabilities and supporting documents by political officials;
5. other powers and duties prescribed by the Constitution and organic laws.

1. Powers and duties of controlling laws and draft laws to prevent inconsistencies or contrariness with the Constitution.

This is the primary power and duty of the Constitutional Court. Such controls over the constitutionality of laws could be exerted at two stages, viz prior to the promulgation of a law or subsequent to its promulgation.

1.1 Control of laws prior to promulgation

This process involves the control of Bills pending consideration in the legislative process or Emergency Decrees enacted by the executive. Such controls may govern both the constitutionality of the substance of the laws as well as the procedural aspects of the passage of such laws pursuant to the conditions prescribed by the Constitution. The powers and duties under this heading may be exercised in three scenarios:

1.1.1 Constitutionality control of Bills

A ruling could be made under **section 262** on whether or not a Bill or Organic Law Bill approved by the National Assembly or a Bill or Organic Law Bill reaffirmed by the National Assembly under section 94 but prior to its presentation to the King for Royal Assent contains provisions which are contrary to or inconsistent with the Constitution or had been enacted inconsistently with the provisions of the Constitution.

In the event that the Constitutional Court rules that the provisions of such Bill or Organic Law Bill contain provisions which are contrary to or inconsistent with the Constitution and where such provisions form the essential substance of the Bill or Organic Law Bill, or where the Bill or Organic Law Bill had been enacted inconsistently with the provisions of the Constitution, such Bill or Organic Law Bill would lapse.

In the case where the Constitutional Court rules that a Bill or Organic Law Bill contains provisions which are contrary to or inconsistent with the Constitution but such provisions do not form the essential substance of the Bill or Organic Law Bill, only those contrary or inconsistent provisions would lapse.

1.1.2 Control of prerequisites for the enactment of Emergency Decrees

A ruling could be made on whether or not an Emergency Decree proposed by the Council of Ministers under section 218 paragraph one was in accordance with the purpose of preserving national safety, public safety, national economic security or averting public calamity.

The requirements for submitting such matter to the Constitutional Court for consideration are stated in **section 219** of the Constitution. A ruling that an Emergency Decree is discordant with section 218 paragraph one of the Constitution must be supported by the votes of not less than two thirds of the existing Constitutional Court judges.

In the case where the Constitutional Court rules on the scope of an Emergency Decree as failing to meet the prerequisites for enactment, i.e. not being enacted for the purpose of preserving national safety, public safety, national economic security or the aversion of public calamity, **such an Emergency Decree would be held void *ab initio***. Nevertheless, the Constitutional Court is unable to make a ruling on whether or not the contents of an Emergency Decree are contrary to or inconsistent with the Constitution.

1.1.3 A ruling could be made on whether or not a new Bill or Organic Law Bill proposed by the Council of Ministers or members of the House of Representatives contains identical or similar principles to a Bill or Organic Law Bill withheld pursuant to section 177.

1.2 Control of laws subsequent to promulgation

Where it appears that a law, having passed through the legislative process and been promulgated, contains provisions which are contrary to or inconsistent with the Constitution, such a law could be referred to the Constitutional Court

for consideration. Controls of laws subsequent to their promulgation can be exercised in two ways, namely, through the courts and through the Ombudsman.

1.2.1 Controls through the court process (in accordance with the rules under section 264)

A person may exercise the right to make a reference to the Constitutional Court through a Court of Justice, Administrative Court or Military Court by virtue of being a party in a court proceeding where such contended provisions of law are to be applied. If deemed by the court itself or the parties object to such provisions of law as being contrary to or inconsistent with the Constitution and there has not been a relevant ruling of the Constitutional Court on such provisions, a motion may be filed at the court requesting for a reference of such matter to the Constitutional Court for consideration. In such a case, the court must impose a temporary stay on the proceedings.

Any ruling of the Constitutional Court shall be binding on all cases but shall not affect judgments that are final.

Provisions of law which are subject to the adjudicative jurisdiction of the Constitutional Court consist only of those provisions of Acts enacted by the legislative body or laws of equivalent status. Bylaws, rules or notifications, which are subordinate legislation issued by virtue of Acts, are not deemed as provisions of law determinable by the Constitutional Court under section 264 as per Rulings of the Constitutional Court Nos. 4/2542 and 27/2544.

1.2.2 Controls through the Ombudsman (in accordance with the rules under section 198)

The Ombudsman is agency which receives from the people petitions concerning government officials, officers or employees of government

agencies, State agencies or State enterprises or local officials failing to execute duties under the law or executing duties beyond the scope prescribed by law, including the execution or omission of execution which causes damage to the petitioner or the people regardless of lawfulness. In this regard, the Constitution provides that the Ombudsman may refer a case concerning the constitutionality of provisions of law, by-laws, regulations or acts of any person by submitting the matter together with an opinion to the Constitutional Court or the Administrative Court, as the case may be.

2. Powers and duties to rule on the membership or qualification of members of the House of Representatives, Senators, Ministers and Election Commissioners.

The powers of the Constitutional Court in this section involve the determination of whether or not the membership of members of the House of Representatives, the membership of senators, the ministership of Ministers and an Election Commissioner possesses the proper qualifications and is not under a prohibition provided by the Constitution as well as whether or not such person has committed a prohibited act prescribed by the Constitution. Such powers are consequential of the fact that the membership or status of such position holders has been prescribed by the Constitution and the Constitution provided that the Constitutional Court shall be the adjudicative body to determine whether or not the membership or status of such a position holder has terminated.

Powers and duties under this section may be divided as follows:

2.1 To determine whether or not the membership of a member of the House of Representatives or Senator has terminated under section 118(3), (4), (5), (6), (7), (8), (9), (11) or (12) or section 133(3), (4), (5), (6), (7), (9) or (10) of the Constitution.

Members of the House of Representatives or senators in a number not less than one-tenth of the total number of existing members in each House may enter their names in a complaint to the President of their respective Houses on a question of whether or not the membership of a member of such House has terminated. Upon receiving such a complaint, the President of the House shall refer the matter to the Constitutional Court for a ruling under section 96.

2.2 To determine whether the ministership of a Minister has terminated under section 216(2), (3), (4) or (6) of the Constitution.

The process under section 96 is applied to the submission of a case to the Constitutional Court for consideration. Such process involves the entry of names for the Constitutional Court to determine the membership of a member of the House of Representatives or a senator.

2.3 To determine whether an Election Commissioner lacks the qualification or is subject to a prohibition under section 137 of the Constitution or whether a prohibited act under section 139 of the Constitution has been committed.

Section 142 of the Constitution provides that members of the House of Representatives, senators or members of both Houses cumulatively in a number not less than one-tenth of the existing members of both Houses shall have the right to enter their names in a complaint to the President of the National Assembly that an Election Commissioner lacks the qualification or is subject to a prohibition under section 137 or has committed a prohibited act under section 139. Upon the receipt of such a complaint, the President of the National Assembly shall refer the matter to the Constitutional Court for a ruling on whether or not such Election Commissioner shall vacate his or her office.

3. Powers and duties to determine disputes pertaining to the powers and duties of various organs under the Constitution.

The powers and duties of the Constitutional Court under section 266 involve the determination of cases concerning disputes pertaining to the powers and duties of various organs under the Constitution. Such cases are referred to the Constitutional Court together with an opinion by the relevant organ itself or the President of the National Assembly.

Disputes pertaining to the powers and duties of organs under the Constitution must be “disputes” arising from the performance of duties. Therefore, in the absence of a dispute, a motion to the Constitutional Court under this section could not be made. For example, a motion for the interpretation of powers and duties of an organ or a consultation on the powers of an organ under the Constitution without a dispute actually arising would not be accepted by the Constitutional Court for consideration.

A dispute on powers and duties possesses the characteristics of a dispute on the existence or scope of powers and duties of an organ under the Constitution or a dispute between two or more organs under the Constitution that one organ has exercised powers beyond its jurisdictional limits or in such manner as may affect the powers and duties of the other organ. In this regard, the fundamental principle has been laid down in *Ruling No. 54/2542 Re: The President of the National Assembly requests for a Constitutional Court ruling under section 266 of the Constitution of the Kingdom of Thailand, B.E. 2540 (1997), in the case on the appointment of judges of the Supreme Administrative Court* that a dispute pertaining to the appointment of judges of the Supreme Administrative Court was a dispute between the Prime Minister and the Senate.

Moreover, the Constitutional Court had laid down the principle that an organ under the Constitution under section 266 means an organ established by the Constitution whose roles and functions have been provided by the Constitution,

not being a branch of the executive such as ministries, sub-ministries and departments (Ruling No. 2/2541) and not being a local government organ (Ruling No. 58-62/2543). In the latter case, section 283 of the Constitution provided that any locality which meets the conditions of self-government shall have the right to be formed as a local government organ. Examples are the Tambon Administrative Organisation, Provincial Administrative Organisation and the Municipality. Such organs are, however, established under the Tambon Assembly and Tambon Administrative Organisation Act, B.E. 2537 (1994), the Provincial Administrative Organisation Act, B.E. 2540 (1997) and the Municipal Act, B.E. 2496 (1953) respectively and not established under the Constitution.

4. Powers and duties to rule cases in respect of the submission of accounts of assets and liabilities and supporting documents by political officials

The present Constitution has installed a number of mechanisms for the inspection of State powers. One of the most important of such mechanisms is the imposition of a duty on holders of political positions to submit accounts of assets and liabilities and supporting documents pursuant to the Constitution.

Section 291 of the Constitution provides that a person holding the position of Prime Minister, Minister, member of the House of Representatives, senator, other political officials, local administrator and member of a local assembly as provided by law shall be under a duty to submit an account showing particulars of assets and liabilities and supporting documents to the National Counter Corruption Commission. Such a submission shall be made in accordance with the timetable provided by section 292, as follows:

- (1) in the case of taking office, within thirty days as from the date of taking office;
- (2) in the case of vacation of office, within thirty days as from the date of vacation of office;

- (3) within thirty days as from the expiration of one year after the date of vacation of office.

In line with the above, section 295 of the Constitution imposes certain enforcement measures where a political position holder intentionally fails to submit an account showing particulars of assets and liabilities and supporting documents under the Constitution or intentionally submits a false account of assets and liabilities or conceal facts which should have been disclosed. Such a person shall vacate office as from the date when submission was due under section 292 or as from the date of discovery of such act and will be prohibited from holding any political position for a period of five years as from the date of vacation of office.

5. Others powers and duties prescribed by the Constitution and organic laws

The Constitutional Court also has other powers and duties under the Constitution and organic laws, as follows:

5.1 Other powers and duties under the Constitution.

5.1.1 To determine, pursuant to section 63, whether a person or political party has committed an act in the exercise of rights and liberties prescribed in the Constitution to overthrow the democratic regime of government with the King as Head of the State under this Constitution or to acquire the power to rule the country by any means which is not in accordance with the modes provided in this Constitution.

5.1.2 To determine, pursuant to section 47 paragraph three, whether a political party's resolution or regulation on any matter is contrary to the status and performance of duties of a member of the House of Representatives under this Constitution or contrary to or inconsistent with fundamental principles of the democratic regime of government with the King as Head of the State.

5.1.3 To consider an appeal made by a political party member petitioning for a determination due to a resolution by such political party to expel the member under section 118(8), in which case membership of the political party terminated on the date of the resolution except for members of the House of Representatives who may appeal to the Constitutional Court within 30 days as from the date of political party resolution in objection that the resolution resembled section 47 paragraph three.

5.1.4 To determine, pursuant to section 180, whether the consideration of the annual appropriations bill, the supplementary appropriations bill and the transfer of appropriations bill by the House of Representatives or a Committee, the proposal, submission of a motion or commission of an act results in a direct or indirect involvement by members of the House of Representatives, senators or members of the committee in the use of the appropriations.

5.1.5 Powers and duties of the Constitutional Court in the initial period under the transitory provisions of the Constitution, such as the consideration of the constitutionality of regulations necessary for the performance of duties by the National Counter Corruption Commission under section 321 paragraph two.

5.2 Powers and duties under the Organic Act on Political Parties, B.E. 2541 (1998).

Apart from the Constitution, the Organic Act on Political Parties, B.E. 2541 (1998), prescribed additional powers to the Constitutional Court under four headings, namely:

5.2.1 To rule on an order denying the registration of a new political party by the political party registrar (Section 17 of the Organic Act on Political Parties, B.E. 2541 (1998)).

5.2.2 To consider an order to expel a political party leader or member of the political party executive committee from their positions (Section 27 of the Organic Act on Political Parties, B.E. 2541 (1998)).

5.2.3 To consider an order to suspend an act which violates the political party policy or regulation which poses a risk to the security of the State or contrary to public order or good morals of the people or the democratic regime with the King as Head of the State, or an order compelling the rectification of such act (Section 27 of the Organic Act on Political Parties, B.E. 2541 (1998)).

5.2.4 To consider an order to dissolve a political party (Section 66, section 67, section 72 and section 73 of the Organic Act on Political Parties, B.E. 2541 (1998)).

Exercise of Rights in the Constitutional Court

1. Standing to file a motion to the Constitutional Court.

The Constitution of the Kingdom of Thailand, B.E. 2540 (1997), provided that certain organs under the Constitution, holder of certain important political positions, members of the House of Representatives, senators, the Attorney-General, the Political Party Registrar, members of political party executive committees, political party members and applicants for the establishment of a new political party may exercise the right to submit a motion to the Constitutional Court for a ruling or an order in accordance with one of the rules, procedures and conditions stated in the following table:

Organ**Rules and Procedure****Conditions****1. Courts, i.e.**

- Courts of Justice;
- Administrative Courts;
- Military Courts;
- Other Courts (if any).

- It is apparent to the Court itself that a law applicable to a case is contrary to or inconsistent with the Constitution; or
- The Parties to the case raise an objection in Court that the law applicable to the case is contrary to or inconsistent with the Constitution.
- The Court will impose a temporary stay of proceedings and refer such opinions through official channels to the Constitutional Court for a ruling.

- A case must have arisen and the Court will potentially enforce the law which may be contrary to or inconsistent with the Constitution to the case.
- The law must be of the same level as an Act, namely, an Emergency Decree and an Organic Act.
- There has not yet been a prior ruling of the Constitutional Court that is relevant to such provision.
- The Constitutional Court deems that the objection of a party contains matters which deserved to be ruled upon.

2. President of House of Representatives
(Section 262(1), (2))

(a) Members of the House of Representatives comprising not less than one-tenth of the existing members in both Houses in the case of a Bill, or not less than 20 members in the case of an Organic Law Bill, submit an opinion to the President of the House of Representatives for a reference of the opinion to the Constitutional Court for ruling.

(a) Being a case where there is an opinion that a Bill or Organic Law Bill approved by the National Assembly, but has not yet been presented by the Prime Minister to the King for Royal Assent, contains provisions which are contrary to or inconsistent with the Constitution or has been enacted inconsistently with the provisions of the Constitution.

Organ**Rules and Procedure****Conditions**

- President of the House of Representatives (section 263)	(b) Not less than 20 members of the House of Representatives submit an opinion to the President of the House of Representatives for a reference of the opinion to the Constitutional Court for ruling.	(b) Being a case where there is an opinion that the draft rules of procedure of the House of Representatives which had been approved by the House of Representatives, but had not yet been published in the Government Gazette, contain provisions which are contrary to or inconsistent with the Constitution or had been enacted inconsistently with the provisions of the Constitution.
- President of the House of Representatives (section 177)	(c) Whilst a Bill or Organic Law Bill is withheld under section 175, the President of the House of Representatives submits an opinion to the Constitutional Court for ruling.	(c) Being a case where the House of Representatives is of the opinion that a Bill or Organic Law Bill introduced by the Council of Ministers or members of the House of Representatives contains identical or similar principles to the Bill or Organic Law Bill that had been withheld.

Organ	Rules and Procedure	Conditions
<p>- President of the House of Representatives (section 96) or (section 216 paragraph two)</p>	<p>(d) Not less than one-tenth of the existing members of the House of Representatives have lodged a complaint with the President of the House of Representatives in order that the complaint be referred to the Constitutional Court for ruling.</p>	<p>(d) Being a case where there is an opinion that the ministership of any Minister has terminated (section 216 paragraph two) or the membership of any member of the House of Representatives has terminated (section 96).</p>
<p>- President of the House of Representatives (section 219)</p>	<p>(e) Not less than one-fifth of the existing members of the House of Representatives submit an opinion to the President of the House of Representatives for a reference of such opinion to the Constitutional Court for a ruling before approval of an Emergency Decree by the House of Representatives.</p>	<p>(e) Being a case where there is an opinion that an Emergency Decree had not been drawn up for the purpose of maintaining national or public safety or national economic security, or averting public calamity pursuant to section 218 paragraph one.</p>
<p>3. President of the Senate (section 262(1), (2))</p>	<p>(a) Senators comprising not less than one-tenth of the existing members of both Houses in the case of a Bill, or not less than 20 senators in the case of an Organic Law Bill, submit an opinion to the President of the Senate for a reference of the opinion to the</p>	<p>(a) Being a case where there is an opinion that a Bill or Organic Law Bill approved by the National Assembly, but has not yet been presented by the Prime Minister to the King for Royal Assent, contains provisions which are contrary to or inconsistent with the</p>

Organ**Rules and Procedure****Conditions**

Constitutional Court for a ruling.

Constitution or had been enacted inconsistently with the provisions of the Constitution.

- President of the Senate (section 263)

(b) Not less than 20 senators presenting an opinion to the President of the Senate for a reference of such opinion to the Constitutional Court for ruling.

(b) Being a case where there is an opinion that the draft rules of procedure of the Senate which had been approved by the Senate, but had not yet been published in the Government Gazette, contain provisions which are contrary to or inconsistent with the Constitution or had been enacted inconsistently with provisions of the Constitution.

- President of the Senate (section 177)

(c) Whilst a Bill or Organic Law Bill is withheld under section 175, the President of the Senate makes a reference of an opinion to the Constitutional Court for ruling.

(c) Being a case where the Senate is of the opinion that a Bill or Organic Law Bill introduced by the Council of Ministers or members of the House of Representatives contains identical or similar principles to the Bill or Organic Law Bill that had been withheld.

Organ**Rules and Procedure****Conditions**

- President of the Senate (section 96) or (section 216 paragraph two)	(d) Not less than one-tenth of the existing senators lodge an application with the President of the Senate to refer an opinion to the Constitutional Court for ruling.	(d) Being a case where there is an opinion that the ministership of a Minister has terminated (section 216 paragraph two) or the membership of a senator has terminated (section 96).
- President of the Senate (section 219)	(e) Not less than one-fifth of the existing senators submit an opinion to the President of the Senate to make a reference of such opinion to the Constitutional Court for ruling before an Emergency Decree is approved by the Senate.	(e) Being a case where there is an opinion that an Emergency Decree had not been drawn up for the purpose of maintaining national or public safety or national economic security, or averting public calamity according to section 218 paragraph one.
4. President of the National Assembly (section 262(1), (2))	(a) Members of the House of Representatives and senators aggregately comprising not less than one-tenth of the existing members of both Houses in the case of a Bill, or not less than 20 members in the case of an Organic Law Bill, submit an opinion to the President of the National Assembly for a reference of such opinion to be made to the Constitutional Court for ruling.	(a) Being a case where there is an opinion that a Bill or Organic Law Bill approved by the National Assembly, but not yet presented by the Prime Minister to the King for Royal Assent, contains provisions which are contrary to or inconsistent with the Constitution or had been enacted inconsistently with the provisions of the Constitution.

Organ	Rules and Procedure	Conditions
- President of the National Assembly (section 263)	(b) Members of the House of Representatives and senators aggregately comprising not less than 20 members submit an opinion to the President of the National Assembly for a reference of such opinion to be made to the Constitutional Court for ruling.	(b) Being a case where there is an opinion that the draft rules of procedure of the National Assembly which had been approved by the National Assembly, but had not yet been published in the Government Gazette, contain provisions which are contrary to or inconsistent with the Constitution or had been enacted inconsistently with provisions of the Constitution.
- President of the National Assembly (section 142)	(c) Members of the House of Representatives or senators or members of both Houses aggregately comprising not less than one-tenth of the existing members of both Houses lodge an application with the President of the National Assembly for a reference of an opinion to the Constitutional Court for ruling.	(c) Being a case where there is an opinion that an Election Commissioner lacks the qualifications or is under a prohibition in section 137 or has committed a prohibited act under section 139.
- President of the National Assembly (section 266)	(d) The President of the National Assembly makes a reference of an opinion to the Constitutional Court for ruling.	(d) Being a case where a dispute arises as to the powers and duties of various organs under the Constitution.

Organ**Rules and Procedure****Conditions****5. Prime Minister**
(section 262 (3))

The Prime Minister submits a motion to the Constitutional Court for a ruling.

Being a case where there is an opinion that a Bill or Organic Law Bill that has been approved by the National Assembly, but had not yet been presented to the King for Royal Assent, contains provisions which are contrary to or inconsistent with the Constitution or had been enacted inconsistently with the provisions of the Constitution.

6. Organs under the Constitution
(section 266)

An Organ under the Constitution submits a motion to the Constitutional Court for a ruling.

- An organ with eligibility to submit a motion must be an organ established under the Constitution and whose powers and duties are provided by the Constitution.
- A question concerning organs under the Constitution must be a case where a dispute on the powers and duties which had actually arisen, not being a reference for an advisory opinion or consultation.

Organ**Rules and Procedure****Conditions**

<p>7. Member of the House of Representatives, member of the Executive Committee of a political party or member of a political party (section 47 paragraph three)</p>	<p>A member of the House of Representatives who is a member of a political party, members of the Executive Committee of a political party comprising not less than one-third of the number of political party Executive Committee members or not less than 50 members of a political party submit a motion to the Constitutional Court for a ruling.</p>	<p>Being a case where a member is of an opinion that his or her political party's resolution or regulation on any matter is contrary to the status and performance of duties of a member of the House of Representatives under this Constitution or contrary to or inconsistent with fundamental principles of the democratic regime of government with the King as Head of the State.</p>
<p>8. Member of the House of Representatives or Senator (section 180)</p>	<p>Members of the House of Representatives or senators comprising not less than one-tenth of the existing members of each respective House submit a motion to the Constitutional Court for a ruling.</p>	<p>Being a case where there is an opinion that the consideration of an Annual Appropriations Bill, a Supplementary Appropriations Bill or a Transfer of Appropriations Bill by the House of Representatives or the Committee or the proposal, submission of a motion or commission of an act results in a direct or indirect involvement by members of the House of Representatives, senators or members of a committee in the use of the appropriations.</p>

Organ**Rules and Procedure****Conditions**

9. Member of the House of Representatives
(section 118(8))

A member of the House of Representatives whose membership of a political party has been terminated appeals to the Constitutional Court within 30 days as from the date of such resolution of the political party.

Being a case where there has been a resolution passed with the votes of not less than three-fourths of the joint meeting of the Executive Committee of a political party and members of the House of Representatives belonging to that political party terminating the membership of a member of the House of Representatives from such party, but an appeal has been made to the Constitutional Court within 30 days as from the date of resolution of the political party raising an objection that such resolution is contrary to the status and performance of duties of a member of the House of Representatives under the Constitution or contrary to or inconsistent with fundamental principles of the democratic regime of government with the King as Head of the State.

Organ**Rules and Procedure****Conditions****10. Attorney-General**
(section 63)

The Attorney-General submits a motion to the Constitutional Court for a direction in the case where a person knows of facts pertaining to a person or a political party exercising rights and liberties prescribed in the Constitution to overthrow the democratic regime of government with the King as Head of the State under this Constitution or to acquire the power to rule the country by any means which is not in accordance with the modes provided in this Constitution.

- Being a case where a motion has been submitted to the Constitutional Court for a direction compelling a person or political party exercising rights and liberties prescribed in the Constitution to overthrow the democratic regime of government with the King as Head of the State under the Constitution or to acquire the power to rule the country by any means which is not in accordance with the modes provided in the Constitution to cease such acts.

- When the Political Party Registrar notifies the Attorney-General that a political party has committed an act under section 66 of the Organic Act on Political Parties, B.E. 2541 (1998), and the Attorney-General considers it appropriate to submit a motion to the Constitutional Court for an order to dissolve the political party.

Organ	Rules and Procedure	Conditions
<p>11. National Counter Corruption Commission (section 295)</p>	<p>The National Counter Corruption Commission submits a motion to the Constitutional Court for a ruling.</p>	<p>Being a case where a political position holder intentionally failed to submit an account showing particulars of assets and liabilities and supporting documents prescribed by the Constitution or intentionally submitted a false account showing particulars of assets and liabilities and supporting documents or concealed facts which should have been disclosed.</p>
<p>12. Ombudsman (section 198)</p>	<p>The Ombudsman submits a motion to the Constitutional Court for a ruling.</p>	<p>Being a case where the Ombudsman considers that a provision of law (a law enforceable as an Act or its equivalent) involves a question of constitutionality.</p>
<p>13. Political Party Registrar (Chairman of the Election Commission) (Organic Act on Political Parties, B.E. 2541 (1998), section 27)</p>	<p>(a) The Political Party Registrar is vested with the authority to submit a motion to the Constitutional Court for an order to suspend or take remedial measures or to expel a political party leader, certain members or the entire Executive Committee of a political party from office.</p>	<p>(a) When it appears that a political party leader, the Executive Committee of a political party or a member of the Executive Committee of the political party has committed an act in violation of policies or regulations of the political party, which poses a threat to national security or contrary to</p>

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Conditions

public order or good morals of the people or the democratic regime with the King as Head of the State, and the Political Party Registrar has issued a written warning order that had not been complied with.

- Political Party Registrar (Chairman of the Election Commission) (Organic Act on Political Parties, B.E. 2541(1998), section 65, 72 and 73)

(b) The Political Party Registrar submits a motion to the Constitutional Court for an order to dissolve a political party.

(b) When there is a case to terminate or dissolve a political party.

- Political Party Registrar (Chairman of the Election Commission) (Organic Act on Political Parties, B.E. 2541 (1998), section 67)

(c) The Political Party Registrar exercises powers to submit a motion to the Constitutional Court by himself or herself.

(c) Being a case where the Attorney-General does not submit a motion to the Constitutional Court for an order to dissolve a political party where it had appeared to the Political Party Registrar or the Political Party Registrar had been notified by the Executive Committee of a political party that a political party has committed an act under section 66 and the Political Party Registrar had notified such facts together with

the evidence to the Attorney-General but the Attorney-General does not submit a motion to the Constitutional Court; subsequently, a working group consisting of representatives from the Political Party Registrar and representatives from the Attorney-General to gather witnesses and other evidence has been established in order to resubmit the matter to the Attorney-General for submission to the Constitutional Court but the working group failed to reach a resolution on the matter.

14. Applicant to found a Political Party (Organic Act on Political Parties, B.E. 2541 (1998), section 17)

An applicant to found a political party submits a motion to the Constitutional Court.

An applicant to found a political party who disagrees with an order of the Political Party Registrar under section 14 or section 15 which declined the registration of a political party has submitted an appeal to the Constitutional Court within 30 days as from the date of receipt of a written notification of such order declining the registration of a political party from the Registrar.

Organ	Rules and Procedure	Conditions
<p>15. A member of the House of Representatives who is a member of a political party, a member of the Executive Committee of a Political Party or members of a political party in a number prescribed by the organic law on political parties (section 47 of the Constitution of the Kingdom of Thailand, B.E. 2540 (1997), in conjunction with section 28 of the Organic Act on Political Parties, B.E. 2541 (1998))</p>	<p>Such persons in the number prescribed by the organic law on political parties are of the opinion that a resolution or regulation of the political party of their membership on any matter is contrary to the status and performance of duties of a member of the House of Representatives under this Constitution or contrary to or inconsistent with fundamental principles of the democratic regime of government with the King as Head of the State.</p>	<p>Being a case where a political party undertakes political activities which are not in accordance with spirits of government by means of a democratic regime with the King as Head of the State under the Constitution. In other words, the establishment of internal organs, undertakings and regulations of the political party are inconsistent with the fundamental principle of government under a democratic regime with the King as Head of the State.</p>

2. Exercise of rights by the people in the Constitutional Court

At present, the Constitution of the Kingdom of Thailand, B.E. 2540 (1997), does not yet offer the people access to the Constitutional Court by means of direct submission of motions. Nevertheless, if a person is of the opinion that his or her

rights or liberties recognised by the Constitution are unjustly violated expressly, impliedly or by rulings of the Constitutional Court, such person may exercise rights to obtain protection indirectly through courts, the Ombudsman and the legislature. These three pathways are described below.

(1) Exercise of rights through courts (section 264)

Upon a consideration of section 264 of the Constitution, it will be seen that even though a person does not have direct access to the Constitutional Court, the Constitution has provided an indirect path for the people to refer cases to the Constitutional Court for consideration. In other words, where there is a dispute in court, which may be any court such as the Civil Court, Criminal Court or other specialised courts (Family and Juvenile Court, Intellectual Property and International Trade Court, Administrative Court or Military Court), that a provision of law applicable to a case is contrary to or inconsistent with the Constitution and there had not yet been a ruling of the Constitutional Court that is relevant to such a provision, the party expressing the opinion that such law is likely to be contrary to or inconsistent with the Constitution may file a motion with the court requesting for a reference of such opinion to the Constitutional Court for ruling. In such case, the court must stay the proceedings temporarily pending the determination of the Constitutional Court as to whether or not such provision is contrary to or inconsistent with the Constitution.

Therefore, in order for a party to exercise rights under section 264 of the Constitution, a case must have been brought to court and is pending the court's deliberation.

In any case, however, the provision of law which is contended as being contrary to or inconsistent with the Constitution must be a primary law enforceable as an Act or its equivalent.

Rules or regulations drawn up by the executive are considered as secondary legislation issued by virtue of Acts, and are not deemed as provisions of law that

are subject to the Constitutional Court jurisdiction within the definition in section 264 of the Constitution. Disputes concerning acts of State officials, including objections regarding the procedures of other courts, are also not within the jurisdiction of the Constitutional Court under this section.

(2) Exercise of rights through the Ombudsman (section 198)

The Ombudsman is a new organ established by the present Constitution. The essential functions of the Ombudsman is the acceptance of complaints lodged by the people in the case of a failure to perform in compliance with the law or performance beyond powers and duties as provided by the law of a government official, an official or employee of a State agency, State enterprise or local government organisation and the case of a performance or omission to perform duties of State officials in such agencies which unjustly causes injuries to the complainant or the public regardless of the lawfulness of such act, as well as other cases as provided by law (section 197(1)).

Furthermore, section 198 of the Constitution empowers the Ombudsman to consider a matter and submit an opinion to the Constitutional Court or the Administrative Court, as the case may be, where he or she is of the opinion that provisions of law, rules, regulations or other acts committed by a person under section 197(1) raised a question of constitutionality. As a result, the people may employ this organ as another means of obtaining remedy for hardship or injuries suffered from provisions of law; achieved through the Ombudsman's submission of the matter together with an opinion to the Constitutional Court for ruling.

(3) Exercise of rights through the legislature (section 262)

Apart from the foregoing methods, the people may exercise indirect rights of access through the fundamental right of political participation. A complaint may be submitted by the people to a member of the House of Representatives or a senator in one's local constituency in quest of assistance and representation as regards whether or not a Bill or Organic Law Bill approved by the National

Assembly but not yet presented by the Prime Minister to the King for Royal Assent contained provisions which are contrary to or inconsistent with the Constitution or had been enacted inconsistently with provisions of the Constitution. Such opinion would be submitted to the President of the House of Representatives, President of the Senate or President of the National Assembly, as the case may be, and then referred to the Constitutional Court for ruling under section 262, details of which had already been mentioned in the first part.

Summary of the people's means of access to the Constitutional Court

Organ	Rules and Procedure	Conditions
<p>1. Courts (Courts of Justice, Administrative Courts, Military Courts, etc.) (section 264)</p>	<ul style="list-style-type: none"> - The court itself is of the opinion that a law applicable to a case is contrary to or inconsistent with the Constitution; or - A party in the case raises an objection to the court that a law applicable to the case is contrary to or inconsistent with the Constitution. 	<ul style="list-style-type: none"> - A case must have actually arisen in court and the court is in a position to apply the law which is contrary to or inconsistent with the Constitution to the case. - The law in question must be enforceable as an Act or its equivalent. - There has not yet been a relevant ruling of the Constitutional Court on such provisions. - The party's objection must contain substances worthy of consideration.

Organ	Rules and Procedure	Conditions
<p>2. Ombudsman (section 198)</p>	<p>- A person files a complaint to the Ombudsman that a law in force is contrary to or inconsistent with the Constitution.</p> <p>- The Ombudsman is of the opinion that the complaint filed concerns a problem on the constitutionality of provisions of law, rules, regulations or any act of a person.</p>	<p>- The Ombudsman will scrutinise the reasonableness of the complaints before making a reference to the Constitutional Court.</p>
<p>3. Member of the House of Representatives or senators (section 262)</p>	<p>- In the case where members of the House of Representatives or senators or members of both Houses of the National Assembly in a number not less than one-tenth of the existing members of both Houses in the case of a Bill, or not less than 20 members in the case of an Organic Law Bill, which has been approved by the National Assembly but not yet presented to the King for Royal Assent, contain provisions contrary to or inconsistent with the Constitution or had been enacted inconsistently with the provisions of the Constitution.</p>	<p>- Such a Bill must have obtained the approval of the National Assembly and is in the process of promulgation prior to presentation to the King for Royal Assent, being the discretion of members of the House of Representatives or senators on whether or not to refer the matter to the Constitutional Court.</p>

CONSTITUTIONAL COURT PROCEDURES

Section 269 of the Constitution provided that the Constitutional Court shall determine its own court procedures. In this regard, the Constitutional Court has issued the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2541 (1998), being the first set of rules, which was followed by three amendments. Such rules were subsequently repealed and replaced by the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003), which provides the basis for Constitutional Court procedures at present. Much of the essential substance in the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2541 (1998), had been retained. However, modifications have been made from the prior rules as well as a consolidation of the amendments into one issue of rules. The following discussion will therefore refer to the Constitutional Court procedures according to the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003), in accordance with the Constitution. In this connection, section 269 of the Constitution has stipulated minimum requirements for the essential substance of Constitutional Court procedures, as follows:

1. Open court procedures

Such requirements have been enacted in Article 17 of the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003). In brief, trial of the court shall be opened to the public during the examination of evidence or submission of statements or opinions by the parties and related persons. However, if the court is of the opinion that there is sufficient evidence in a case to make a ruling, the court may leave out a trial. Also, if the court is of the opinion that it is necessary to do so in the interest of national security, it is vested with the power to determine specific individuals who are entitled to remain in the trial room.

2. Opportunities for parties to submit an opinion before passing a ruling

This requirement has been enacted in article 19 to article 24 of the Rules of the

Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003), which may be summarised as follows:

2.1 A party may adduce himself or herself or other persons or documents as evidence as the court may deem appropriate and such party shall also have the right to inspect documents pertaining to himself or herself as well as make copies of such documents at the courthouse during office hours prescribed by the court (article 19).

2.2 An examination of witnesses or expert witnesses may be conducted to the extent that is necessary. Under the procedures for examination of witnesses or expert witnesses, the person adducing the witness shall be the first to examine followed by a cross-examination of the other party. For the benefits of justice, the court may examine the witness at any moment (article 20).

2.3 A witness may give an oral testimony. Witnesses are prohibited from reading pre-written statements unless otherwise permitted by the court or the witness is an expert witness (article 21).

2.4 The court shall record and read the witness' testimony, which shall be signed by the witness as evidence. In this regard, the court may also record a witness' testimony by means of audio recording devices or audio visual recording devices (article 22).

2.5 The closing statements of the parties shall be submitted in writing or orally as the court deems appropriate. In the case of an oral closing statement, the applicant shall be the first to give the statement followed by the respondent. The court may make an additional examination of facts from the person making the statement during the statement or subsequent to the statement (article 22).

2.6 In a consultation meeting for consideration and ruling, the parties, witnesses, related persons or testifiers may submit facts or opinions, as the case may be, in writing (article 24).

3. The right of a party to inspect documents pertaining to himself or herself

This requirement has been enacted in article 19 of the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003). In brief, a party is entitled to inspect documents pertaining to himself or herself at the courthouse during the office hours prescribed by the court.

4. The opportunity to object a Constitutional Court judge

This requirement has been enacted in article 8 to article 11 of the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003), which may be summarised as follows:

4.1 A judge may be objected for one of the following reasons (article 8):

- (1) having an interest in the case matter;
- (2) being or having been a spouse or relative of one of the parties, viz being an ancestor or descendant at any level or being a sibling or cousin within three levels or being an in-law relative within two levels;
- (3) having been called upon as a witness with knowledge of events, unless such person has participated in the legislative procedure or expressed an opinion in his or her capacity as an expert with specialised knowledge of a point of law in such application;
- (4) having been a *de jure* representative, representative or attorney for one of the parties;
- (5) having been a judge, judicial official of other courts, councilor of state, arbitrator, Election Commissioner, member of the National Counter Corruption Commission or member of the State Audit Commission, which considered an application on the same matter;

- (6) there being a pending case which the judge himself or herself, his or her spouse or a direct ancestor or descendant of one party is in a dispute with the other party, his or her spouse or ancestor or descendant.

4.2 A judge who is subject to a cause of objection may declare in court such cause which he or she may be subject to an objection and request his or her withdrawal from the proceedings. Upon an objection raised, the court shall rule on the objection before continuing the proceedings, with the exception of proceedings under section 180 paragraph seven of the Constitution. Proceedings which have taken place prior to the objection are deemed as duly conducted and not void by reason of the objection of the judge, unless the court determines otherwise by order (article 9).

4.3 A judge may not withdraw from the consideration of a case or from the preparation of a ruling or order, unless there occurs an objection under these rules, force majeure, an unavoidable necessary cause or other causes which the court deems appropriate (article 10).

4.4 When a judge is objected and such judge does not request a withdrawal from the proceedings, the court may issue an order as it deems appropriate. In the deliberation of such objection, the judge concerned may not participate in the deliberations or vote in the ruling. A ruling shall be made by a majority vote with one judge casting one vote. In the event of an equality of votes, the objection shall be sustained (article 11).

5. Stating reasons in rulings or orders of the Constitutional Court

This requirement has been enacted in article 31 of the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003). In brief, a ruling or order of the court must comprise the background or allegations, a summary of the facts obtained from trial, reasons for ruling on a point of fact and point of law and provisions of the Constitution of the Kingdom of Thailand and other laws referred to.

The Essence of the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003)

The essence of the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003), may be divided into 6 chapters, as follows:

Chapter 1. Submission, Withdrawal and Dismissal of Motion.

Prescribes rules governing the submission, withdrawal and dismissal of a motion, such as the items to be included in a motion, conditions for withdrawing a motion and the causes for dismissing a motion.

Chapter 2. Objection and Withdrawal of a Constitutional Court Judge.

Prescribes the causes for objecting a Constitutional Court judge and for the withdrawal of a judge from the proceedings and preparation of a ruling or order.

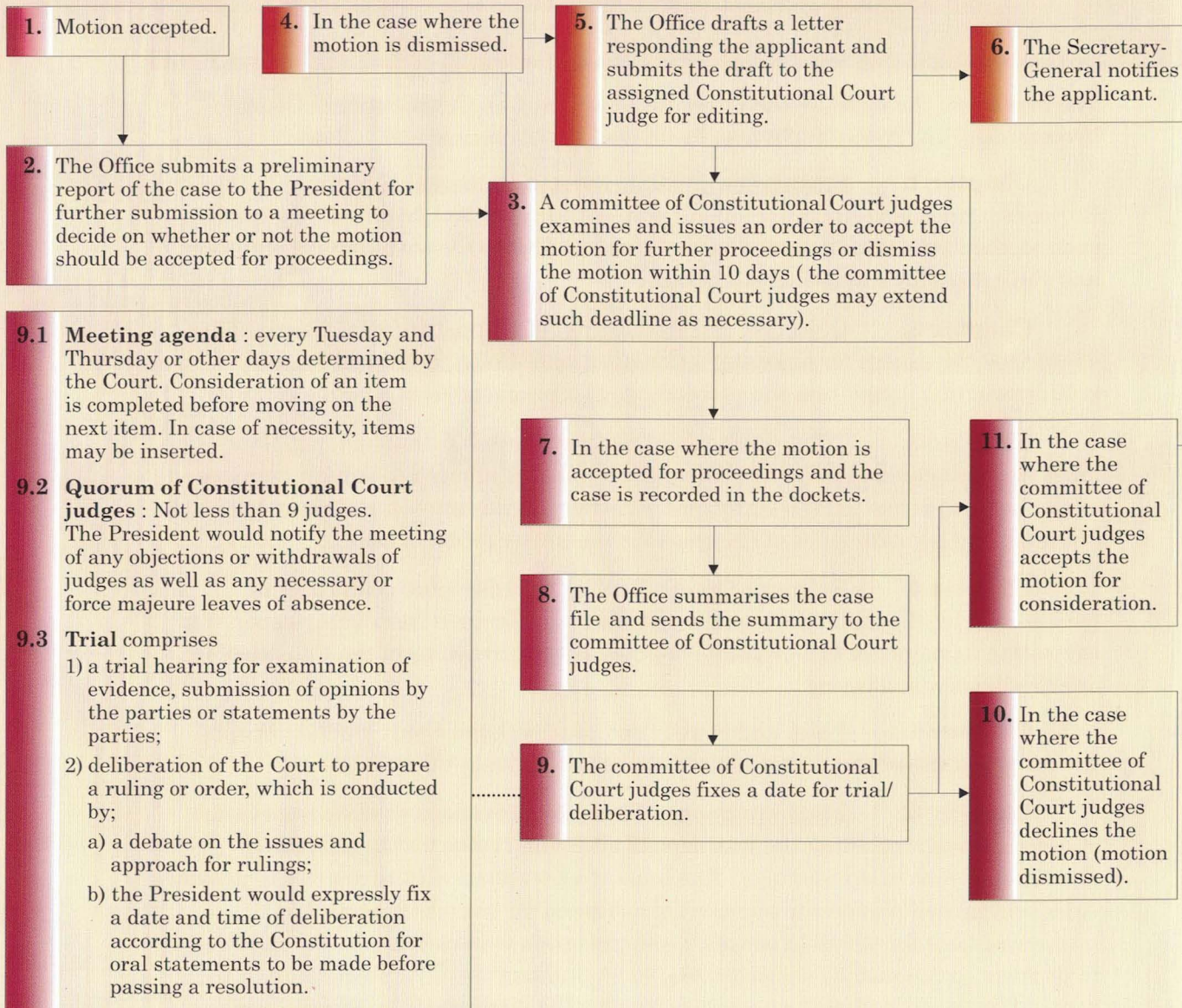
Chapter 3. Trial. Prescribes trial procedures of the court, e.g. trial must be conducted in open court, the parties must be allowed to submit opinions or the hearing of the party's statement. Outside parties may attend court hearings but shall comply with rules of the court for the preservation of order.

Chapter 4. Ruling or Order. A ruling or order must comprise the background or allegations, a summary of the facts obtained from trial, reasons for the ruling on points of fact or points of law and the provisions of the Constitution or other laws relied upon.

Chapter 5. Form and Seal. The Constitutional Court shall determine the form and use of forms and seals of the Constitutional Court.

Chapter 6. Final provisions. These are provisions on the preservation of order in trial, including the provision of additional rules for the purpose of preserving order in proceedings. The court is also vested with the power to prescribe rules and procedures on the payment of a stipend for witnesses as well as reimbursement for travel expenses, accommodation expenses and other expenses to persons summoned by the court to give an oral testimony or participate in the proceedings or to undertake any other acts for the purpose of the proceedings.

Diagram of Stages of Constitutional Court Procedures



13.1 Judges comprising the quorum must

- 1) prepare their personal rulings;
- 2) give oral statements;
- 3) cast a vote in the resolution.

13.2 Passing a resolution.

- 1) If judges forming the quorum and giving oral statements are missing, the postponement of passing a resolution will be considered on a case by case basis.
- 2) The President and judges shall cast a vote on all issues that needed a resolution.
- 3) An abstention on deciding issues of the case may not be exercised.

13.3 The Office shall submit a draft of the ruling to the committee of Constitutional Court judges for consideration or implement corrections in line with the ruling of the Court.

12. The applicant is notified and the Court determines the transmission of a copy of the motion to the respondent.

13. The judges prepare their personal rulings, give oral statements, after which a resolution is passed.

14. The Court drafts collective rulings which is edited by assigned judges.

15. The committee of Constitutional Court judges passes a resolution/edits the collective ruling and signs the collective ruling.

16. The applicant is notified and a notice is made of the collective ruling.

17. The judges submit their complete personal rulings for publication in the Government Gazette.

Drafting a ruling of the court.

14.1 Each judge submits his or her personal ruling to the Office.

14.2 The Court drafts a ruling in accordance with the resolution.

14.3 The drafting of a ruling of the Court shall be within the framework of rulings of the majority of judges on such matter.

14.4 The Office submits the draft ruling to the assigned judges for consideration before submission to the meeting.

15.1 Considers, passes a resolution and edits the draft ruling of the Court.

15.2 The Office word processes the ruling of the Court as considered by the meeting and presents it to the judges for signature.

18. The Secretary-General submits the ruling of the Constitutional Court and rulings of each judge of the Constitutional Court for publication in the Government Gazette. The Office is under a duty to inspect the form and proofread the rulings as well as verify the points of law and points of fact of the Court's ruling and rulings of the judges of the Constitutional Court before publication in the Government Gazette.

The Stages of Constitutional Court Proceedings

The stages of Constitutional Court proceedings are as follows:

1. Acceptance of a motion

When a motion has been submitted to the Constitutional Court, the Office of the Constitutional Court would accept the motion for processing. The motion would be sent to a casework group who would prepare a preliminary report of the case, comprising the facts according to the application, relevant points of law, the issues raised for a Constitutional Court ruling and material issues on whether to accept the application for further proceedings, which would be submitted to a sitting of Constitutional Court judges to consider whether to accept the case for further proceedings.

2. A committee of Constitutional Court judges considers the motion and makes an order of acceptance of the motion for further proceedings or a dismissal

A committee of Constitutional Court judges considers the motion, summary report of the case as well as the preliminary opinion submitted and makes an order accepting the motion for consideration or a dismissal within 10 days as from the date of receipt of the motion by the Office of the Constitutional Court. The period for this stage of proceedings may be extended by the court as appropriate, pursuant to article 16 of the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003).

3. The committee of Constitutional Court judges fixes a date for trial and consultation

A meeting of the committee of Constitutional Court judges is held on a regular basis, usually every Tuesday and Thursday of the week. A quorum in each meeting requires at least 9 Constitutional Court judges.

A trial in the Constitutional Court comprises:

A hearing in the case where evidence is examined or in the case where the parties submit an opinion or where the statements of the parties are heard.

The objective of a hearing is to obtain additional facts and evidence from the parties or to acknowledge the statements of the parties. A hearing is not necessary in all cases. If the Constitutional Court judges hold that the facts are sufficient to make a ruling, or the case concerns a point of law which may be ruled upon without the need for a further hearing of facts, then a consultation meeting may be held in lieu of a trial hearing. In any case, however, the parties should be given an opportunity to present their opinions before a ruling is made.

When the Constitutional Court passes a resolution to conduct a trial hearing, the Constitutional Court would issue a summons letter to the parties, witnesses or other persons to testify in court as well as letters to notify other related persons at least 15 days prior to the first hearing date. In addition, a notification of the hearing date would be posted at the Constitutional Courthouse to inform the public. A trial hearing is conducted in such manner as is open to the public.

A deliberation meeting of the committee of Constitutional Court judges to prepare a ruling or order

This is an internal meeting where the Constitutional Court judges hearing the case debate on the issues to be ruled upon. Opinions are exchanged whereas the parties, related persons or outside parties are not allowed to participate or observe such meetings.

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A Deliberation Meeting



4. Reaching a resolution and preparing a ruling

Once the committee of Constitutional Court judges has deliberated all the issues of the case, the President of the Constitutional Court would fix a date and time for all the Constitutional Court judges constituting the quorum to make an oral statement before finally reaching a resolution. Section 267 of the Constitution provided that every judge of the Constitutional Court who constituted the quorum should give a decision on his or her own part and make an oral statement to the meeting before passing a resolution. After all the judges have delivered their oral statements, the committee of judges would pass a resolution on the result of the deliberation. The requirement that each judge should personally make a ruling is imposed in order to inform the public of each Constitutional Court judge's exercise of discretion.

Upon the passing of a resolution on a ruling, the ruling of the Constitutional Court would be drafted in accordance with the majority vote of the Constitutional Court judges. The draft would be forwarded to the assigned Constitutional Court judges for editing before presentation to the committee of Constitutional Court judges for approval and signature. When all the judges comprising the quorum have affixed their signatures, the parties and related persons would be notified of the ruling. Thereafter, the ruling of the Constitutional Court and rulings of individual judges would be submitted for publication in the Government Gazette.

RULING AND EFFECT OF A CONSTITUTIONAL COURT RULING

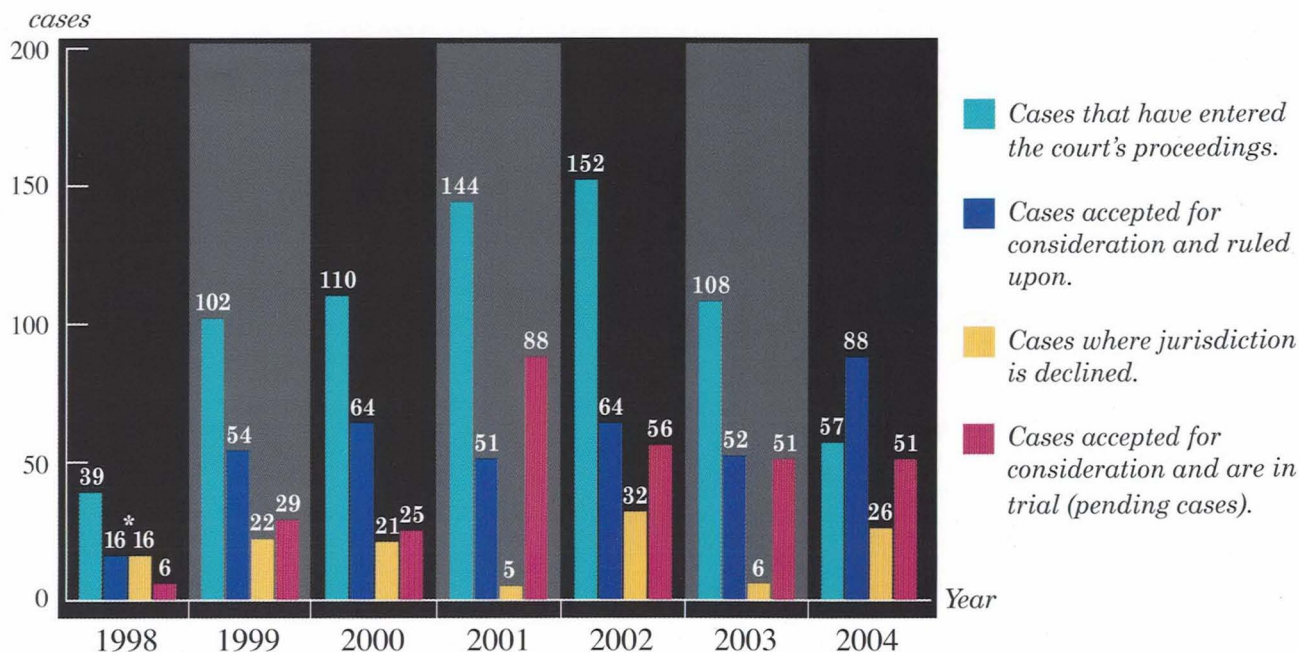
The Constitution has provided on various aspects of a Constitutional Court ruling, viz the details that must be contained in a ruling, the binding effect of a ruling and the publication of a ruling in the Government Gazette. In this regard, section 267 paragraph four stated that “the decision of the Constitutional Court must at least consist of the background or allegation, summary of facts obtained from hearings, reasons for the decision on questions of fact and questions of law and the provisions of the Constitution and the law invoked and resorted to”, and section 268 stated that “the decision of the Constitutional Court shall be deemed final and binding on the National Assembly, Council of Ministers, Courts and other State organs.”

Moreover, a ruling of the Constitutional Court shall be made by a majority vote unless provided otherwise by the Constitution such as in the case of section 219 paragraph four for a ruling that an Emergency Decree proposed by the Council of Ministers is not in accordance with section 218 paragraph one which requires the votes of not less than two-thirds the total number of Constitutional Court judges.












SUMMARY OF PROCEEDINGS IN THE CONSTITUTIONAL COURT

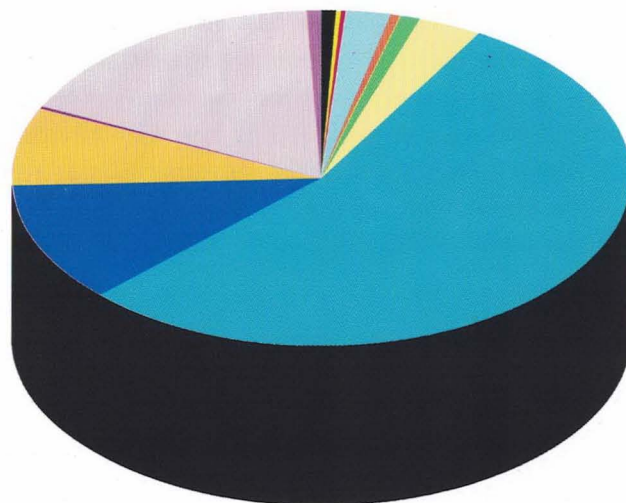
As of the first royal appointment of Constitutional Court judges made on 11th April B.E. 2541 (1998) to the present (as at 28th December B.E. 2547 (2004)), a number of 560 cases have reached the Constitutional Court. The court declined jurisdiction in 143 cases and rulings have been made in 389 cases. There are 51 cases remaining in the court dockets.




NB.* Does not include one case where the Constitutional Court made a ruling on the Rules of the National Counter Corruption Commission pursuant to the transitory provision of section 321 paragraph two.

Rulings of the Constitutional Court may be consolidated and categorized into various categories, as follows:

Constitution, section 47 (Resolution of a political party is contrary to the status and performance of duties as a member of the House of Representatives)	3 cases	
Constitution, section 96 (Termination of membership of a member of the House of Representatives)	1 case	
Constitution, section 180 (Appropriations Bill)	1 case	
Constitution, section 198 (Ombudsman's reference to the Constitutional Court for a ruling)	9 cases	
Constitution, section 216 (Termination of individual ministership)	2 cases	
Constitution, section 219 (Emergency Decree not in accordance with Constitution)	4 cases	
Constitution, section 262 (Bill or Organic Law Bill contrary to the Constitution)	13 cases	
Constitution, section 264 (Provisions of law contrary to or inconsistent with the Constitution)	211 cases	
Constitution, section 266 (Dispute on the powers and duties of organs under the Constitution)	45 cases	



Constitution, section 295 (A political position holder intentionally fails to submit an account of assets and liabilities or intentionally submits a false account of assets and liabilities)	29 cases	
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Organic Act on Political Parties, B.E. 2541 (1998)

• section 17 (Political Party Registrar's denial of registration of a new political party)	1 case	
• section 65 (dissolution of political party)	67 cases	
• section 33 (ruling on order of the Political Party Registrar)	3 cases	

OFFICE OF THE CONSTITUTIONAL COURT

The Constitutional Court has the Office of the Constitutional Court as its administrative unit. According to section 270 of the Constitution, the Office of the Constitutional Court has autonomy in personnel administration, budget and other activities as provided by law, with the Secretary-General of Office of the Constitutional Court as the superior official responsible directly to the President of the Constitutional Court. The appointment of the Secretary-General of Office of the Constitutional Court must be approved by judges of the Constitutional Court.



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1 Mr. Paiboon Varahapaitoon
Secretary-General
Office of the Constitutional Court



2 3

2 Mr. Sanit Chornanan
Deputy Secretary-General
Office of the Constitutional Court



3 Mr. Nophadol J. Soraphong
Deputy Secretary-General
Office of the Constitutional Court

Powers and Duties of the Office of the Constitutional Court

Under the Office of Constitutional Court Act, B.E. 2542 (1999), the Office of the Constitutional Court is an independent government agency under the Constitution having the status of a department under the law on administration of the State. The Office has the following powers and duties:

- (1) to be responsible for the administrative work of the Constitutional Court;
- (2) to study and compile data, orders and various rulings relevant to the work of the committee of Constitutional Court judges and Constitutional Court judges;
- (3) to promote the research and dissemination of information relating to the activities of the Constitutional Court;
- (4) to perform other acts as entrusted by the committee of Constitutional Court judges.

From the provisions of law which vested the Office of the Constitutional Court with certain powers above, tasks or activities of the Office of the Constitutional Court provided by law may be classified as comprising:

- (1) tasks relating to the support of the committee of Constitutional Court judges, viz to study, analyse legal data, prepare of summary opinion on applications, draft rulings of the Constitutional Court as well as to undertake other activities under the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2546 (2003) (previously the Rules of the Constitutional Court on Constitutional Court Procedures, B.E. 2541 (1998));
- (2) tasks relating to the academic research, viz to conduct academic studies

and research relating to the Constitution, to present academic opinions on the submission of applications and cases to be deliberated by the committee of Constitutional Court judges, to disseminate, inform and educate the public on academic matters relating to the Constitution and the operations of the Constitutional Court, including technical cooperation both domestically and internationally in order to develop the operations of the Constitutional Court;

- (3) tasks relating to the administration and management of the Office, viz to formulate policies and budgetary projections, to monitor internal working systems, to modify working rules, to develop information and information technology systems, to provide legal services, to disseminate, publicize and provide information services.

Internal Organisation Structure of the Office of the Constitutional Court

The Constitutional Court has determined an internal organisational framework for the Office of the Constitutional Court by dividing the agency into six parts according to the types of functions or activities undertaken by the Office of the Constitutional Court prescribed by law, as follows:

1. Case and Academic Expert Group

Tasks relate to cases, namely the preparation of summary statements for cases which include facts, points of laws and a preliminary opinion attached to the case summary file prepared by the Case Group. Other responsibilities include the preparation of research documents, analyses or academic opinions on cases. Summaries of Constitutional Court rulings and precedents established by the Constitutional Court as prepared by the Case Group are examined. The impact of rulings of the Constitutional Court are analysed and a report on the implications of the Constitutional Court ruling is made for public dissemination.

In addition, other academic tasks include the preparation of academic articles and research papers relating to the Constitution, Constitutional Court and academic articles in the field of public law or other public benefits.

2. Office of the President of the Constitutional Court

Main tasks are the provision of support for the work of the President of the Constitutional Court relating to policy and legal work. In other words, opinions are proposed on the formulation and coordination of policies to be applied by the President of the Constitutional Court when issuing orders. Tasks also include the follow-up of policies of the President of the Constitutional Court, the conduct of academic research and activities relating to laws, rules and regulations applied by the President of the Constitutional Court when making rulings and to undertake activities relating to cases or applications within the power of the President of the Constitutional Court.

Tasks also include judicial and protocol work, secretarial work of the President of the Constitutional Court, judges of the Constitutional Court, secretarial work of committees and sub-committees of the Office of the Constitutional Court, coordination of agencies of the Office of the Constitutional Court and external agencies pursuant to the official functions of the President of the Constitutional Court, judges of the Constitutional Court, undertake work relating to royal functions, State functions and other functions of the President of the Constitutional Court, committee of Constitutional Court judges and the Office of the Constitutional Court.

3. Bureau of General Administration of the Constitutional Court

Tasks involve the provision of general administrative support, personnel administration of the judges of the Constitutional Court, government officials and employees of the Office of the Constitutional Court, finance and accounts, procurements and welfare, dissemination and publication of information on the Constitutional Court, facilities and safety, transport and facilitation of meetings

relating to the Constitutional Court and trial hearings of the Constitutional Court.

Tasks also include secretarial work for the administrators, meetings of judges of the Constitutional Court relating to administrative matters, analysis and opinion giving for the deliberation of judges of the Constitutional Court on personnel administration matters and administrative matters.

4. Technology and Information Centre

Tasks involve policy and planning, budgetary planning for the Constitutional Court and the Office of the Constitutional Court as well as the monitoring and evaluation of implementation of policies and plans, the development of resources and information services, work relating to information on the Thai and foreign constitutional laws, Thai laws, memoirs of the Constitutional Court and the Constitutional Court museum, the development of information systems, the development of computer networks and other computing operations.

5. Case Work Groups 1-8

Main tasks involve the secretarial work of meetings of the committee of Constitutional Court judges relating to cases, the scrutiny of applications and preparation of opinions for presentation to the judges of the Constitutional Court, case dockets, case file summaries and inspection of the case files on factual and legal issues, coordination of organs related to the application, drafting the collective ruling pursuant to a resolution of the committee of Constitutional Court judges as well as the proofreading of draft rulings and the preparation of the official collective ruling of the Constitutional Court and rulings of judges of the Constitutional Court for publication in the Government Gazette.

Other tasks include legal research, analysis for the development of case procedures and case systems or motions to the Constitutional Court and the general tasks of legal officials attached to the quorum of Constitutional Court judges.

6. Institute of Constitutional Studies

Tasks involve the creation, import, as well as the dissemination and development of knowledge on the Constitution, constitutional cases and the Constitutional Court, with three significant aims, namely:

- (1) to engender knowledge on the Constitution by means of preliminary studies, case studies, academic articles, academic seminars, research and analysis, as well as giving technical advice and conducting studies and research of fundamental concepts in rulings of the Constitutional Court;
- (2) to disseminate knowledge on the Constitution and the Constitutional Court, organize trainings and seminars, educate and determine the curricula of various programmes, as well as compile academic publications on the Constitutional Court and publish the Constitutional Court Journal and press releases of the Constitutional Court;
- (3) to develop knowledge on the Constitution and Constitutional Court for further advancement, to create and expand the cooperation network between parties and academic communities involved in constitutional matters and Constitutional Courts both domestically and overseas, to handle international relations and procure sponsorships and scholarships for overseas work visits, further studies and exchange programmes for officials of the Constitutional Court for the benefit of the Constitutional Court's exercise of its functions.

THE CONSTITUTIONAL COURT AND INTERNATIONAL COOPERATION

Since the inauguration of the Constitutional Court in B.E. 2541 (1998) under the Constitution of the Kingdom of Thailand, B.E. 2540 (1997), the Office of the Constitutional Court has continually undertaken to create and expand technical cooperation networks on Constitutions and Constitutional Courts at an international level. Such undertakings may be divided into two essential parts, namely:



1

1 A Courtesy Call of the German Delegate to H.E. Prasert Nasakul, Former President of the Constitutional Court

Study Visits of Constitutional Courts

The Constitutional Court is of the opinion that study visits and exchange of experiences between the Thai Constitutional Court and Constitutional Court of other countries are an important means of developing the jurisdictional system of the courts in deliberating cases as well as for the development of case procedures, guidelines for making rulings of the Constitutional Court and internal administrative units of the court. Such visits also provide a guideline for developing further cooperation with international organisations. Study visits of the Constitutional Court takes two forms, being:

- (1) study visits of the Thai Constitutional Court by foreign delegates;
- (2) study visits of Constitutional Courts or legal agencies in other countries by delegates from the Thai Constitutional Court.

Technical Cooperation with International Organisations

The Constitutional Court has built a network of international cooperation in the form of interorganisational cooperation. In this regard, the court has at all times undertaken the creation and development of cooperation with international organisations and foreign embassies in Thailand under the following two approaches within a framework, as follows:

- (1) the publication of academic literature for dissemination of knowledge and studies on the Constitution and Constitutional Court and the acceptance and exchange of information on public law and constitutional law;
- (2) the organisation of academic seminars, training, workshops in conjunction with foreign experts with the purpose of enhancing the rule of law upon the foundation of constitutionality of laws and inspection with judicial organs as well as to promote the protection of rights and liberties of the people in accordance with the spirits of the Constitution.

2

Since the establishment of the Constitutional Court of Thailand in 1998, the Konrad Adenauer Foundation has been closely cooperating with the Office of the Constitutional Court within the framework of dialogue partnership.





1 2

1,2 Academic Seminar on the Occasion of the Anniversary of the Constitutional Court in cooperation with Konrad Adenauer Foundation



3 4

3,4 Study Visits of the Constitutional Court by Foreign Delegates

1 2

- 1 Briefing and Discussion of H.E. Prof. Dr. Kramol Tongdhamachart, President of the Constitutional Court, and Judges of the Constitutional Court with Foreign Delegates
- 2 Discussion of H.E. Prof. Dr. Isra Nitithanprapas, Former President of the Constitutional Court, H.E. Andreas von Stechow, Ambassador of the Federal Republic of Germany to Thailand and H.E. Prof. Dr. Ernst Benda, Former President of the Federal Constitutional Court of Germany



3 4

- 3,4 A Welcome of Executive Administrators of Office of the Constitutional Court to Foreign Delegates





1 2

- 1 Study Visit of the Constitutional Court by the Delegation of Administrative Control Authority, Arab Republic of Egypt
- 2 Meeting and Discussion between the President and Judges of the Constitutional Court and the delegation of the French Embassy to Thailand



3 4

- 3,4 Discussion of H.E. Prof. Dr. Kramol Tongdhamachart, President of the Constitutional Court, and Judges of the Constitutional Court with the Legal Researchers from Sweden

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