

Translation

**REQUEST ORDER OF THE COMMITTEE  
OF THE HOUSE OF REPRESENTATIVES  
AND THE SENATE ACT,  
B.E. 2554 (2011)**

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BHUMIBOL ADULYADEJ, REX.

Given on the 9<sup>th</sup> Day of May B.E. 2554;  
Being the 66<sup>th</sup> Year of the Present Reign.

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

Whereas it is expedient to have the law on request order of the Committee of the House of Representatives and the Senate;

This Act contains certain provisions in relation to the restriction of right and liberty of person, in respect of which section 29 in conjunction with section 31, section 32, section 35, section 41 and section 45 of the Constitution of the Kingdom of Thailand, so permit by virtue of law;

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

**Section 1.** This Act is called the “Request Order of the Committee of the House of Representatives and the Senate Act, 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.<sup>1</sup>

**Section 3.** In this Act:

“Committee” means the Ordinary and Extraordinary Committee of the House of Representatives or the Senate;

“Chairperson” means the Chairperson of the Ordinary and Extraordinary Committee of the House of Representatives or the Senate;

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<sup>1</sup>Published in the Government Gazette, Vol. 128, Part 34Kor, dated 11<sup>th</sup> May B.E. 2554 (2011).

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**Remark:** Reference to Thai legislation in any jurisdiction shall be made to the Thai version only. This translation has been made so as to establish correct understanding about this Act to the foreigners.

“Government agency” means a Ministry, Sub-Ministry, Department or other agencies that having legal status equivalent to Ministry, Sub-Ministry or Department irrespective of what they are called;

“State agency” means State agencies other than government agency, State enterprise or local administration;

“State enterprise” means State enterprise under the law on budgetary procedure;

“Local administration” means local administration under the law on State administration.

**Section 4.** The House of Representatives and the Senate shall have the power to nominate their members to constitute the Ordinary Committee and shall have the power to nominate their members or other persons to constitute the Extraordinary Committee in order to do any act or to conduct inquiry or study in any matter within the scope of their duties and to provide the report to the House of Representatives or the Senate, as the case may be.

**Section 5.** The Committee shall have the power to make an order requesting any person to deliver any document or to give statement or opinion on the matter under its duty, inquiry or study.

The request order under paragraph one shall not be made to the judge who performs his duties in accordance with the rules and procedure to preside over the case of, and to personnel management of, each Court and shall not be made to the Ombudsman or to a Commissioner in any independence organisation established by the Constitution who performs his powers and duties in each independence organisation established by the Constitution in accordance with the provisions of the Constitution or the Organic Act, as the case may be.

In the case where the person under paragraph one is a government official, officer or employee of any government agency, State agency, State enterprise or local administration, the Chairperson of the Committee shall request the Minister who controls or supervises the agency which that person is attached to order that person to proceed with the provisions under paragraph one, but the matter relating to national security or gross benefit of the State shall be the exemption for the execution under paragraph one.

**Section 6.** In the performance of any duty or in the conduct of any inquiry or study, if the Committee passes a resolution requiring any document from any person or inviting any person to give statement or opinion for its consideration, the Committee shall have a written notice or invitation requiring that person to submit such document or to give statement or opinion to the Committee within the period as determined by the Committee.

The written notice or invitation under paragraph one shall provide sufficient cause of such requirement or invitation as well as the matter under question to be answered. In this case, the requested or invited person may present related document or object for consideration.

The person who receives the written notice or invitation under paragraph one shall submit the requested document or shall give statement or opinion to the Committee within the period as determined by the Committee; provided that, such period is less than three days as from the date he receives the written notice or invitation, but he shall, in this case, have to inform such reason in writing to the Committee within three days as from the date he receives the written notice or invitation. In this case, the Committee shall proceed with the provisions of paragraph one once again.

In the case where the person who receives the written notice or invitation under paragraph one has submitted document or has given statement or opinion on the same matter to another Committee, he may require the Committee to refer to that submitted document or given statement or opinion instead. In this case, that person shall have to inform his requirement in writing to the Committee within three days as from the date he receives the written notice or invitation.

If the Committee insists that the person under paragraph four is required to submit additional document or to give additional statement or opinion to the Committee, the provisions of paragraph one, paragraph two, paragraph three and paragraph four shall apply *mutatis mutandis*.

**Section 7.** The person who is invited to give statement or opinion shall come to give statement or opinion by himself, except where there is an unavoidable necessity. In this case, he may, within three days as from the date he receives the invitation, request the Committee in writing, together with the clarification of that unavoidable

necessity, to postpone the giving of statement or opinion or may entrust another person to give statement or opinion on his behalf.

If the Committee allows the entrusted person under paragraph one to give statement or opinion to the Committee, it shall be deemed that the statement or opinion given by the entrusted person is given by the person who is invited.

In the case where the Committee still requires the invited person under paragraph one to give statement or opinion by himself, the Committee shall have written invitation to that person once again.

If the Committee agrees to postpone the giving of statement or opinion under paragraph one, the provisions under section 6 paragraph one, paragraph two and paragraph three shall apply *mutatis mutandis*.

**Section 8.** If a person who receives a written notice or invitation to submit document or to give statement or opinion fails to comply therewith, the Committee shall have an order summoning that person to come and submit document or give statement or opinion to the Committee by himself. In this case, the Committee may also request that person to present related document or object to the Committee for consideration.

The summon order under paragraph one shall be made by the vote of not less than one-half of the total number of the existing members of the Committee.

The summon order under paragraph one shall clarify sufficient reason for summoning and the matter under question as well as the penalty for the violation of such order.

**Section 9.** The Committee shall deliver the written notice under section 6 and the summon order under section 8 by one or many methods:

- (1) registered mail with advice of delivery;
- (2) by hand of entrusted person;
- (3) facsimile;
- (4) other methods as the Committee thinks fit for each case.

Rules and procedure for the delivery under paragraph one shall be in accordance with the regulation prescribed by the President of the National Assembly. Since the delivery has been made in accordance with the aforesaid rules and procedure, it shall be deemed that that person legally receives such notice or order, as the case may be.

**Section 10.** A person whom invited under section 6 or summoned under section 8 to give statement or opinion to the Committee shall be entitled to travel allowance in accordance with the regulation prescribed by the President of the National Assembly.

**Section 11.** A person who gives statement or submit any related object, document or evidence under section 6 and section 8 to the Committee, or a person who prepares and publishes the minute of the meeting in accordance with the Rules and Procedure for the Meeting of the House of Representatives or the Senate, as the case may be, shall not be liable to civil, criminal or disciplinary liability if he discloses information, submits that object, document or evidence or prepares or publishes the minute of the meeting, as the case may be, in good faith.

**Section 12.** A member of the Committee who wrongfully exercises or omits to exercise his duties with a view to cause damage to any person or dishonestly omits to exercise his duties under this Act shall be liable to imprisonment from one year to ten years or to a fine from two thousand Baht to twenty thousand Baht or to both.

**Section 13.** A person who violates, or fails to comply with, section 8 shall be liable to imprisonment for a term of not exceeding three months or to a fine of not exceeding five thousand Baht or to both.

If the person who commits an offence under paragraph one is a government official, officer or employee of a government agency, State agency, State enterprise or local administration, such commission shall also be deemed as disciplinary offence.

**Section 14.** A person who submits false document or gives false statement to the Committee in the performance of its duties shall be liable to imprisonment for a term of not exceeding two years or to a fine of not exceeding four thousand Baht or to both.

**Section 15.** A person who acts in any manner to obstruct the performance of duties of the Committee shall be liable to imprisonment for a term of not exceeding one year or to a fine of not exceeding two thousand Baht or to both.

**Section 16.** If there is the commission of the offence under this Act, the Chairperson of the Committee shall file the complaint to the inquiry official for further proceedings.

**Section 17.** The President of the National Assembly shall have charge and control of the execution of this Act and shall have the power to issue the regulations for the execution of this Act.

Such regulations shall come into force upon their publication in the Government Gazette.

Countersigned by:  
Abhisit Vejjajiva  
Prime Minister