

[Royal Command Emblem]

Act on Referendum

B.E. 2564 (2021)

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HIS MAJESTY KING MAHA VAJIRALONGKORN PHRA VAJIRAKLAOCHAOUYUHUA;

Given on the 12th Day of September B.E. 2564 (2021);

Being the 6th Year of the Present Reign.

His Majesty King Maha Vajiralongkorn Phra Vajiraklaochaoyuhua is graciously pleased to proclaim that:

Whereas it is expedient to enact a law on referendum;

Whereas this Act contains certain provisions relating to the restriction of personal rights and liberties, which is permitted with the sanction of Article 26 together with Article 34, and Article 40 of the Constitution of the Kingdom of Thailand, provided that such is proceeded by virtue of the relevant provisions of law.

The justification and necessity for the restriction of personal rights and liberties under this Act are to make referendums honest, just, and lawful. As such, the enactment of this Act is consistent with the conditions prescribed under Article 26 of the Constitution of the Kingdom of Thailand.

Be it, therefore, enacted by the King, by and with the advice and consent of the Parliament, as follows:

Section 1. This Act is called the "Act on Referendum B.E. 2564 (2021)".

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

Section 3. The Organic Act on Referendum B.E. 2552 (2009) shall be repealed.

Section 4. In this Act:

"Voting" means voting in a referendum;

"Voting Right" means the right to vote in a referendum;

"Eligible Voter" means a person with the right to vote in a referendum;

"Voting Day" means a date designated as a day for voting in a referendum;

"Constituency" means an area designated as a referendum constituency;

"Polling Unit" means an area designated as a referendum polling unit;



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“Polling Station” means a place designated for voting in a referendum, and shall include a designated area surrounding the referendum polling station;

“Ballot Box” means a box for referendum ballots;

“Ballot” means a ballot for a referendum;

“Vote Cast” means a vote cast in a referendum;

“Province” shall include Bangkok Metropolis;

“Commission” means the Election Committee under the Organic Law on the Election Commission;

“Member of the Commission” means a Member of the Election Commission under the Organic Law on the Election Commission, and shall include the Chairman of the Election Commission;

“Secretary-General” means the Secretary-General of the Election Commission under the Organic Law on the Election Commission;

“Election Ombudsman” means an Election Ombudsman under the Organic Law on the Election Commission;

“Provincial Election Director” means a Provincial Election Director under the Organic Law on the Election Commission;

“Official In Charge of Voting” means the chairman and the members of the Voting committee of a Constituency, the Voting director of a Constituency, the chairman and the members of a Polling Unit committee, security staff, and persons appointed to assist in the referendum voting operations;

“Constituency Committee” means a Voting committee of a Constituency;

“Member of a Constituency Committee” means a member of a Voting committee of a Constituency;

“Polling Unit Committee” means a committee of a Polling Unit;

“Member of a Polling Unit Committee” means a member of the committee of a Polling Unit;

“Office” means the Office of the Election Commission under the Organic Law on the Election Commission.

Section 5. In the case where this Act does not provide otherwise, in any case where a document or writing is required to be notified, submitted or delivered to any particular person, such shall be deemed to have been duly notified, submitted or delivered under this Act if it has been notified, submitted or delivered to such a person at the domicile or address recorded in the register under the Law on Civic Registration, and in a case where this Act requires publication or dissemination for general public information, it shall be deemed that publication or dissemination



through an information technology system, or any other system, or by any other means conveniently accessible by the general public is a due undertaking under this Act.

In a case where this Act empowers the Commission to determine or issue an order on any matter, if no specific procedure for which is provided, the Commission shall undertake such determination or issuance by issuing a regulation, notification, or order, as the case may be, and if the regulation, notification or order shall be applicable to the general public, it shall also be published in the Government Gazette and its announcement shall be undertaken in accordance with paragraph one. If any regulation, notification or order is subject to a specified operational process, the Commission must also clearly specify a period of time for undertaking each step of the process.

Section 6. The Commission shall have the power to determine other criteria and methods, as well as the power to lay down operational regulations as necessary for the execution of this Act.

Section 7. In the undertaking of duties of the Commission under this Act, if there arises a necessity for which a meeting cannot be convened, the Chairman of the Election Commission may call a meeting through an electronic medium, where Members of the Commission may be present in different locations. The Secretary-General shall record the voices and pictures of those attending the meeting as evidence. Under the criteria and methods determined by the Commission, such a meeting shall have the same effect as a meeting provided in this Act and the Organic Law on the Election Commission.

In this regard, the Commission shall determine the criteria and method regarding a meeting through an electronic medium to govern meetings of Officials In Charge of Voting under this Act. Such meetings shall have the same effect as a meeting through an electronic medium under the first paragraph.

Section 8. The Chairman of the Election Commission shall have charge and control of the execution of this Act.

## Chapter I General Provisions

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Section 9. The Commission shall have the duties and powers to organise and oversee Voting in a way that is honest, just, free, equal, and lawful.

Voting under this Act shall be as follows:

- (1) A Vote in relation to amendment of the Constitution, as provided in the provision thereof;
- (2) A Vote in a case where the Cabinet views that there are reasonable grounds to do so;
- (3) A Vote where the law determines that there shall be a Vote;
- (4) A Vote in a case where the Parliament has considered and resolved that the matter is of reasonable grounds for a Vote to be held, and has notified the Cabinet for further proceedings;



(5) A Vote in a case where persons have subscribed their names to petition a matter to the Cabinet for approval of a Vote under criteria and methods determined by the Commission.

A Vote on a matter affecting the rights and liberties of the people guaranteed by the Constitution shall be prohibited.

In a case of a Vote under the second paragraph, once the Cabinet has resolved to hold a Vote or once the Speaker of the Parliament has notified the Prime Minister, as the case may be, the Prime Minister shall publish in the Government Gazette that there shall be a Vote on a date designated upon having been consulted with the Commission.

Section 10. Where there is a case upon which a Vote must be held in accordance with the Constitution of the Kingdom of Thailand and where the matter relates to amendment of the Constitution under Section 9 (1), the Speaker of the Parliament shall notify the Prime Minister of the matter. The Prime Minister shall publish in the Government Gazette that there shall be a Vote on a date designated upon having been consulted with the Commission, which shall neither be sooner than ninety days nor later than one hundred and twenty days as from the date on which he or she is notified by the Speaker of the Parliament.

Regarding notification of the Prime Minister under the first paragraph, the Speaker of the Parliament shall deliver the draft Constitutional Amendment, and a summary of the main points of the draft Constitutional Amendment made in a way that the public may conveniently refer to in order to understand the key content of such a draft Constitutional Amendment, to and for the acknowledgement of the Prime Minister, and deliver them to the Commission for further proceedings.

Section 11. Where there is a case upon which a Vote must be held under Section 9(4), the Speaker of the Parliament shall notify the Prime Minister of each House's resolution to approve the same. Regarding such notification, the main point of the petitioned referendum matter shall also be delivered, which is made in a way that the public may conveniently refer to in order to understand the key content of the matter, to the Prime Minister.

The criteria and methods determined by the Commission under Section 9(5) shall at least include in the details regarding the number of persons subscribing their names to the petition at no less than fifty thousand persons, a part regarding qualifications and disqualifications, and the limitation of the rights of persons eligible to subscribe their names to a petition, in accordance with Section 20, Section 21, and Section 24.

Once the Cabinet has considered the matter and views that a case is of reasonable grounds under Section 166 of the Constitution of the Kingdom of Thailand for a Vote to be held under Section 9(2), (3), (4), or (5), the Prime Minister shall publish in the Government Gazette that there shall be a Vote on a date designated upon having been consulted by the Commission, which shall neither be sooner than ninety days nor later than one hundred and twenty days as from the date on which the Cabinet makes the resolution, except in a case where the Cabinet views that there is a justification or necessity regarding budget or an inevitable necessity. In such a case, the Cabinet may designate a date different from that which has been provided. Such a publication must state the matter upon



which the public is asked to vote in the referendum, with a statement sufficiently clear for Eligible Voters to decide conveniently whether to approve or reject the referendum matter.

Section 12. Voting shall be carried out by direct suffrage by secret ballot.

Voting shall be carried out using ballots or the Commission may determine to have it cast by mail, or through electronic vote casting devices, or through an information technology system, or by other methods, provided such a method can effectively prevent foul play and is easily accessible by the public. Casting of the votes may be carried out by one or more methods, and a method may be utilised in one or more Constituencies, in accordance with the criteria, methods, and conditions determined by the Commission.

Section 13. A Vote deemed to resolve the referendum matter shall have a turnout of more than half of all Eligible Voters, and shall receive a simple majority amongst the turnout in the referendum.

Chapter II  
Information and Providing for Expression of Opinions  
Regarding the Referendum Matter

Section 14. In holding a referendum under Section 10, the Commission shall disseminate to the general public the draft Constitution and summary of the main points of the draft Constitution received from the Speaker of the Parliament under the second paragraph of Section 10.

Dissemination of information under the first paragraph must at least be undertaken through an information technology system and publication in the Government Gazette, within fifteen days as from the date the Vote is announced. In addition, information documents shall be delivered to and for the acknowledgement of householders at least thirty days before the Voting Day, and shall also be disseminated through a national radio or television station.

Compilation and dissemination of information regarding the matter to be Voted on under the first paragraph must aim for the correct public understanding of the matter, and shall not be done in a manner which is suggestive of whether an Eligible Voter shall approve or disapprove of such a matter.

Section 15. When a Vote is to be held under Section 11, a state agency responsible for the referendum matter as determined by the Cabinet shall undertake to compile relevant information, which at least shall include the details below, and shall deliver it to the Commission at least fifteen days prior to the date on which the Vote is to be announced:

- (1) The subject of the referendum matter and the justification and necessity of the referendum;
- (2) The main points of the referendum matter;
- (3) The steps and period of time required for the undertakings in the referendum matter;



(4) An estimate of the budget and source of the budget for expenses on the undertakings in the referendum matter;

(5) The pros and cons for the nation, localities, or the public, including the measures to prevent, rectify, or remedy the hardship or damage incurred by the undertakings, as well as a comparison of the pros and cons.

The Commission shall disseminate the information under the first paragraph to and for the acknowledgement of the public. The provision of the second and third paragraphs of Section 14 shall also be applicable to the compilation and dissemination thereof.

Section 16. Once the Voting Day is designated and announced, the Commission shall widely disseminate the procedures and steps for Voting to and for the acknowledgement of Eligible Voters.

Regarding providing for expression of opinions on the matter to be Voted on through radio or television stations, the radio or television business operators under the laws on radio and television business operations shall allow an opportunity for well-rounded, equal expression of opinions, in accordance with the criteria and methods determined and announced by the Commission.

In a case where it is apparent to the Commission that a radio or television operator fails to achieve compliance with the second paragraph, the Commission shall have the right to order rectification, change, or any action or omission to act within a specified period of time as it sees appropriate.

Section 17. The public, political parties, private organisations, and various groups in the society shall freely, equally, and justly have the Constitutional rights and liberties to hold campaigns on Voting, in accordance with the criteria and methods determined by the Commission.

In the case of campaigns to inform on Voting undertaken by a state agency, the public, political parties, private organisations, and various groups in the society must be allowed freely and equally to join, in accordance with the criteria and methods determined by the Commission.

### Chapter III

#### Constituencies, Polling Units, and Polling Stations

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Section 18. In a Vote, a Constituency shall constitute a Provincial area.

Section 19. Polling Units and Polling Stations designated under the Organic Law on the Election of Members of the House of Representatives for the last general election prior to the Voting Day shall be deemed the Polling Units and Polling Stations under this Act.

The Polling Units and Polling Stations shall be announced at least twenty-five days prior to Voting Day, by way of posting the announcement at the Polling Stations or nearby areas, provided that other means of announcement may also be utilised for the acknowledgement of the general public.



In a case for the benefit of facilitating or maintaining security for Eligible Voters, or where there is a necessity to reduce costs, a Constituency Committee may announce a change of Polling Units or Polling Stations, provided that the announcement shall be made for the acknowledgement of Eligible Voters at least ten days prior to the Voting Day, except in the case of a public riot, flood, fire force majeure, or other forms of necessity, where the change can be announced less than ten days prior to the Voting Day. In such a case, the provision of the second paragraph shall be applicable *mutatis mutandis*.

#### Chapter IV Eligible Voters and List of Eligible Voters

Section 20. A person of the following qualifications is an Eligible Voter and has a duty to freely exercise his or her Voting Right:

- (1) Having Thai nationality. However, in case of a person acquiring Thai nationality by naturalisation, he or she shall have held it for at least five years;
- (2) Being at least eighteen years of age on the Voting Day;
- (3) Having his or her name listed in a House Register in a Constituency for at least ninety days up to the Voting Day.

Section 21. A person of the following characteristics is disqualified from exercising his or her Voting Right:

- (1) Being a Buddhist monk, a novice Buddhist monk, or a clergyperson;
- (2) Being subject to revocation of his or her right to stand in an election, regardless of whether the case is final or not;
- (3) Being subject to imprisonment under a court warrant or a lawful order;
- (4) Being of unsound mind or of mental infirmity.

Section 22. In a Vote, if an Eligible Voter is unable to exercise his or her Voting Right on reasonable grounds, he or she shall report to a person appointed by the Commission for a Constituency the cause preventing him or her from exercising the Voting Right prior to the Voting Day or within seven days thereafter. In this regard, a person having reported the cause which prevents him or her from exercising his or her Voting Right prior to the Voting Day shall not be barred from exercising the Voting Right.

Regarding reporting under the first paragraph, the Eligible Voter shall elaborate on the cause in writing or by other means. He or she may also assign any person to submit it on his or her behalf to a person appointed by the Commission, or deliver by registered post the report letter, or by electronic means.

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Reporting, methods for reporting by electronic means, persons to whom the reports shall be made, and the place where the reports are made shall be in accordance with the criteria and methods determined by the Commission, provided that in determining the same, the Commission shall also take into account the convenience of the public.

Section 23. Once sixty days as from the Voting Day have lapsed, a person appointed by the Commission under the first paragraph of Section 22 shall publish the list of persons who have failed to exercise their Voting Right and have not reported a cause thereof under Section 22.

In a case where the publication of the list under the first paragraph is erroneous or inaccurate, a stakeholder in the publication may submit an application to the Provincial Election Director or a person appointed by the Commission under Section 22 for rectification, in accordance with the criteria and methods determined by the Commission.

Section 24. Any person who fails to exercise his or her Voting Right and fails to report his or her cause thereof shall have his or her following rights restricted:

(1) To stand as a candidate for a position of a member of the House of Representatives, or a member of the Local Council, or a Local Executive, or to stand as a candidate for membership of the Senate;

(2) To stand as a candidate for a position of a subdistrict headman or a village headman under the Law on Local Administration;

(3) To subscribe his or her name to a petition to the Cabinet under Section 9(5);

(4) To maintain his position as a political official under the Law on the Regulation of Political Officials or a political parliamentary official under the Law on the Regulation of Parliamentary Officials;

(5) To maintain his position as a Deputy Local Executive, Secretary of a Local Executive, Assistant Secretary of a Local Executive, Chief Advisor of a Local Executive, advisor of a Local Executive, or a member of the Advisory to a Local Executive under the Law on the Establishment of Local Administrative Organisations.

The restriction of rights under the first paragraph shall be for a period of two years at a time, as from the Voting Day on which the Eligible Voter fails to exercise his or her Voting Right. If in the following Vote the Eligible Voter still fails to exercise his or her Voting Right, this latter instance of restriction shall be as from the new Voting Day on which he or she fails to exercise his Voting Right. In this regard, all the time remaining from the previous instance of restriction of rights shall expire.

Section 25. Once the Voting Day is designated and announced, the Constituency Committee or a person appointed by the Commission shall compile a list of Eligible Voters in each Polling Unit and post it at the Polling Stations or nearby areas or a place easily inspected by the public, at least twenty-five days prior to Voting Day, and shall notify householders of the list of Eligible Voters in their House Registrations at least twenty days prior to Voting Day.



The list of Eligible Voters under the first paragraph shall not show the identification number of Eligible Voters.

The list of Eligible Voters compiled for the benefit of staff inspecting the identity of Eligible Voters at the Polling Stations shall also show the Eligible Voters' identification numbers.

Section 26. In a case where any Eligible Voter or householder views that he or she, or a person whose name is included in his or her House Registration, is not included in the list of Eligible Voters in a Polling Unit where he or she is supposed to be included as an Eligible Voter in such a Polling Unit, he or she has the right to submit an application to the Constituency Committee to have his or her name included, at least ten days prior to the Voting Day.

Once the application under the first paragraph has been received, the Constituency Committee shall inspect the evidence, and if it views that the applicant or the person whose name appears in the House Registration is an Eligible Voter, it shall issue an order for prompt inclusion of the name into the list of Eligible Voters. If the Constituency Committee views that the applicant or the person whose name is listed in the House Registration is not an Eligible Voter, it shall dismiss the application and notify such a person of the order and the justification thereof within three days as from the date of dismissal.

Once he or she has been notified under the second paragraph, the applicant has the right to submit an application to the Provincial Court of his or her domicile, or the Civil Court for a person whose domicile is Bangkok Metropolis, at least five days prior to Voting Day, in order to have the Court decide whether to include his or her name in the list of Eligible Voters as requested. No Court fee shall be charged in undertaking the proceedings.

Once the Court has received the application under the third paragraph, it shall promptly undertake consideration. The Court's order shall be final, and the Court shall as soon as possible notify the Constituency Committee of the order for undertaking thereof. In a case where the list of Eligible Voters has been announced before the Court order is received, the Constituency Committee shall also correct every list of Eligible Voters [relevant].

Any undertaking carried out under an order of the Constituency Committee prior to the Court order being received shall be legally complete.

Section 27. Any Eligible Voter who views that the list of Eligible Voters published under Section 25 includes a person without the Voting Right or any householder who views that the list of Eligible Voters shows in his or her House Registration the name of a person other than [ ] included therein, the Eligible Voter or the householder has the right to submit an application to the Constituency Committee or a person appointed by the Commission at least ten days prior to the Voting Day to have the name of the person without the Voting Right removed from the List of Eligible Voters.

Once the Constituency Committee has considered the matter, whether it views that it is appropriate to order removal of the name of the person without the Voting Right from the List of Eligible Voters or that it is appropriate to dismiss the application, it shall issue an order to remove the



name of such person or to dismiss the application, as the case may be, and shall notify the person or the householder of the order within three days as from the date on which the application is received. The provision of the third paragraph, the fourth paragraph, and the fifth paragraph of Section 26 shall also apply *mutatis mutandis*.

Section 28. The Constituency Committee shall remove the name of a person whose right to stand in an election has been ordered to be revoked by the Court by striking through it on the lists of Eligible Voters, as well as including a remark that his or her right to stand in an election has been revoked under Court order. The list of persons whose right to stand in an election have been revoked shall be in accordance with the Registration of Persons Whose Right to Stand in an Election is Revoked compiled by the Office under the Organic Law on the Election of Members of the House of Representatives.

#### Chapter V Officials In Charge of Voting

Section 29. In each Vote, the Commission or a person assigned by the Commission shall appoint up to five Members of the Constituency Committee, and a Provincial Election Director shall be the Voting Director of the Constituency, with the duties and powers in a Constituency as determined and announced by the Commission and to carry out other related undertakings as assigned by the Commission.

Appointment and removal of Constituency Committees and the Voting Directors of Constituencies shall be in accordance with the criteria and methods determined by the Commission.

For the benefit of Voting, a Constituency Committee or the Voting Director of a Constituency shall have the power to appoint any sub-committee, group of persons, or any person as an assistant in carrying out undertakings or to assign the same to carry out undertakings in holding the Vote on its behalf, in accordance with the regulation determined by the Commission.

The Commission, a Constituency Committee, or the Voting Director of a Constituency shall supervise the undertaking of duties of the sub-committees, groups of persons, or a person assisting in carrying out undertakings in the Vote, and in a case where the Commission views that any undertaking or order of a Constituency Committee, a Voting Director of a Constituency, a sub-committee, a group of person, or a person assigned is not in an honest or just manner, the Commission shall have the power to order cancellation or alteration of such an undertaking or order.

Section 30. A Constituency Committee or a person assigned by the Commission shall appoint Eligible Voters as Officials in Charge of the Vote, as follows:

- (1) Polling Unit Committees, having duties relating to the casting of votes at the Polling Stations and to count the Votes Cast in each Polling Unit;
- (2) Security staff, having duties to maintain security and support undertakings of the Polling Unit Committee.



Criteria for appointment, number, compensation, and undertakings of Officials in Charge of Voting shall be in accordance with the regulations determined by the Commission.

In a case where the Constituency Committee or an Election Ombudsman has witnessed any Member of the Polling Unit Committee or security staff commit an offence under this Act, or act or omit to act in a manner which may render Voting not honest or just, or unlawful, he or she shall immediately report to the Commission or a Member of the Commission. In a case relating to an undertaking of a government official, the Election Ombudsman shall have the power to give warnings and demand compliance. If there is no undertaking to rectify [the action] as warned, he or she shall promptly report to the Commission or a Member of the Commission.

In a case where a Member of the Commission is a person who has witnessed the act or has received a report, under the third paragraph, the Member of the Commission shall have the power to order a change of Members of the Polling Unit Committee or security staff, as he or she views appropriate. In this regard, in a case where it is viewed that the act or omission to act is committed by a government official, he or she shall have the power to order cessation, a stop, alteration to it, or to order any act as he or she views appropriate. If it is committed by a person who is not a government official, he or she shall have the power to order an administrative official or police officer, or a senior administrative official or police officer to proceed under his or her duties and powers, or to order the Voting Director of the Constituency to record the nature of the act and gather evidence for further proceedings as may be necessary, or in a case where it is necessary and inevitable, he or she may order cessation or a stop to the act or failure to act witnessed, and shall promptly report to the Commission, in accordance with the criteria, methods, and conditions determined by the Commission.

In a case where any person obstructs Voting, a Member of the Polling Unit Committee shall have the power to order that person to leave the Polling Station, provided that this shall not deprive him or her of the Voting Right.

Section 31. A Member of the Commission, the Secretary, an Election Ombudsman, and an Official in Charge of Voting shall maintain impartiality in carrying out his or her duties, and shall comply with the provisions determined by the Commission.

Section 32. Prior to the Voting Day, if a Polling Unit Committee does not have the number of Members of the Polling Unit Committee required, the Constituency Committee shall appoint Members of the Polling Unit Committee in order to meet the number required.

Section 33. On the Voting Day, if it is time to commence vote casting and, for whatever cause, a Polling Unit Committee does not have the number of Members of the Polling Unit Committee required, but at least half those appointed to the Polling Unit Committee are present, the Members of the Polling Unit Committee present for duty shall continue to undertake their duties, and shall report to the Constituency Committee for appointment of additional Members of the Polling Unit Committee in order to meet the number required prior to counting the Votes Cast.



In a case where no Member of a Polling Unit Committee is present, the Constituency Committee shall immediately appoint Members of the Polling Unit Committee to undertake duties in the Polling Unit.

Section 34. In a case where there are reasonable grounds to suspect that any Official in Charge of Voting lacks competence to carry out the duties, or abandons or refuses to carry out his or her duties, or shows partiality in carrying out his or her duties, or commits an act not honest or that is unjust, a Member of the Commission shall have the power to order removal of such a person from his or her duties and shall notify the Constituency Committee to appoint replacement Officials in Charge of Voting to meet the number required, then report to the Commission.

Section 35. A Member of the Commission, the Secretary, an Election Ombudsman, or an Official in Charge of Voting, who carries out duties under this Act, or any law, regulation, notification, or any order of the Commission, or who undertakes a Court order relating to Voting, who commits an act in good faith, shall be protected from civil, criminal, or administrative liabilities.

Chapter VI  
Polling and Counting the Votes Cast

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Part I  
Vote Casting by Ballots

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Section 37. The Commission shall procure sufficient Ballot Boxes and Ballots as necessary.

A Ballot Box shall be of the same characteristics and size determined by the Commission in the last general election prior to the Voting Day.

A Ballot and the method of Voting shall be as determined by the Commission.

Section 38. Regarding vote casting by Ballot, an Eligible Voter shall affix a cross in a box specified for stating an opinion.

In a case where an Eligible Voter does not wish to state an opinion, he or she shall affix a cross in the box specified 'No opinion'.

Section 39. On Voting Day, vote casting shall commence at 8.00 hrs and run until 17.00 hrs.

Section 40. Subject to the provision of Section 41, an Eligible Voter whose name appears in the list of Eligible Voters of a Polling Unit shall Cast his or her Vote at the Polling Unit, and shall have the right to Cast a Vote at such a place only. However, an Eligible Voter appointed to carry out duties in a Polling Unit other than the one where he or she has the Voting Right, shall be able to Cast his or her Vote at the Polling Unit where he or she carries out the duties.

Section 41. An Eligible Voter who resides outside of a Province where his or her name is listed in a House Register, or a person whose name has been included in a House Register for less



than ninety days up to a Voting Day shall be able to Cast the Vote at a Polling Unit outside his or her supposed Polling Unit on the Voting Day, in accordance with the criteria, methods, and conditions determined by the Commission.

Section 42. Prior to commencing the Vote, a Polling Unit Committee shall count all the Polling Unit's Ballots and post a notice stating the number of all Ballots at the Polling Stations in the open. Once vote casting has commenced, Members of a Polling Unit Committee shall open the Ballot Boxes in the open and display them to the Eligible Voters present at the Polling Stations to show that the boxes are empty. They shall close the Ballot Boxes in accordance with the method determined by the Commission and shall record the undertaking with at least two of the Eligible Voters present giving their signatures for the record, except where there is no Eligible Voter present at the moment.

Section 43. During the period of time for vote casting, an Eligible Voter who wishes to Cast his or her Vote shall bring with him or her the identification card, or any other card or evidence issued by the government or a government agency which contains the card holder's picture and identification number, to be shown to the Polling Unit Committee for verification. The Polling Unit Commission shall then provide him or her a Ballot for vote casting.

An expired identification card shall be usable for identification under the first paragraph.

Steps and methods of identity inspection shall be as determined by the Commission.

Section 44. The Commission or a person assigned by the Commission shall procure that there is facilitation specifically for Eligible Voters who are disabled or handicapped, or elderly persons, or procure that there is Voting assistance under the supervision of the Polling Unit Committee. Such assistance must be provided in a way that the person Casts the Vote by himself or herself, unless his or her physical characteristics prevent the handicapped, disabled, or elderly person from making a mark on the Ballot, in which case, another person who, by consent and in accordance with the intention of such a handicapped, disabled, or elderly person, shall act on his or her behalf. This shall be deemed direct suffrage by secret ballot.

In a case where the Commission views it appropriate, it may determine that there shall be a specific Polling Station or Voting equipment provided for handicapped, disabled, or elderly persons, where it shall be procured that such a person may register to exercise his or her Voting Right at the place. Upon having been registered, the Voting Right at the Polling Unit where his or her name is listed in a House Registration shall be extinguished.

The criteria and methods of facilitation under the first paragraph, the procurement of a Polling Station, and registration for exercise of the Voting Right under the second paragraph shall be in accordance with the regulations determined by the Commission, provided that the convenience of a person requesting registration shall also be taken into account.

Section 45. Upon the closing of the polls, a Polling Unit Committee shall announce the closing. However, in a case where there is still an Eligible Voter who wishes to cast a vote, and who has been present at the Polling Station to exercise the Voting Right prior to the closing of the polls but still has not been identified or not received a Ballot, the Polling Unit Committee shall permit such a

person to identify him or herself and provide him or her with a Ballot for the present person to exercise the Voting Right. Once the Eligible Voters have finished casting their votes, the Polling Unit Committee shall announce the closing of the polls.

Once the polls are closed, a Polling Unit Committee shall cease distributing Ballots and mark the remaining Ballots as Ballots which may not be used for vote casting, close the opening at the top of the Ballot Boxes, and compile a list regarding the number of all Ballots, persons present for identification and receiving the Ballots, and the number of the remaining Ballots. Such a list shall be posted in the open at the Polling Station, in accordance with the criteria and methods determined by the Commission.

Section 46. In a case where Voting in a Polling Unit cannot be held because of a riot, flood, fire, force majeure, or other necessities, if such an incident takes place prior to the Voting Day, the Constituency Committee shall designate a new Polling Station. If the new Polling Station cannot be designated, it shall announce a cancellation of Voting at the Polling Unit and promptly report to the Commission.

In a case where such an incident under the first paragraph takes place on the Voting Day, the Constituency Committee or the Polling Unit Committee shall announce a cancellation of Voting at the Polling Unit and promptly report to the Commission.

Undertakings under the first paragraph and the second paragraph shall be in accordance with the criteria and methods determined by the Commission.

The Commission shall promptly designate a new vote casting day for such a Polling Unit, unless the Commission views that the number of Eligible Voters of the Polling Unit does not alter the result of the Vote. In such a case, the Commission may refrain from holding new vote casting for the Polling Unit. In this regard, where no new vote casting is held, the [relevant] Eligible Voters shall not be deemed to have failed to exercise their Voting Right.

## Part II Vote Casting by Mail

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Section 47. In a case where the Commission views it appropriate that there shall be vote casting by mail, the Commission may announce that Eligible Voters may exercise their right to cast a vote by mail.

An Eligible Voter who wishes to exercise his or her right to cast a vote by mail shall submit an application to the Constituency Committee within the period determined by the Commission.

The criteria and methods for registration, vote casting, counting the Votes Cast, and other necessary undertakings shall be in accordance with the criteria and methods determined by the Commission.



Section 48. Once an Eligible Voter has applied for exercise of the Voting Right under Section 47, the right to cast a vote at the Polling Unit where his or her name is listed in a House Registration shall be extinguished.

### Part III

#### Vote Casting by Electronic Vote Casting Devices or through Information Technology System, or by Other Means

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Section 49. In a case where the Commission views it appropriate that there shall be vote casting by electronic vote casting devices in one Polling Unit or more, the Commission may announce such for the acknowledgement of Eligible Voters in the Polling Units.

The criteria and methods for vote casting, counting of the Votes Cast, and other necessary undertakings shall be in accordance with the criteria and methods determined by the Commission.

Section 50. In a case where the Commission views it appropriate that there shall be vote casting through an information technology system, the Commission may announce that Eligible Voters may exercise their right to cast a vote through the information technology system.

An Eligible Voter who wishes to exercise his or her right to cast a vote through an information technology system shall submit an application to the Constituency Committee within the period determined by the Commission.

The criteria and methods for registration, vote casting, counting the Votes Cast, and other necessary undertakings shall be in accordance with the criteria and methods determined by the Commission.

Section 51. Once an Eligible Voter has applied for the exercise of the Voting Right under Section 50, the right to cast a vote at the Polling Unit where his or her name is listed in a House Registration shall be extinguished.

Section 52. In a case where the Commission views it appropriate to have votes cast by means other than those under Section 49 and Section 50, vote casting shall be in accordance with the criteria and methods determined by the Commission.

### Part IV

#### Vote Casting Outside the Kingdom

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Section 53. In a Vote, an Eligible Voter residing outside the Kingdom may register to exercise his or her Voting Right in his or her country of residence.

Upon having been registered under the first paragraph, the Eligible Voter shall exercise his or her Voting Right as determined under Section 54 and Section 55.



The criteria and methods for registering to exercise the Voting Right under the first paragraph, the location and number of Polling Stations, the date designated for exercise of the right to cast a vote, casting a vote, delivery of Ballots, and other necessary undertakings shall be in accordance with the criteria and methods determined by the Commission, provided that the Commission may determine different criteria and methods for different countries, as it views appropriate.

Regarding a person who has been registered under the third paragraph and has exercised his or her Voting Right, but has not exercised his or her Voting Right in the new Vote, the registration shall be deemed notification of reasonable grounds and such a person shall not have his or her rights restricted under Section 24.

Section 54. In a case where there is an Eligible Voter registering to exercise his or her Voting Right in a country, the Commission or a person assigned by the Commission shall hold vote casting in the country. It may be held at a vote casting location, by vote casting by mail, or by vote casting by electronic vote casting devices, or through an information technology system, or by other means, provided that the method chosen is appropriate to the country and is subject to the criteria, methods, and conditions determined by the Commission.

Section 55. Once an Eligible Voter has applied for the exercise of the Voting Right under Section 53, the right to cast a vote at the Polling Unit where his or her name is listed in a House Registration shall be extinguished.

Section 56. At least three days prior to a Voting Day, the Commission shall notify for the general public information of the number of persons, by country, registering to exercise their Voting Rights outside the Kingdom.

Section 57. In case of an incident under Section 46, the Commission or a person assigned by the Commission shall have the power to designate and announce a new date for vote casting under Section 54, specifically for such a Constituent.

In a case where the incident under the first paragraph took place two times consecutively, the Commission or a person assigned by the Commission orders a cancellation at such a Constituency of vote casting outside the Kingdom. In such a case, if a registered person fails to exercise his or her Voting Right, it shall be deemed that the registration is notification of reasonable grounds and such a person shall not have his or her rights restricted under Section 24.

Part V  
Counting the Votes Cast

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Section 58. Once the undertakings under Section 45 have been carried out, the Polling Unit Committee shall open the Ballot Boxes before the public present at the Polling Station, and shall undertake a count of the Votes Cast.



Section 59. Subject to the provisions of Section 65, a count of the Votes Cast shall be carried out in an open and continuous manner at the Polling Stations until completion. The count shall not be postponed or delayed.

A count of the Votes Cast shall be carried out in accordance with the criteria and methods determined by the Commission.

Section 60. In a count of the Votes Cast, if there appears to be an invalid Ballot, the invalid Ballot shall be separated and shall not be counted as a Vote Cast in any case.

Section 61. The following Ballots shall be deemed invalid:

- (1) A counterfeit ballot;
- (2) A ballot that is not given by the Polling Unit Committee;
- (3) A ballot that has been marked in order to be noticeable or has any writing made thereon apart from a mark affixed in vote casting, except as a lawful act carried out by an Official in Charge of Voting;
- (4) A ballot that has not been affixed with a vote casting mark;
- (5) A ballot that has been affixed with a mark outside of the "marking" box;
- (6) A ballot that has been affixed with more than one mark in the "marking" box;
- (7) A ballot with a characteristic as determined and announced by the Commission as invalid.

The Constituency Committee shall endorse the back of the ballot as "invalid", as well as stating the reason of the invalidity, with at least two accompanying signatures given by two members thereof.

Section 62. If there is more than one issue to be Voted on in the same Ballot, a Ballot with a characteristic under Section 61 (1), (2), or (3) shall be invalid in its entirety and shall not be counted as a Vote Cast.

In a case under the first paragraph, a Ballot with a characteristic under Section 61 (4), (5), (6), or (7), shall have the following effects:

(1) A Ballot with the characteristic under Section 61 (4) which has no mark affixed for any of the issues shall be invalid in its entirety and shall not be counted as a Vote Cast. However, if a mark has been affixed in one of the issues, the Ballot shall be deemed valid and counted as a Vote Cast for the issue for which the mark is affixed;

(2) A Ballot with the characteristic under Section 61 (5) or (6) which has a vote casting mark of a characteristic determined under Section 61 (5) or (6) for all issues shall be invalid in its entirety and shall not be counted as a Vote Cast. However, if a mark has been affixed in such a manner for

one of the issues, it shall be deemed invalid and shall not be counted as a Vote Cast for the issue for which the mark is affixed;

(3) Whether a Ballot with the characteristic under Section 61 (7) shall be invalid in its entirety or whether it shall be invalid for certain issues and, for which issues it shall be counted, shall be as determined by the Commission.

Section 63. Once a count of the Vote Cast is complete, a Polling Unit Committee shall place all the Eligible Voters' Ballots in the Ballot Boxes and report the result of the count, then it shall close the Ballot Boxes and deliver them to the Constituency Committee in accordance with the methods determined by the Commission, and post the report on the result of the count at the Polling Stations for general public information.

The Constituency Committee shall also report the result of the count under the first paragraph through an information technology system.

Section 64. In a case where the result of a count of the Votes Cast shows that the number of persons present to exercise their Voting Right differs from the number of Ballots used in vote casting, or from the number of Votes Cast counted, the Polling Unit Committee shall undertake an inspection of the matter. If the result of the inspection also shows a discrepancy, or where the inspection cannot be made, it shall report to the Constituency Committee with the reason therefor, and shall deliver the Ballot Boxes, together with the materials and equipment used in the Vote to the Constituency Committee or a person assigned by the Constituency Committee.

Upon the Constituency Committee receiving a report under the first paragraph, it shall report to the Commission for consideration whether to order a new count of the Votes Cast or to order a new Vote in the Polling Unit. However, if the Commission views that the number of persons present for identification at the Polling Unit does not alter the result of the Vote, the Commission may refrain from holding a new count of the Votes Cast or holding a new Vote for the Polling Unit.

Section 65. If a count of the Votes Cast at a Polling Station cannot be carried out or cannot be completed because of a riot, flood, fire, force majeure, or other causes which may affect safety or obstruct the count, the Polling Unit Committee shall order a cancellation of the count for the Polling Unit and report to the Constituency Committee for a prompt report to the Commission. The Commission shall then designate a date and time to continue promptly with the count. As for the location of the new count, the Commission may determine that it shall be taken at any place viewed as appropriate other than the previous Polling Station. In this regard, the safekeeping of the Ballots, Ballot Boxes, and documents relating to the Vote, as well as the methods of the new count of the Votes Cast shall be in accordance with the criteria and methods determined by the Commission.

In a case under the first paragraph, if it appears to the Commission that a Ballot used in vote casting is damaged or lost, the Commission shall order a new Vote for the Polling Unit in accordance with a date, time, and location designated by the Commission, unless the number of Eligible Voters of the Polling Unit does not alter the result of the Vote. In such a case, the Commission may refrain from ordering the new Vote.

In a case where the Commission views that the number of the Ballots or persons present for identification at the Polling Unit unable to count the Votes Cast does not alter the result of the Vote, the Commission may refrain from ordering a new count in such a Polling Unit.

Section 66. A count of the Votes Cast outside the Kingdom shall be carried out at the Embassy or the Consulate-General, or a location designated by the Commission or a person assigned by the Commission, within forty-eight hours after the closing of the polls on Voting Day in the Kingdom.

A count of the Votes Cast and reporting the result of the count under the first paragraph shall be in accordance with the criteria and methods determined by the Commission. The provisions of Section 65 shall also apply *mutatis mutandis*.

## Chapter VII Announcement of the Voting Result

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Section 67. The Constituency Committee shall tally the results of the Votes Cast from every Polling Unit within the Constituency and every Polling Station outside the Province in order to report the results of the tally of the Votes Cast promptly to the Commission, which shall be carried out no later than the day after the Voting Day or the day as extended by the Commission in accordance with the methods determined by the Commission.

For the benefit of prompt communication of Voting information to the public, the Commission may undertake to have an unofficial result of a count reported.

Section 68. Subject to the provision of Section 70, once the challenge period has passed, the Commission shall promptly announce the Voting Result and the number of persons exercising their Voting Right in the Government Gazette and report to the Prime Minister and the Speaker of the Parliament.

Section 69. In a case where a Vote or a count of the Votes Cast in a Polling Unit cannot be carried out because of an incident under Section 46 or Section 65, or because it appears that the number of persons exercising their Voting Right differs from the number of Ballots used in vote casting under Section 64, or because of a challenge to the Vote under Section 70, and the Commission views that the case does not alter the Voting Result, the Commission shall proceed in accordance with 68.

## Chapter VIII Challenging the Vote

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Section 70. Should it appear to the Commission that Voting in every Polling Unit or in a certain Polling Unit is not carried out in an honest or just manner, regardless of whether there is a person challenging the Vote, the Commission shall promptly investigate and make a decision on the matter, and in a case where it views that the Vote is not carried out in an honest or just manner, the



Commission shall have the power to order a new Vote or a new counting of the Votes Cast in every Polling Unit or in a certain Polling Unit, provided that it shall be procured no later than thirty days as from the Voting Day. However, in a case where the new Vote or the new count will not alter the Voting Result, the Commission may resolve not to hold a new Vote or a new count, but shall announce to the public the circumstance and justification for not holding the new Vote or the new count.

An Eligible Voter in any Polling Unit who views that there is a case under the first paragraph in the Polling Unit where he or she has the Voting Right shall have the right to submit a challenge to the Commission stating the details of the circumstance or evidence, with evidence reasonable to show that the Vote is not carried out in an honest or just manner, within forty-eight hours as from the end of the referendum vote casting.

The methods of submission of a challenge and of consideration under the second paragraph shall be in accordance with the regulation determined by the Commission. The decision of the Commission shall be final.

During the holding of a new Vote or a new count of the Votes Cast under the first paragraph, the announcement of the Voting Result shall be suspended until the result of the new Vote or the new count is known.

#### Chapter IX Offences and Penalties

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Section 71. A government official with a duty or who has been assigned to undertake duties under this Act shall not use his or her position or duty, unlawfully carry out duties or omissions to carry out duties, or commit an act, in a manner which renders a Vote not honest or just.

Any person who contravenes the first paragraph shall be liable to imprisonment for a term of one to ten years, and a fine of twenty thousand to two hundred thousand Baht, and the Court shall order revocation of his or her right to stand in an election for a period of ten years.

Section 72. Any person who obstructs the undertaking of duties by the Commission, a Member of the Commission, the Secretary, an Election Ombudsman, the Voting Director of a Constituency, a Constituency Committee, a member of the Constituency Committee, a Polling Unit Committee, a member of the Polling Unit Committee, a sub-committee, a member of a sub-committee, a group of persons, or a person assigned by the Commission to carry out duties under this Act shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding twenty thousand Baht, or both.

If an obstruction under the first paragraph is carried out by force or a threat of force, the person who commits the act shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding forty thousand Baht, or both.



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Section 73. Any supervisor or employer who obstructs or detains his or her subordinate or employee from exercising his or her to vote shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding forty thousand Baht, or both.

Section 74. Any person who destroys a Ballot without the power to do so or who intentionally by any means renders a Ballot unusable, or damaged, or invalid, or by any means renders an invalid Ballot valid shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding twenty thousand Baht, or both.

If the person who carries out an act under the first paragraph is a government official or a person who has a duty relating to the undertaking of a Vote, he or she shall be liable to imprisonment for a term of one to ten years, and a fine of twenty thousand to two hundred thousand Baht, and the Court shall order revocation of his or her right to stand in an election for a period of ten years.

Section 75. Any person who destroys an electronic vote casting device, electronic Voting equipment, or electronic vote casting data without the power to do so, or who intentionally by any means renders an electronic vote casting device, electronic Voting equipment, or electronic vote casting data unusable, or damaged, or who falsely alters electronic vote casting data shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding one hundred thousand Baht, or both.

If the person who carries out the act under the first paragraph is a government official or a person who has a duty relating to the undertaking of a Vote, he or she shall be liable to imprisonment for a term of one to ten years, and a fine of twenty thousand to two hundred thousand Baht, and the Court shall order revocation of his or her right to stand in an election for a period of ten years.

Section 76. Any person who commits an act during a time when vote casting is open, as follows:

(1) Voting or attempting to vote in a referendum, knowing that he or she is a person without a Voting Right in the Polling Unit;

(2) Using a ballot other than a Ballot to vote in a referendum;

(3) Taking a Ballot out of a Polling Station;

(4) Showing a Ballot or Voting data which has been used for vote casting to another person for the purpose of informing the other person that he or she has Voted in a certain way or not, without the power to do so;

(5) Marking a Ballot by any means in order for the Ballot to be noticeable so that another person may know that the Ballot is his or hers, or using any tool or equipment to record a picture of a Ballot or Voting data he or she has used for vote casting;

(6) Resisting a member of a Polling Unit Committee's order to leave a Polling Station for obstruction of Voting under Section 30;



(7) Placing a Ballot in a Ballot Box without the lawful power to do so or committing any act on the list of Eligible Voters to cause it to show persons present for identification to Vote in a false manner, or committing any act which causes a situation where there are more Ballots than there are supposed to be;

(8) Committing an act without the lawful power to do so in order to prevent an Eligible Voter from exercising his or her Voting Right or obstructing or detaining an Eligible Voter from going to a Polling Station, or from entering into a Polling Station, or from arriving at a Polling Station, in time to vote in a referendum.

(9) Causing a commotion in a Polling Station or committing any act which disturbs or obstructs Voting;

For a person committing an act under (1), (2), (3), (4), (5), or (6), he or she shall be liable to imprisonment for a term not exceeding five years or a fine not exceeding one hundred thousand Baht, or both, and for a person committing an act under (7), (8), or (9), he or she shall be liable to imprisonment for a term not exceeding ten years or a fine not exceeding two hundred thousand Baht.

Section 77. Any person who commits an act, as follows:

(1) Cause obstruction in order to prevent orderly Voting;

(2) Giving, offering or promising to give, or making preparations to give property or another financially calculable benefit to any person to induce an Eligible Voter not to exercise his or her Voting Right or to Vote in a certain way or not to Vote;

(3) Deceiving, coercing, threatening, or using influence to harass an Eligible Voter into not exercising his or her Voting Right or to Vote in a certain way or not to Vote, or into relying on a mistaken date, time, or location of a Polling Station or the Voting method;

(4) Opening, destroying, rendering destroyed, rendering deformed, rendering lost, rendering unusable, taking or obstructing the delivery of a Ballot Box, or a Ballot, or a document or evidence relating to Voting compiled by a Polling Unit Committee, without the lawful power, between the times of opening and closing the Ballot Box placed for vote casting, or after the closing of the Ballot Box for safekeeping after the Vote is complete;

(5) Disseminating false information relating to the referendum matter;

(6) Gambling or organising any gambling activity which induces an Eligible Voter not to exercise his or her Voting Right, or to Vote in a certain way or not to Vote;

(7) Demanding, accepting, or consenting to accept money, property, or any other benefit for him or herself or for another person, in order not to exercise his or her Voting Right, or to Vote in a certain way or not to Vote;

(8) Selling, distributing, giving away, or catering any kind of liquor within a Constituency from 18.00 hours of the day before the Voting Day until 18.00 hours of the Voting Day;

For a person committing an act under (1), (2), (3), and (4), he or she shall be liable to imprisonment for a term not exceeding ten years or a fine not exceeding two hundred thousand Baht, and for a person committing an act under (5), (6), or (7), he or she shall be liable to imprisonment for a term not exceeding five years or a fine not exceeding one hundred thousand Baht, or both. In this regard, the Court may also order revocation of his or her right to stand in an election for a period of five years.

For a person committing an act under (8), he or she shall be liable to imprisonment for a term not exceeding six months or a fine not exceeding ten thousand Baht, or both.

In case of an offender under (7) being a person accepting, consenting to accept money, property, or any other benefit for him or herself or for another person, if he or she has notified the Commission or a person assigned by the Commission of the act prior to or on the Voting Day, the person shall not be liable to the penalties and shall not have his or her right to stand in an election revoked.

Section 78. No person shall charter a vehicle to take an Eligible Voter to or from a Polling Station for the purpose of Voting without charging the fee normally charged for such a vehicle ride or service, except where it has been undertaken by a government agency to charter a vehicle to facilitate Eligible Voters in accordance with the criteria determined by the Commission.

Any person who contravenes the first paragraph shall be liable to imprisonment for a term not exceeding one year or a fine not exceeding twenty thousand Baht, or both.

Section 79. Any person who disseminates a result of a public poll relating to Voting within a period from seven days before a Voting Day until the end of the Voting period on the Voting Day shall be liable to imprisonment for a term not exceeding three months or a fine not exceeding five thousand Baht, or both.

Section 80. Any person who campaigns for an Eligible Voter to cast their Vote in a certain way or not to exercise his or her Voting Right, from 18.00 hours of the day before a Voting Day until the end of the Voting period, shall be liable to imprisonment for a term not exceeding six months or a fine not exceeding ten thousand Baht, or both.

Section 81. Any member of a Polling Unit Committee who exercises another person's right to cast his or her Vote, or intentionally, in a false manner, counts the Ballots or the Votes Cast or tallies the Votes Cast, or who commits by any means without the lawful power to do so an act to render a Ballot unusable, damaged, or invalid, or commits by any means an act on an invalid Ballot to render it valid, or who reads a Ballot in a false manner, or who compiles a false report, shall be liable to imprisonment for a term of one to ten years, and a fine of twenty thousand to two hundred thousand Baht, and the Court shall order revocation of his or her right to stand in an election for a period of ten years.

Section 82. Any radio or television business operator who contravenes or fails to comply with an order under the third paragraph of Section 16 shall be liable to a fine not exceeding five hundred thousand Baht.



Section 83. In a case where the Court has rendered judgment that a person has committed an offence under this Act, if the Commission petitions the Court that such an offence results in any Polling Unit having to hold a new Vote, the Court shall also render judgment that the person shall be responsible for the expenses for the Vote to be held in the Polling Unit that causes the Commission to order the new Vote, provided that the Court shall consider the evidence of expenses as presented thereto by the Commission.

Section 84. In a case where the Court orders revocation of any person's right to stand in an election under this Act, such revocation shall be effective immediately and its period shall commence as from the date on which the Court has rendered the order or judgment, except ordered or judged otherwise by the Appeal Court or the Supreme Court.

Section 85. Any person who commits an offence under this Act outside the Kingdom shall be subject to punishment in the Kingdom, and an act by a principal, supporting agent, or an instigating agent, even though committed outside the Kingdom, shall be deemed to have been committed within the Kingdom by the principal, supporting agent, or the instigating agent.

Countersigned by

General Prayuth Chan-o-cha

Prime Minister



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Remarks :- The justification behind the enactment of this Act is that whereas it is expedient to have a law on referendum so as to complement the provisions of the Constitution of the Kingdom of Thailand, it is necessary that this Act be enacted.



*[Signature]*  
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