

Thai Bar Association Act, B.E. 2507 (1964)

Translation

BHUMIBOL ADULYADEJ, REX.

GIVEN UNDER OUR HAND THIS 3RD DAY OF FEBRUARY, B.E. 2507 (1964);

BEING THE 19TH YEAR OF OUR REIGN.

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

Whereas it is desirable to bring into existence a law on Thai bar association;

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Constituent Assembly, in its capacity as the National Assembly, as follows:

Section 1

This Act shall be cited as the "Thai Bar Association Act, B.E. 2507 (1964)".

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 Thai Bar Association established by His Majesty King Vajiravudh and invested with the authority under the law on counsels shall enjoy legal personality.

Section 4

The Thai Bar Association shall be of the following objectives:

- (1) To promote the legal education and legal profession, and to provide the funds therefor;
- (2) To supervise the legal etiquette under the law on counsels;
- (3) To promote the harmony amongst, and to maintain the grace of its fellows.

Section 5

The earnings of the Thai Bar Association may include the followings:

- (1) The grants paid out of the national budgets;
- (2) The registration fees, maintenance allowances and other costs;
- (3) The interests accruing from investments and other activities;
- (4) The donations;
- (5) The incomes pursuant to other laws.

Section 6

The Minister of Justice shall hold the office of Honorary President of the Thai Bar Association and shall have the authority to supervise its business under this Act.

Section 7

There shall be a council, called Thai Bar Association Council, consisting of the President of the Supreme Court of Justice as President, the Chief Judge of the Court of Appeal and the Director General of the Department of Public Prosecution as Vice Presidents, and not more than sixteen other Councilors elected from the ordinary fellows of the Thai Bar Association. The Council shall be given the authority to steer the business of the Thai Bar Association pursuant to the laws and the ordinances of the Thai Bar Association.

Section 8

The Thai Bar Association Council shall be empowered to lay down the ordinances of the Thai Bar Association governing:

- (1) The types of fellowships, qualifications of the fellowship applicants, application for fellowship and termination of fellowships;
- (2) The registration fees, maintenance allowances and other costs;
- (3) The number of its Councilors, qualifications and types of the persons to become its Councilors, electoral procedure and termination of Councilorships;
- (4) The conduct of its meetings and other sessions;
- (5) Other matters subject to the objectives of the Thai Bar Association or to the authority of the same under other laws.

Subject to Section 11, the ordinances of the Thai Bar Association shall take effect upon their publication in the Government Gazette.

Section 9

In the affairs involving the third persons, the President or Vice Present designated by the President shall represent the Thai Bar Association.

Section 10

The Honorary President may attend any meeting of the Thai Bar Association Council and, with respect to any matter whatsoever, may express his opinions amongst such meeting or submit them in writing to the Thai Bar Association.

Section 11

The enforcement of a resolution of the Thai Bar Association Council requires the prior approval of the Honorary President, save that permitted by the specific legal provisions.

The President shall refer to the Honorary President without delay a resolution of the Thai Bar Association Council requiring the approval of the latter. The Honorary President may veto such resolution. Failing to so do within fifteen days from his receipt of the resolution, he shall be deemed to have approved it.

The Thai Bar Association Council shall reconsider a resolution vetoed by the Honorary President. Should the resolution be reaffirmed by more than three fourth of the total number of the present Councilors, it can then be enforced.

Section 12

Pending enactment of the new ordinances of the Thai Bar Association pursuant to Section 8, the ordinances of the Thai Bar Association in force prior to the coming into force of this Act shall remain in effect to the extent not contrary to or inconsistent with the provisions of this Act.

The Thai Bar Association Council set forth in the ordinances of the Thai Bar Association under paragraph 1 shall remain in office, and shall be invested with the power to enact the new ordinances of the Thai Bar Association within ninety days from the coming into force

of this Act and to hold an election of the Councilors in accordance with the new ordinance concerned within ninety days from its entry into operation.

Upon election of the new Councilors, the incumbent Councilors under paragraph 2 shall vacate their offices.

Section 13

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

Countersigned by:

Field Marshal Thanom KITTIKACHON,

Prime Minister

Remarks:

The grounds for promulgation of this Act are as follows:

Since no specific law governing the Thai Bar Association is yet in existence, it is therefore necessary to enact this Act.

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