

Establishing Changwat Bung Karn Act, B.E. 2554 (2011)

Translation

BHUMIBOL ADULYADEJ, REX.

GIVEN UNDER MY HAND THIS 11TH DAY OF MARCH, B.E. 2554 (2011)

BEING THE 66TH YEAR OF MY REIGN.

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

WHEREAS it is expedient to establish Changwat Bung Karn;

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the National Assembly, as follows:

Section 1

This Act shall be cited as the "Act Establishing Changwat Bung Karn, B.E. 2554 (2011)".

Section 2

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

Section 3

Amphur Bung Karn, Amphur Seka, Amphur So Phisai, Amphur Bung Khla, Amphur Bung Khong Long, Amphur Pak Khat, Amphur Phon Charoen and Amphur Si Wilai shall be disjoined from the administration of Changwat Nongkai and consolidated into Changwat Bung Karn which shall have the territorial jurisdiction according to that of the said Amphurs on the date of coming into force of this Act.

Section 4

Amphur Bung Karn shall be renamed to Amphur Muang Bung Karn.

Section 5

All affairs, property, obligations, rights and budgets of Changwat Nongkai in relation to the Amphurs set forth in section 3 shall be transferred to Changwat Bung Karn.

Section 6

There shall be established a Bung Karn Provincial Administrative Organization, having the same territorial jurisdiction as Changwat Bung Karn.

Section 7

All affairs, property, obligations, rights, annual budgets and additional budgets of the Nongkai Provincial Administrative Organization in respect of the Amphurs set forth in section 3 shall be transferred to the Bung Karn Provincial Administrative Organization.

Section 8

All bylaws of the Nongkai Provincial Administrative Organization, as well as rules, regulations, announcements and orders of the same, which are in force on the date of coming into force of this Act, shall become those of the Bung Karn Provincial Administrative Organization until amendment.

Section 9

All duties with respect to taxation, registration and others which have been carried out in the Amphurs set forth in section 3 shall be carried out the same in the meantime, until

modification by orders. As for the proceeds collected from the Amphurs mentioned in section 3 as from the date of coming into force of this Act, they shall be delivered to Changwat Bung Karn.

Section 10

For the purpose of election pursuant section 109 (1) of the Constitution of the Kingdom of Thailand, the members of the House of Representative having been elected in the Constituency 2 of Changwat Nongkai prior to the date of coming into force of this Act shall be deemed to have been elected in Changwat Bung Karn, whilst those having been elected in the Constituency 1 of Changwat Nongkai before the date of coming into force of this Act shall be regarded as having been elected in Changwat Nongkai.

Section 11

The councilors of the Nongkai Provincial Administrative Organization in relation to the Amphurs set forth in section 3 who hold offices on the date of coming into force of this Act shall become those of the Bung Karn Provincial Administrative Organization and shall vacate their offices pursuant to the tenure of the Nongkai Provincial Administrative Organization.

Pending election of the members of the Nongkai Provincial Administrative Organization and of the Bung Karn Provincial Administrative Organization to fill vacancies pursuant to paragraph 3, the Councils of the Nongkai Provincial Administrative Organization and of the Bung Karn Provincial Administrative Organization shall consist of the existing councilors in connection with paragraph 1. The Council of the Nongkai Provincial Administrative Organization or of the Bung Karn Provincial Administrative Organization for want of its Chairperson and Vice Chairpersons shall select its members to serve as such Chairperson and Vice Chairpersons in the meantime.

An election of the councilors of the Nongkai Provincial Administrative Organization and of the Bung Karn Provincial Administrative Organization shall be held to fill vacancies according to the law on provincial administrative organization within one hundred and twenty days as from the date of coming into force of this Act, save where the existing tenure of the Council of Nongkai Provincial Administrative Organization is less than one hundred and eighty days. The councilors of both Provincial Administrative Organizations who are to be elected as said shall hold offices according to the tenure of the Council of Nongkai Provincial Administrative Organization.

In electing the councilors of the Nongkai Provincial Administrative Organization and of the Bung Karn Provincial Administrative Organization, the constituencies shall still be determined by Amphur areas, until the councilors of both Provincial Administrative Organizations vacate their offices pursuant to the tenure of the Council of Nongkai Provincial Administrative Organization or until any of both Councils is dissolved. The eligible voters shall be entitled to vote for the candidates according to vacancies existing in respect of their Amphurs. The elections shall be organized in conformance with the rules and procedure determined by the Election Commission.

Section 12

Within one hundred and twenty days as from the date of coming into force of this Act, an election shall be held to obtain a Chairperson of the Bung Karn Provincial Administrative Organization in connection with the law on provincial administrative organization.

Pending election of Chairperson of the Bung Karn Provincial Administrative Organization under paragraph 1, the Secretary of the Nong Khai Provincial Administrative Organization shall act as the Secretary of the Bung Karn Provincial Administrative Organization and as the Chairperson of the same also, in order that the election of Chairperson of the Bung Karn Provincial Administrative Organization and the election of the councilors of the same, as well as any other necessary acts, would be carried out smoothly in the meantime until the result of the election of Chairperson of the Bung Karn Provincial Administrative Organization under paragraph 1 is announced.

Section 13

Pending appointment of the Commission of Provincial Administrative Organization Officers, the Commissions of Municipal Officials and the Commission of Tambon Officials in relation to Changwat Bung Karn, the Commission of Provincial Administrative Organization Officers, the Commissions of Municipal Officials and the Commission of Tambon Officials in respect of Changwat Nongkai shall act as those of Changwat Bung Karn in the meantime.

All criteria, conditions, rules and resolutions with respect to local personnel administration by the Commission of Provincial Administrative Organization Officers, the Commissions of Municipal Officials and the Commission of Tambon Officials in relation to Changwat Nongkai which are in force on the date of coming into force of this Act shall be those in relation to Changwat Bung Karn, until amendment.

Section 14

The Minister of Interior shall be in charge of this Act.

Countersigned by Mr. Abhisith Vejjajiva

Prime Minister

Note:

The reasons for promulgation of this Act are: As Changwat Nongkai lies along the borderline with geographical characters of prolongation nature; communication between remote Amphurs and the Changwat always meets with difficulty and takes an immoderately long period of time. In order to smoothly organize the administration, maintain security and provide convenience for the local inhabitants, it is expedient to have Amphur Bung Karn, Amphur Seka, Amphur So Phisai, Amphur Bung Khla, Amphur Bung Khong Long, Amphur Pak Khat, Amphur Phon Charoen and Amphur Sri Wilai disjoined from the administration of Changwat Nongkai and consolidated into Changwat Bung Karn. It is, therefore, necessary to enact this Act.

Published in the Government Gazette, volume 128 part 18 A, page 1, March 22, 2011.

Disclaimer

This translation is intended to help Thais or foreigners to understand Thailand laws and regulations only, not to use as references, because it is only the original Thai version of legislation that carries legal effect. www.ThaiLaws.com, therefore, shall not be held responsible in any way for any damage or otherwise the user may incur as a result of or in connection with any use of this publication for any purposes. It's the responsibility of the user to obtain the correct meaning or interpretation of this publication or any part thereof from Thai version or by making a formal request to the appropriate or related authorities.