

**NATIONAL STRATEGIES PREPARATION ACT,
B.E. 2560 (2017)**

HIS MAJESTY KING MAHA VAJIRALONGKORN BODINDRADEBAYAVARANGKUN;
Given on the 26th Day of July B.E. 2560;
Being the 2nd Year of the Present Reign.

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

Whereas it is expedient to have the law on national strategies preparation;
Be it, therefore, enacted by the King, by and with the advice and consent of the National Legislative Assembly serving as the National Assembly, as follows.

Section 1. This Act is called the “National Strategies Preparation Act, B.E. 2560 (2017)”.

Section 2.¹ This Act shall come into force on the day following the date of its publication in the Government Gazette.

Section 3. In this Act:
“Board” means the National Strategies Board”;
“member” means a member of the National Strategies Board;
“master plan” means the master plan for the achievement of the goal as determined in the national strategies;

* Translated by Associate Professor Dr. Pinai Nanakorn under contract for the Office of the Council of State of Thailand's Law for ASEAN project. – Tentative Version – subject to final authorisation by the Office of the Council of State.

¹ Published in Government Gazette, Vol. 134, Part 79a, dated 31st July 2017.

“State agency” means a State-owned agency, whether it is a Government agency, a State enterprise, a public organisation or an agency in any other form and whether it is an executive, legislative or judicial organ or it is an independent organ or a Public Prosecution organ;

“head of a State agency” means the person holding office as follows:

(1) head of a Government agency which is a juristic person or Local Administrator, Director or Chief Executive Officer called by any other name of a State enterprise or a public organisation or head or Chief Executive Officer of a State agency in any other form, with respect to State agencies in the executive;

(2) President of the House of Representatives, President of the Senate or head of an agency, with respect to the House of Representatives, the Senate or an agency which is a juristic person under supervision of the President of the National Assembly, as the case may be;

(3) President of the Supreme Court, President of the Supreme Administrative Court or President of the Constitutional Court, with respect to judicial organs;

(4) a tribunal or a group of persons which is an independent organ and Auditor-General, with respect to independent organs;

(5) Attorney-General, with respect to Public Prosecution organs;

“Office” means the Office of the National Economic and Social Development Board;

“Secretary-General” means Secretary-General of the National Economic and Social Development Board.

Section 4. The Prime Minister shall have charge and control of the execution of this Act.

CHAPTER I NATIONAL STRATEGIES

Section 5. There shall be national strategies as goals for sustainable national development in accordance with the governance principles and as a framework for the preparation of plans in a manner meeting uniformity and integration which will altogether constitute a driving force towards such goals, in accordance with the period of time set out in the national strategies, which must not be less than twenty years.

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The national strategies shall be promulgated by Royal Command and come into force upon its publication in the Government Gazette, and all State agencies have the duty to take action with a view to achieving the goals set out therein.

The determination of policies on the administration of State affairs by the Council of Ministers before assuming the administration of State affairs, the preparation of the national economic and social development plan, the national policy and plan on national security and any other plan and the preparation of annual appropriations shall be made in consistency with the national strategies.

It shall be the duty of the Council of Ministers to supervise and support all State agencies in order to ensure compliance with paragraph two and paragraph three.

In the case where a State agency is a legislative or judicial organ or an independent organ or a Public Prosecution organ, the supervision under paragraph four shall include the coordination or consultation with or recommendation to the Head of a State agency of such organ.

Section 6. The national strategies must at least consist of:

- (1) visions for national development;
- (2) long-term goals for national development, periods of time within which action must be taken for achieving the goals and indicators of the achievement thereof;
- (3) strategies in various areas.

The goals for national development under (2) must at least contain goals in the areas of national security, the quality and living of the people and roles of the State towards the people.

Section 7. In the preparation of national strategies, regard shall be had to national interests, the need and necessity for the national development in conformity with the sufficiency economy philosophy and sustainable development in accordance the governance principles and the national reform goals as provided in the Constitution. In this regard, the following procedures shall be pursued:

- (1) knowledge-based information acquired from meticulous studies and analysis of various factors is used;
- (2) analysis is made of future trends of changes in all aspects, both domestically and in foreign countries, strengths, weaknesses, opportunities and threats as well as risks of the country, with a view to preparedness of the country for such changes;

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(3) members of the public in all sectors have participation in the determination of goals, the preparation of national strategies and the creation of mutual awareness and understanding of, and senses of belonging to, the national strategies.

The determination of visions and long-term goals for national development under section 6 (1) and (2) must be clearly made with a view to apprehension of the future image of the country. In this regard, it shall provide a broad framework with flexibility to be adapted to changes of the world and determine periods of time for operation towards the achievement of goals in each period, with a clear indication of indicators of the goal achievement.

Section 8. In the process of preparing draft national strategies, the Board shall facilitate members of the public in all sectors to have participation therein in the following procedures:

(1) preliminary public hearings with a view to using results thereof for drafting national strategies;

(2) public hearings upon preliminary completion of draft national strategies in varying areas, with a view to using results thereof for revision.

The public hearings under paragraph one shall be in accordance with the procedures prescribed by the Board, provided that the procedures to be used must allow public access and expression of opinions or recommendations in a convenient and comprehensive manner and information must also be so sufficiently presented to members of the public as to ease their understanding and expression of opinions.

Section 9. Upon their completion by the Board, the draft national strategies shall be submitted to the Council of Ministers for consideration. In the case where the Council of Minister deems it appropriate to require their revision on any matter, the draft national strategies shall be returned to the Board for making revision as it deems appropriate and referring the same to the Council of Ministers for further proceeding.

The Council of Ministers shall submit the draft national strategies as received from the Board or as revised by the Board under paragraph one to the House of Representatives within thirty days as from the date of receipt thereof.

The House of Representatives shall complete its consideration of the draft national strategies and its resolution approving or disapproving the same within sixty days as from the date of receipt thereof and the Senate shall complete its consideration of the draft national strategies

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and its resolution approving or disapproving the same within thirty days as from the date of receipt thereof from the House of Representatives.

If the House of Representatives or the Senate fails to complete its consideration of the draft national strategies within the period of time under paragraph three, it shall be deemed that the House of Representatives or the Senate, as the case may be, has approved the draft national strategies as submitted by the Council of Ministers.

In the case where the House of Representatives or the Senate fails to approve the draft national strategies, the draft national strategies shall lapse and the Board shall proceed with the preparation of draft national strategies anew or make revision thereof, provided that this shall be completed within one hundred eighty days as from the date of disapproval by the House of Representatives or the Senate. In this regard, action shall be taken under paragraph one, paragraph two, paragraph three and paragraph four, except that the sixty-day and thirty-day periods under paragraph three shall be reduced to thirty days and fifteen days, as the case may be.

The draft national strategies as approved by the National Assembly shall be submitted by the Prime Minister to the King within twenty days for a Royal Command promulgating them as national strategies.

Section 10. Upon the Royal Command promulgating national strategies, the committee in charge of preparation of national strategies in each area shall prepare master plans for achieving goals as determined in the national strategies for submission to the Board for consideration and approval before submission to the Council of Ministers.

The master plans and the national reform plans under the law on national reform plans and procedures shall be consistent.

The master plans as approved by the Council of Ministers and published in the Government Gazette shall be binding upon State agencies concerned, as to which they shall implement the same and also prepare annual appropriations in conformity therewith.

In the case where the committee in charge of preparation of national strategies considers it necessary to revise the master plans in line with changes or needs of the country, the committee in charge of preparation of the national strategies shall first seek approval from the Board and the Council of Ministers and may, upon approval being given by the Board and the Council of Ministers, further proceed to make revision thereof.

Section 11. The Board shall cause the national strategies to be reviewed every five years or in the case where circumstances of the world or circumstances of the country have changed to such an extent that a pursuit of the goals or strategies in any area becomes unfeasible or unsuitable, the Board shall, if it deems it appropriate to revise the national strategies to be in line with such changes, seek prior approval from the National Assembly before proceeding therewith.

When the National Assembly has approved the revision of the national strategies, the Board shall take action in accordance with the procedures prescribed in this Chapter and the revision so made shall be deemed to be an integral part of the national strategies.

CHAPTER II NATIONAL STRATEGIES BOARD

Section 12. There shall be a board called the “National Strategies Board”, consisting of:

- (1) the Prime Minister, as Chairperson;
- (2) the President of the House of Representatives, as the first Vice Chairperson;
- (3) the President of the Senate, as the second Vice Chairperson;
- (4) the Deputy Prime Minister or the minister entrusted by the Prime Minister, as the third Vice Chairperson;
- (5) the Permanent Secretary for Defence, Commander-in-Chief of the Royal Thai Armed Forces, Commander-in-Chief of the Royal Thai Army, Commander-in-Chief of the Royal Thai Navy, Commander-in-Chief of the Royal Thai Air Force, Commissioner-General of the Royal Thai Police, Secretary-General of the National Security Council, President of the National Economic and Social Development Board, President of the National Farmers’ Council, President of the Board of Trade of Thailand, President of the Federation of Thai Industries, President of the Tourism Council of Thailand and President of the Thai Bankers’ Association, as members;
- (6) not more than seventeen qualified members appointed by the Council of Ministers from persons who are of Thai nationality by birth and not over seventy-five years of age and possess knowledge, expertise or experience in security, politics and the administration of State affairs, law and justice administration, economics, social affairs, cultural affairs, education,

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science and technology, natural resources and the environment, public health, infrastructure or other areas beneficial to the performance of duties under this Act.

The Secretary-General shall be a member and secretary, and the Deputy Secretary-General of the National Security Council entrusted by the Secretary-General of the National Security Council and the Deputy Secretary-General entrusted by the Secretary-General shall be assistant secretaries.

In appointing the members under (6), regard shall also be had to the diversity of relevant sectors and the diversity of age ranges.

In the absence of a holder of the office of the member under (2), (3), (4) or (5), the Board shall consist of the existing members.

Section 13. A qualified member shall hold office for a term of five years.

The qualified members who vacate office upon the expiration of the term shall remain in office in the interest of the continuance of the performance of duties until the qualified members newly appointed take office.

A qualified member who vacates office upon the expiration of the term may be re-appointed.

Section 14. In addition to the vacation of office upon the expiration of the term, a qualified member vacates office upon:

- (1) death;
- (2) resignation;
- (3) being disqualified under section 12 (6);
- (4) being removed by the Council of Ministers on the ground of neglect of duties, misbehaviour or lack of competence.

Section 15. The Board shall have duties and powers, as follows:

- (1) to prepare draft national strategies for submission to the Council of Ministers;
- (2) to determine procedures for public participation in the preparation of national strategies and participation in the monitoring, examination and assessment of the implementation of national strategies and measures for promoting and encouraging action to be taken by people of all sectors in conformity with national strategies;

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(3) to propose to the National Assembly, the Council of Ministers or State agencies concerned opinions on matters pertinent to the implementation of national strategies;

(4) to monitor national reform to ensure conformity with national strategies as provided in the law on national reform plans and procedures;

(5) to carry out other duties as provided in this Act or other laws.

Section 16. In preparing national strategies, the Board shall appoint one or more committees in charge of preparation of national strategies for considering and preparing draft national strategies in varying areas as determined by the Board and performing other duties as provided in this Act or as entrusted by the Board.

Members of each committee in charge of preparation of national strategies shall be appointed, provided that they shall be not more than fifteen in number, from qualified persons possessing knowledge and expertise in the area concerned. In making appointment, regard shall also be had to the diversity of relevant sectors and the diversity of age ranges.

The appointment of members of the committee in charge of preparation of national strategies in connection with the administration of justice or missions of independent organs shall also be made from representatives of justice administration agencies concerned or independent organs concerned.

Section 17. The Board and the committee in charge of preparation of national strategies have the power to appoint sub-committees for performing duties as entrusted by the Board or the committee in charge of preparation of national strategies, as the case may be.

Section 18. A meeting of the Board, the committee in charge of preparation of national strategies and a sub-committee shall be in accordance with the rule prescribed by the Board.

At a meeting of the Board, the Chairperson and Vice Chairpersons may not entrust any person to be present on their behalf.

Section 19. The performance of duties and vacation of office of a member of the committee in charge of preparation of national strategies and a sub-committee shall be in accordance with the rule prescribed by the Board.

Section 20. In the case where the Board or the committee in charge of preparation of national strategies needs to acquire information or requires a study on any matter, it may request the Office to employ a person, an educational institution or an institution which has the object of carrying out studies and research to conduct a study and prepare a report on such matter.

The procedure for employment, remuneration and other benefits of the person or institution under paragraph one shall be in accordance with the rule prescribed by the Board.

Section 21. The Chairperson of the Board, a Vice Chairperson of the Board, a member, the chairperson of the committee in charge of preparation of national strategies, a member of the committee in charge of preparation of national strategies and a member of a sub-committee under section 17 shall receive remuneration, expenses and other benefits as determined by the Council of Ministers.

Section 22. The Office of the National Economic and Social Development Board shall serve as the secretariat of the Board and the committee in charge of preparation of national strategies, with duties and powers as follows:

(1) to be responsible for clerical work of the Board, the committee in charge of preparation of national strategies and sub-committees;

(2) to study, gather and analyse data and opinions for the purpose of considering and preparing national strategies, and procure as well as develop data to support technical work for the Board, the committee in charge of preparation of national strategies and sub-committees;

(3) to co-ordinate with State agencies and public members in varying sectors in connection with the execution of this Act;

(4) to facilitate public participation under section 8;

(5) to disseminate national strategies and master plans and take any other action with a view to creating knowledge and understanding of national strategies and co-operation in the implementation thereof;

(6) to be responsible for the proceeding concerning the assessment of the implementation of national strategies and the preparation of reports under section 24 and section 27 paragraph two;

(7) to perform other duties as provided in this Act or as entrusted by the Board and the committee in charge of preparation of national strategies.

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CHAPTER III
MONITORING, EXAMINATION AND ASSESSMENT

Section 23. The Council of Ministers shall lay down the Rule in connection with rules and procedures for the monitoring, examination and assessment of the implementation of national strategies, in accordance with the recommendations of the Board.

In making the recommendations on the laying down of the Rule under paragraph one insofar as they deal with work operation of legislative or judicial organs, independent organs or Public Prosecution organs, the Board shall also co-ordinate with and consult heads of State agencies in such organs.

Section 24. For the purpose of monitoring results of the implementation of national strategies, State agencies shall report the results thereof to the Office within such time and in accordance with such particulars as determined by of the Office.

The Office shall prepare a report summarising annual operations for submission to the Board, the Council of Ministers, heads of State agencies under section 23 paragraph two and the National Assembly for information within ninety days as from the date of receipt thereof from the agencies under paragraph one. In this regard, such report must also indicate, at least, the progress of the implementation of national strategies, problems, obstacles and recommendations on the implementation thereof.

In the case where there is a reasonable cause to report a specific matter to the National Assembly, the committee in charge of preparation of national strategies in the area concerned may report the same to the Board for submission to the National Assembly as a specific matter.

Section 25. In the case where the House of Representatives or the Senate, having considered the report under section 24, considers that a State agency has failed to take action under section 26 paragraph two without any reasonable cause, the House of Representatives or the Senate, as the case may be, shall pass a resolution for referring the matter to the National Anti-Corruption Commission for considering action against the head of such State agency in accordance with its duties and powers, provided that this shall be completed within one year as from the date of receipt of the matter, and in the case where the National Anti-Corruption

Commission passes a resolution that the allegation has a *prima facie* case, the superior of the person against whom the allegation is made shall proceed to issue an order suspending such person from the official service or work or issue an order removing such person from the official service or work for the time being or issue an order that such person vacate office.

Section 26. In the case where it is apparent to the committee in charge of preparation of national strategies that a pursuit of activities of any State agency is not in conformity with national strategies or master plans, the committee in charge of preparation of national strategies shall notify such State agency of the lack of conformity and recommendations on corrective action, and the State agency shall, upon its correction in any manner, notify it to the committee in charge of preparation of national strategies within sixty days as from the date of receipt of the notification.

In the case where the State agency fails to take any corrective action or fails to notify the committee in charge of preparation of national strategies of the action taken within the period of time under paragraph one for any reason whatsoever, the committee in charge of preparation of national strategies shall report it to the Board for considering and referring the matter to the Council of Ministers for information and further direction, except that in the case of a State agency which is a legislative or judicial organ or which is an independent organ or a Public Prosecution organ, it shall notify the head of the State agency in such organ for consideration and taking further action within the duties and powers.

In the case where the State agency fails to take action under paragraph two without any reasonable cause, it shall be deemed that the head of such State agency intentionally performs the duty or exercises the power contrary to the provisions of law and the committee in charge of preparation of national strategies shall notify it to the National Anti-Corruption Commission for information and taking further action within its duties and powers, and the provisions of section 25 shall apply *mutatis mutandis*.

Section 27. The Office shall put in place public dissemination of the reports received from State agencies, reports summarising annual operations and reports on specific matters under section 24 via information technology systems of the Office.

In the interest of public participation, the Office shall make available means by which a member of the public who finds or considers that any particular State agency fails to

take action in conformity with national strategies or master plans may notify it to the Office in a convenient and expeditious manner.

TRANSITORY PROVISIONS

Section 28. At the initial stage, for the purpose of ensuring that action shall proceed in accordance with the time limits as provided under section 275 of the Constitution, the action in connection with the preparation of national strategies shall be pursued in accordance with the time limits as follows:

(1) the Council of Ministers shall complete the appointment of qualified members under section 12 (6) within thirty days as from the date on which this Act comes into force;

(2) the Board shall complete the appointment of committees in charge of preparation of national strategies in varying areas within thirty days as from the date on which the Board is appointed;

(3) it shall be deemed that public hearings held by the National Strategies Preparation Committee established by the resolution of the Council of Ministers on 30th June 2015 and by the Office prior to the date on which this Act comes into force are the proceedings under section 8 (1) without precluding the power to conduct additional public hearings;

(4) the committees in charge of preparation of national strategies in varying areas shall complete the preparation of preliminary draft national strategies within one hundred twenty days as from the date on which they are appointed, provided that the draft 20-year national strategies prepared by the National Strategies Preparation Committee established by the resolution of the Council of Ministers on 30th June 2015 shall be used as principal guidance in the preparation of such preliminary draft national strategies, and the opinions as well as recommendations of the National Reform Council, the National Reform Steering Assembly and the Commission on the Administration of State Affairs under the frameworks on national reform, national strategies and harmony shall also be taken into consideration, with due regard to public opinions obtained under (3) as well;

(5) the Office shall complete hearings under section 8 (2) within thirty days as from the date of receipt of the preliminary draft national strategies under (4);

(6) the committees in charge of preparation of national strategies in varying areas shall complete revision of draft national strategies to be in line with results of the hearings under

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(5) and submit the same to the Board within forty-five days as from the date of completion of the hearings under (5);

(7) the Board shall consider draft national strategies and submit the same to the Council of Ministers within thirty days as from the date of receipt thereof from the committees in charge of preparation of national strategies;

(8) the Council of Ministers shall consider the draft national strategies and submit the same to the National Legislative Assembly serving as the National Assembly within thirty days as from the date of receipt thereof from the Board;

(9) the National Legislative Assembly shall complete its consideration and approval of the draft national strategies within thirty days as from the date of receipt thereof from the Council of Ministers;

(10) the Prime Minister shall submit the draft national strategies as approved by the National Legislative Assembly to the King within ten days as from the date of receipt thereof from the National Legislative Assembly.

In the case where the National Legislative Assembly ends before the Council of Ministers submits the draft national strategies under (8), the Council of Ministers shall submit the draft national strategies already approved by the Council of Ministers under (8) to the Senate within thirty days as from the date on which the Council of Ministers states policies to the National Assembly in order that the Senate shall complete its consideration and approval of the draft national strategies within thirty days as from the date of receipt thereof from the Council of Ministers.

In the case where the National Legislative Assembly ends before the completion of the consideration and approval of the national strategies under (9), the Senate shall continue and complete the consideration and approval of the draft national strategies within the remaining period of time and may, in case of necessity, extend the period of time, provided that the extension must not exceed ten days.

Upon approval by the Senate of the draft national strategies under paragraph two or paragraph three, the Prime Minister shall further proceed in accordance with (10).

Section 29. During the term of the Senate under section 269 (4) of the Constitution, in the case where action taken by a State agency not in conformity with national strategies or master plans results from a resolution of the Council of Ministers or from direct action of the Council of Ministers, the committees in charge of preparation of national strategies shall notify it to the Board and the Senate and the Senate shall proceed in accordance with

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section 270 of the Constitution. In the case where the Senate considers that a question arises as to whether the resolution of the Council of Ministers or the action of the Council of Ministers is lawful performance of duties, the Senate shall pass a resolution for referring the matter to the Constitutional Court for decision thereon expeditiously. If the Constitutional Court decides that the resolution of the Council of Ministers or the action of the Council of Ministers is unlawful performance of duties, the committees in charge of preparation of national strategies shall refer the matter to the National Anti-Corruption Commission for taking action within its duties and powers expeditiously. In this regard, the National Anti-Corruption Commission shall complete its consideration and pass a resolution within sixty days as from the date of receipt of the matter from the committees in charge of preparation of national strategies, provided that it shall rely on facts and law as revealed in the decision of the Constitutional Court.

Countersigned by:

General Prayut Chan-o-cha
Prime Minister

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