Act Amending the Code of Criminal Procedure (No. 29),
B.E. 2551 (2008)

_______________

Translation

BHUMIBOL ADULYADEJ, REX.
GIVEN UNDER MY HAND THIS 31ST DAY OF JANUARY, BE 2551 (2008);
BEING THE 63RD YEAR OF MY REIGN.

H IS MAJESTY KING BHUMIBOL ADULYADEJ is graciously pleased to proclaim that:
WHEREAS it is desirable to amend the Code of Criminal Procedure;
BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent
of the National Legislative Assembly, as follows:

Section 1
This Act shall be cited as the “Act Amending the Code of Criminal Procedure (No. 29), B.E.
2551 (2008)”.

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The provisions of Section 20 of the Code of Criminal Procedure shall be repealed and
replaced by the followings:

“Section 20
“Where an offence punishable under Thai law is committed outside the Kingdom of
Thailand, the Attorney General or his substitute shall be responsible for an inquiry
into such offence. But he may authorize any public prosecutor or judicial police
officer to conduct that inquiry on his behalf.

“In cases the Attorney General or his substitute authorizes any judicial police officer
take charge of the inquiry; he may also authorize any public prosecutor to take part
therein with the judicial police officer.

“The public prosecutor authorized to carry out or take part in the inquiry shall
assume the same authority as a judicial police officer and all other authority
bestowed on him by the legal provisions.

“If a public prosecutor takes part in an inquiry with a judicial police officer, the
latter shall adhere to the orders and instructions given by the former in respect of
the collection of evidence.

“In case of need, the following judicial police officers shall be permitted to hold an
inquiry pending any order of the Attorney General or his substitute:

(1) The judicial police officer in whose territorial jurisdiction the accused is
arrested;

(2) The judicial police officer requested by the foreign government or victim to
prosecute the accused.
“Finding that the inquiry is completed, the public prosecutor or judicial police officer responsible therefore, as the case may be, shall make an opinion pursuant to Section 140, Section 141 or Section 142 and submit it together with the file to the Attorney General or his substitute.”

Countersigned by
General Surayut CHULANON,
Prime Minister.

Remarks:
The grounds for promulgation of this Act are as follows:
Since it is expedient to amend the criteria governing an inquiry into an offence punishable under Thai law and committed outside the Kingdom, as set forth in section 20 of the Code of Criminal Procedure, in order that the Attorney General or his substitute would be invested with the power to authorize any public prosecutor or judicial police officer to take charge of the inquiry on his behalf or authorize any public prosecutor to take part in such inquiry with a judicial police officer, and that the said inquiry would become more expeditious and efficacious, it is therefore necessary to enact this Act.

Published in the Government Gazette: volume 125, part 30 A, page 16, February 7, 2008

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.