

Translation

Political Official Regulation Act,

B.E. 2535

BHUMIBOL ADULYADEJ, REX;

Given in the 1st Day of April B.E. 2535 (1992);

Being the 47th Year of the Present Reign.

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

Whereas it is expedient to reveal the law on political official regulation;

Be it therefore, enacted by the King, by and with the advice and consent of the National Legislative Assembly, as follow.

Section 1. This Act is called the “Political Official Regulation Act, B.E. 2535 (1992)”.

Section 2. This Act shall come into force as from the 1st Day of April B.E. 2535 (1992)

Section 3. The following shall be repealed:

- (1) Political Official Regulation Act, B.E. 2518 (1975);
- (2) The Order of the Revolutionary Party No.33 dated 20th October B.E. 2519 (1976);
- (3) Political Official Regulation Act, (No.2) B.E. 2519 (1976);
- (4) Political Official Regulation Act, (No.3) B.E. 2520 (1977);
- (5) Announcement of the Revolutionary Council No. 23 dated 8th November B.E. 2520 (1977);
- (6) Political Official Regulation Act, (No.4) B.E. 2521 (1978);
- (7) Political Official Regulation Act, (No.5) B.E. 2522 (1979);
- (8) Political Official Regulation Act, (No.6) B.E. 2531 (1988);

Section 4. Political officials, namely person who are in the government service, and in political posts as follow:

- (1) Prime Minister
- (2) Deputy Prime Minister
- (3) Minister
- (4) Minister Attached to the Prime Minister's office
- (5) Minister of Bureau
- (6) Deputy Minister
- (7) Deputy Minister of Bureau
- (8) Advisor to the Prime Minister
- (9) Advisor to the Deputy Prime Minister
- (10) Advisor to the Minister and Advisor to the Minister Attached to the Prime Minister's office
- (11) Secretary – General to the Prime Minister
- (12) Deputy Secretary – General to the Prime Minister for Political Affairs
- (13) Government Spokesman
- (14) Deputy Government Spokesman
- (15) Secretary of the Minister Attached to the Prime Minister's office
- (16) Attached to Secretariat of the Prime Minister
- (17) Secretary of the Minister
- (18) Deputy Secretary of the Minister
- (19) Secretary of the Minister of Bureau
- (20) Deputy Secretary of the Minister of Bureau

The number of political officials who are not Ministers shall be accordance to the list attached to this Act.

Section 5 The political officials under this Act shall be competent and considered as civil servants under the laws pertaining uniforms of civil officials.

Section 6 Political officials shall receive salaries and position allowances as prescribed by the laws pertaining salaries and position allowances.

The provisions in section 35 of Government Pension Act, B.E 2494 (1951), as amended by Government Pension Act, (No.4) B.E 2499 (1951) shall not apply to the political officials who instate to government service under this Act.

The political officials, who are either members of the Senate or members of the House of Representatives, if receive payment of position allowances or additional money for holding such positions, shall have no rights to claim the payment of salaries and position allowances in the position of political officials.

Payment of salaries and position allowances to political officials shall be accordance to the order prescribed by the Ministry of Finance.

Section 7 Appointment to, and termination from the membership of an individual Minister shall be accordance to the Constitution.

Section 8 Political officials under section 4 (8) (9) (11) (12) (13) (14) (15) (16) and Advisor to the Minister Attached to the Prime Minister's office shall be appointed by the Prime Minister with the consent of the Cabinet, relevant political reasons, and qualifications prescribed by this Act.

Political officials under section 4 (17) (18) (19) (20) and an Advisor to the Minister shall be appointed by their Ministers in Charge with the consent of the Cabinet, relevant political reasons, and qualifications prescribed by this Act.

Section 9 Political officials besides Ministers shall have the qualifications as follows:

- (1) being of Thai nationality;

- (2) being not less than eighteen years of age;
- (3) being a person with pure faith in the democratic form of government with the King as Head of State;
- (4) shall not be an incompetent person, insane or mentally disabled person, or suffering from a disease prescribed by the Cabinet in the Royal Gazette;
- (5) shall not be morally defective;
- (6) shall not be insolvent;
- (7) shall not be imprisoned by final sentence of imprisonment with the exception of sentences for offences committed negligently or minor offences;
- (8) shall not be punished by discharge, dismissal or expulsion from a State Enterprise;
- (9) shall not be punished by discharge, dismissal or expulsion for breach of discipline under Civil Official Regulations or other laws.

Section 10 Political officials besides Ministers leave position upon:

- (1) death;
- (2) resignation;
- (3) discharge, whether with guilty or without guilty;
- (4) the Prime Minister or the Minister in Charge orders to leave;
- (5) being disqualified under section 9.

Section 11 A political official under Political Official Regulation Act, B.E. 2518 (1975) on the date prior to the day which this Act is published in the Royal Gazette shall continue to be a political official under this Act.

Section 12 The Prime Minister shall have charge and control of the execution of this Act.

Countersigned by

H.E. Anand Panyarachun

Prime Minister

Remark: “This translation is provided by The Secretariat of the Prime Minister as the competent authority for information purposes only. Whilst The Secretariat of the Prime Minister has made efforts to ensure the accuracy and correctness of the translation, the original Thai text as formally adopted and published shall in all events remain the sole authoritative text having the force law.”