

**ADMINISTRATIVE PROCEDURE ACT (NO. 2),  
B.E. 2557 (2014)**

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BHUMIBOL ADULYADEJ, REX;  
Given on the 29<sup>th</sup> Day of December B.E. 2557;  
Being the 69<sup>th</sup> Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:  
Whereas it is expedient to amend the law on administrative procedure;  
Be it, therefore, enacted by the King, by and with the advice and consent of  
the National Legislative Assembly, as follows:

**Section 1.** This Act is called the “Administrative Procedure Act (No. 2), B.E. 2557 (2014)”.

**Section 2.**<sup>1</sup> This Act shall come into force as from the day following the date of its publication in the Government Gazette.

**Section 3.** The provision of section 27 of the Administrative Procedure Act, B.E. 2539 (1996) shall be repealed and replaced with the following provision:

“**Section 27.** The competent official shall notify rights and duties in the administrative consideration procedure to the parties as necessary to the case.

In case of a person filing a request for a competent official to issue an administrative order, it shall be a duty of the competent official who receives the request to validate correctness of the request and completeness of documents required to be accompanied with the request in accordance with relevant laws or rules. If the request is not correct, that competent official shall advise the person filing the request to rectify it, and if

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\* Translated by Ms. Mattanee Kaewpanya under contract for the Office of the Council of State of Thailand's Law for ASEAN project. – Initial Version – subject to final authorisation by the Office of the Council of State.

<sup>1</sup> Published in the Government Gazette, Vol. 131, Part 89 a, Page 1, dated 30<sup>th</sup> December B.E. 2557 (2014).

any document is missing, he or she shall notify the person filing the request immediately or within seven days as from the date of receipt of the request. For such notification, the competent official shall do so in writing, with signature of the request receiver and specify list of documents that are incorrect or incomplete, to the person filing the request, as well as record such notification in the consideration procedure to issue that administrative order.

When the person filing the request rectifies the request or completely submit documents as listed in the notification under paragraph two, the competent official cannot refuse to proceed with the request due to reason of incompleteness of documents, except for necessity to perform in accordance with laws or rules, and if receiving endorsement from the immediate superior in accordance with section 20. In that case, such immediate superior must promptly inspect facts, and if being of opinions that it is an error of the competent official, he or she shall then order the disciplinary procedure.

The person filing the request must rectify or submit additional documents to the competent official within the timeframe prescribed by the latter or within the time period being extended with approval of that competent official. If those time periods have elapsed and the person filing the request does not rectify or completely submit additional documents, it shall be deemed that that person does not wish the competent official to further proceed with the request. In such case, the competent official shall send the documents back to the person filing the request and also notify him or her of the right to appeal, as well as record such execution.”.

**Section 4.** The following provision shall be added as section 39/1 of the Administrative Procedure Act, B.E. 2539 (1996):

“**Section 39/1.** In issuing a written administrative order on any matter, if there is no law or regulation prescribing timeframe for issuance of the administrative order in that matter as otherwise, the competent official shall issue such order within thirty days as from the date the competent official receives the order and complete documents.

It shall be a duty of the immediate superior of that competent official to monitor and regulate the latter to perform in accordance with paragraph one.”.

Countersigned by

General Prayut Chan-o-cha

Prime Minister

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