RULES OF PROCEDURE OF THE SENATE,
B.E. 2551 (2008)

Bureau of Foreign Languages
The Secretariat of the Senate
The Rules of Procedure of the Senate, B.E. 2551 (2008) which are the formally approved regulations or rules governing the proceedings of the Senate were issued by the Senate under the provisions of the Constitution of the Kingdom of Thailand, B.E. 2550 (2007).

The fundamental substance as stipulated in these Rules is the election and powers and duties of the President and Vice-Presidents, sittings, committees, consideration of the selection of a person to hold any position under section 121 of the Constitution, removal from offices under section 270 of the Constitution, consideration of organic law bills, bills and emergency decrees, interpellations, general debate and maintenance of order.

The aim of this book is to serve the senators, committee members and persons involved in the Senate’s work with the English version of the Rules of Procedure of the Senate, B.E. 2551 (2008).

The Secretariat of the Senate do hope that this book will be useful in helping some interested readers increasingly know the Rules of Procedure of the Senate.

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By virtue of section 134 of the Constitution of the Kingdom of Thailand, B.E. 2550 (2007), the Senate hereby issues the Rules of Procedure of the Senate as follows:

Rule 1. These Rules are called the “Rules of Procedure of the Senate, B.E. 2551 (2008)”.

Rule 2. These Rules shall come into force as from the day following the date of their publication in the Government Gazette.*


Rule 4. The President of the Senate shall have charge and control of the execution of these Rules and shall have the power to issue orders for the execution of these Rules.

CHAPTER I
Election of the President and Vice-President of the Senate

Rule 5. In the first election of the President and Vice-President of the Senate, the Secretary-General of the Senate shall invite the most senior senator present to act as the Presiding Officer pro tempore in order to have the sitting proceed to elect the President and Vice-President of the Senate and to consider other matters in the case where the sitting has to deliberate on such matters at that sitting.

In the proceedings of the election under paragraph one, if the Chairman pro tempore is nominated as the President or Vice-President of the Senate, the most senior senator in the next order present shall act as the Chairman pro tempore.

Rule 6. In electing the President of the Senate, each senator has the right to nominate one senator as nominee. Such nomination must be seconded by not less than ten senators.

Before the commencing of the election of the President of the Senate, the nominee under paragraph one shall deliver a speech of his vision of holding a position as the President of the Senate to the sitting within the period prescribed by the sitting.

If there is only one nominee, such nominee shall be deemed elected.
If there are two or more nominees, the voting shall be taken by secret ballot by writing the name of the proposed nominee on the paper enclosed in an envelope provided by the official. Voting shall be taken by roll-call in alphabetical order. Each individual senator shall vote one by one by placing the envelope into the vessel prepared for such purpose. In counting votes, the Presiding Officer shall invite not less than five senators to count the votes.

In the case where there are two nominees, the person receiving the highest number of votes shall be elected. If such nominees receive the highest number of votes equally, a new election shall be made. If they receive the number of votes equally again, the method of drawing lots shall be adopted.

In the case where there are more than two nominees, the person receiving the highest number of votes of not less than one-half of the total number of senators present shall be elected. If the person receiving the highest number of votes less than one-half of the total number of senators present, the proceedings shall be as follows:

(1) if there are one person receiving the first highest number of votes and one person receiving the second highest number of votes, the voting shall be taken among them; or

(2) if there are more than one person receiving the first highest number of votes, the voting shall be taken only among such persons; or
(3) if there are only one person receiving the first highest number of votes and more than one persons receiving the second highest number of votes, the voting shall be taken among the person receiving the first highest number of votes and the persons receiving the second highest number of votes.

The person receiving the highest number of votes shall be elected. If there are several persons receiving the highest number of votes equally, the method of drawing lots shall be adopted.

The Presiding Officer shall announce the election result to the sitting and give order for the officials to destroy all the ballot- papers.

**Rule 7.** In electing Vice-President, the provisions of Rule 6 shall apply *mutatis mutandis*.

In the case where the Senate resolves to have two Vice-Presidents of the Senate, the first Vice-President shall be elected prior to the second Vice-President.

**Rule 8.** In electing President or Vice-President to fill the vacancy, the provisions of Rule 6 and Rule 7 shall apply *mutatis mutandis*.

**Rule 9.** After the President and Vice-President have been elected, the Secretary-General of the Senate shall inform in writing the Prime Minister for further presentation to the King.
Upon the appointment of the President and Vice-President by the King, the Secretary-General of the Senate shall send a copy of the Royal Command to the House of Representatives, the Constitutional Court, the Courts of Justice, the Administrative Courts and independent constitutional organs for information.

CHAPTER II

Powers and Duties of the President, Vice-President and Secretary-General of the Senate

Rule 10. The President has the following powers and duties:

(1) to control and carry out the activities of the Senate in accordance with the provisions of the Constitution;
(2) to be Presiding Officer of the sitting of the Senate;
(3) to maintain order of the sitting and its precincts;
(4) to represent the Senate in respect of its external affairs;
(5) to appoint a commission to perform any activities which have benefited the Senate affairs;
(6) other powers and duties as provided by law or as prescribed herein.
Rule 11. The Vice-President has the powers and duties to assist the President in the activities within the powers and duties of the President or to do such act as entrusted by the President.

In the case where the office of the President becomes vacant or the President is not present or is unable to perform his duties, the first Vice-President shall perform the duties on behalf of the President. If the office of the President and the first Vice-President become vacant or they are not present or are unable to perform their duties, the second Vice-President shall perform the duties on behalf of the President.

Rule 12. The Secretary-General of the Senate has the following powers and duties:

(1) to convene the sitting of the Senate and the first meeting of committees;

(2) to invite the Chairman pro tempore to preside over the sitting of the Senate and the meeting of committees;

(3) to assist the Chairman to control the counting of votes;

(4) to control the preparation of all minutes of the sittings;

(5) to confirm the resolution of the Senate to the person concerned;

(6) to keep all the archives, data and property of the Senate;

(7) to control the operation of the Senate in accordance with orders issued by the President;
(8) to supervise the efficient performance of duties of public officials and authorities in accordance with laws and Rules;

(9) any other duties as provided by law or as prescribed herein or as entrusted by the President.

CHAPTER III
Sittings of the Senate

Part 1
Procedure

Rule 13. The sitting of the Senate shall be public. But if the Council of Ministers or senators of not less than one-fourth of the total number of the existing senators, as the case may be, make a request for a sitting in camera, the sitting in camera shall be held.

In the only open sitting, outsiders may attend the sitting in accordance with the order issued by the President. The President shall arrange the broadcasts of the proceedings within the National Assembly precincts and gestural interpreter. If there is a ground for hindrance, the sitting shall be notified.

In the sitting in camera, only senators, Ministers, and persons permitted by the Presiding Officer may be present in the sitting or at any place for the distance where the sitting can be
heard. The use of any tape recorder or communicable instrument shall be prohibited, except for the record of the Senate.

**Rule 14.** The first sitting shall be held within ten days from the opening day of the ordinary or extraordinary session of the National Assembly, except that the President is of the opinion that there is no agenda to consider. In such case, the President shall notify senators of this in advance.

The next succeeding sittings shall be in accordance with the resolution of the Senate, but the President may order the cancellation of any sitting when he is of the opinion that there is no appropriate matter to be placed on the agenda; provided that it must be informed senators thereof in advance.

In the case where the President considers expedient or senators of not less than one-fourth of the total number of the existing senators submit to the President to convene a sitting in special case, the sitting shall be convened.

**Rule 15.** Convening notice shall be in writing, except when the notice thereof was given in the previous sitting, written notices shall be given only to senators who did not attend the previous sitting.

Convening notice shall be given in advance of not less than three days, but the President may give a shorter notice when he considers it an urgent matter.
**Rule 16.** Subject to Rule 107, the agenda and relevant documents shall be sent together with the convening notice, but the President may require additional dispatches at any time as he considers necessary or expedient.

**Rule 17.** Convening notice or dispatch of the documents under Rule 15 or Rule 16 may be sent by facsimile, electronic mail or other types of telecommunications when the President considers expedient.

**Rule 18.** The agenda shall be arranged in the following orders:

1. matters of which the Presiding Officer shall inform the sitting;
2. approval of minutes of the sitting;
3. interpellation;
4. matters of which the committees have finished the consideration;
5. matters pending consideration;
6. newly presented matters;
7. other matters.

In the case where the President is of the opinion that any matter is urgent, he may place such matter in any order of the agenda.

**Rule 19.** Before attending each sitting, the senators present shall sign a book provided therefor. When the signal for
calling the sitting is given, the senators shall take their specific seats.

The presence of not less than one-half of the total number of the existing senators is required to constitute a quorum, except in the case of interpellation, the presence of not less than one-third of the total number of the existing senators is required to constitute a quorum.

When the Presiding Officer is taking his bench, all those present at the sitting shall stand up until the Presiding Officer has taken his seat.

Rule 20. If the quorum is not constituted after thirty minutes from the time of the sitting have elapsed, the Presiding Officer may adjourn the sitting.

Rule 21. If the President or Vice-President is absent from the sitting, after the time of the sitting has commenced or thirty minutes from the time of the sitting have elapsed, the Secretary-General of the Senate shall notify the senators thereof. In such case the Secretary-General of the Senate shall request for approval of the sitting to invite the most senior senator present to act as Chairman pro tempore in order to have the sitting proceed to elect ad hoc Chairman for that sitting and the provisions of Rule 6 shall apply mutatis mutandis. The voting procedure of ad hoc Chairman shall be openly taken in accordance with Rule 67.
Rule 22. At the sitting of the Senate, the sitting shall consider only the matters placed on the agenda, and must proceed to consider according to the order of the matters placed on the agenda, unless the sitting resolves otherwise.

Rule 23. Whoever desires to address the sitting shall make a show of hand. Upon being permitted by the Presiding Officer, he may stand up to address, but only to the Presiding Officer.

Rule 24. If the Minister, the Constitutional Court, the Courts of Justice, the Administrative Courts, constitutional organs or persons submitting the petition to consider a bill requests to give a statement or an explanation of any concerned matter to the sitting, the Presiding Officer shall give permission.

A senator may put questions for clarification of such statement or explanation.

Rule 25. In the case where the Senate has considered any matter concerning the Constitutional Court, the Courts of Justice, the Administrative Courts, constitutional organs or other state agencies which the law prescribes that a report on the performance of duties must be submitted to the Senate, the representative of such organization shall have right to give a statement or an explanation thereof to the sitting upon being permitted by the Presiding Officer.

Rule 24, Rule 55, Rule 56, Rule 57 and Rule 58 shall apply to give such statement or explanation *mutatis mutandis.*
**Rule 26.** The Presiding Officer has the power to consult, determine the procedure for checking on a quorum, suspend, adjourn or terminate the sitting as he thinks fit.

If the President leaves his bench without entrusting the Vice-President to act on his behalf, the sitting shall be terminated.

**Rule 27.** After the *Ad Hoc* Committee on the Senate Affairs has examined the minutes of the sitting, before it is submitted to the Senate for approval, it shall be reproduced in three copies and placed at the place described by the Secretariat of the Senate for examination by senators for not less than three days.

The minutes of each sitting must list the names of the senators present, on leave or absent, and their votes in each matter shall be recorded.

A senator has the right to correct such minutes by submitting an application for correction to the chairman of the *Ad Hoc* Committee on the Senate Affairs. If such committee fails to correct as requested, such senator has the right to insist on the application for correction so as to request the Senate to decide.

**Rule 28.** In examining the minutes of the sitting, if any person expresses words or statements of which are subsequently withdrawn or ordered to be withdrawn, the *Ad Hoc* Committee on the Senate Affairs shall consider as to whether or not they should be removed. If it thinks fit, there shall be recorded “having withdrawn” or “being ordered to withdraw”, as the case requires.
The removed words or statements shall also be recorded in the minutes of the Ad Hoc Committee on the Senate Affairs.

**Rule 29.** After the copy of any minutes has been placed for examination by senators, if there is a subsequent correction either by the Ad Hoc Committee on the Senate affairs itself or by request of a senator, such Committee must, in considering the approval of the minutes, inform the sitting of such correction.

**Rule 30.** After the Senate has approved any minutes, the President shall sign as evidence thereon.

In the case where there is an obstacle that causes the President unable to certify the minutes, the Secretary-General of the Senate shall record such cause and shall be the one to certify such minutes as correct.

**Rule 31.** The Senate may resolve not to draw up the minutes of any sitting *in camera* either totally or partially; provided that the proceedings shall be recorded.

**Rule 32.** The Ad Hoc Committee on the Senate Affairs shall consider and prepare opinion to be submitted to the Senate in order to pass a resolution whether or not the minutes of the sitting *in camera* is disclosed.
Rule 33 The Senate may resolve to prohibit the publication of any statement concerning security or vital interests of the State, made or occurred in the sitting.

Rule 34 The Secretary-General of the Senate shall publish the minutes of any sitting, except the minutes of the sitting in camera which the Senate has not resolved to disclose and the statements which are prohibited from publication under Rule 33.

Part 2
Submission of Motions

Rule 35 All motions must be submitted in writing and in advance to the President and must be seconded by not less than five senators, unless otherwise specifically prescribed by these Rules.

Rule 36. The motion under section 133, section 161 and section 271 paragraph two of the Constitution or the motion submitted by the Council of Ministers are not required to be seconded.

Rule 37. A motion for the Senate to pass a resolution requiring any Minister to attend a sitting for any matter under
section 177 of the Constitution must, if submitted by a senator, be seconded by not less than ten senators.

**Rule 38.** A motion for any of the standing committees, or for the Senate to establish a standing committee or an ad hoc committee, to carry out an activity or to investigate or study any matter within the powers and duties of the Senate must, if submitted by a senator, be seconded by not less than ten senators.

The motion under paragraph one for which requests the Senate to establish a standing committee or an ad hoc committee, as the case requires, must specify the activity or matter of which should not be repetitive or overlapping with one another or with the powers and duties of any standing committee.

**Rule 39.** A motion for the Senate to resolve in the case where a dispute arises as to the powers and duties among the Senate, the Council of Ministers or the constitutional organ other than the Courts and such dispute arises between two or more of such organizations under section 214 of the Constitution, must be seconded by not less than twenty senators.

**Rule 40.** The followings are not required to be submitted in advance or in writing:

1. motion for deliberation of urgent matter;
2. motion for alteration of agenda;
3. motion for resolution under Rule 31 or Rule 33;
(4) motion under Rule 41, Rule 66, Rule 67, Rule 68, Rule 74, Rule 140, or Rule 181;

(5) motion permitted by the Presiding Officer as he thinks fit.

**Rule 41.** When the sitting is deliberating on any motion, no other motion may be submitted except:

(1) motion for an amendment to the motion only on such matter which is not an organic law bill or a bill;

(2) motion for concurrent consideration of various matters on the agenda which are of the same nature, similar or related to one another;

(3) motion for sending a problem to a committee for consideration, or requesting any person to submit documents or to give statement of facts or opinion;

(4) motion for concurrent or separate consideration of or resolution on the issues;

(5) motion for adjourning the deliberation;

(6) motion for closure of debate;

(7) motion for raising other matter for deliberation.

After the sitting has resolved to approve the motion submitted under (3), (5), (6) or (7), no other motion may be submitted thereunder.

**Rule 42.** No person shall submit a motion under Rule 41 (6) and (7) on the same occasion of his debate.
**Rule 43.** The motion under Rule 41 (7) shall not be submitted:
(1) in the proceedings for consideration of a motion submitted by the Council of Ministers;
(2) in the proceedings for consideration of an organic law bill or a bill;
(3) in the proceedings for election, appointment, recommendation or approval of a person to hold any position under the provisions of the Constitution or other laws;
(4) in the proceedings for consideration and resolution of removing any person from office.

**Rule 44.** In the case where the sitting resolves to raise other matter for deliberation, the former motion shall lapse.

**Rule 45.** A motion submitted in advance and in writing must bear signatures of the mover and seconders.

**Rule 46.** A motion which is not required to be submitted in advance and in writing shall be seconded by means of the seconders making the show of hands.

**Rule 47.** A rectification or withdrawal of the motion which the President has already placed on the agenda and sent to senators may be made only with the consent of the sitting.
Rule 48. An amendment to the motion may be withdrawn at any time, but any request for rectification of the amendment to the motion may be made only within the period of submission of an amendment to the motion under Rule 142.

Rule 49. Withdrawal of name from being a joint mover or seconder of a motion shall be submitted in writing to the President and may be made only before the President has ordered such motion to be placed on the agenda.

In the case where the President has ordered such motion under paragraph one to be placed on the agenda, it may be withdrawn only with the consent of the sitting.

Rule 50. When any motion comes under consideration of the sitting according to the agenda, if the mover of the motion fails to give an explanation to the sitting or is not present without entrusting any person to explain on his behalf, the motion shall lapse unless otherwise considered by the sitting.

When any amendment to the motion comes under consideration of the sitting according to the agenda, if the mover of the amendment to the motion fails to give an explanation to the sitting or is not present without entrusting any person to explain on his behalf, the amendment to the motion shall lapse.

The entrustment under paragraph one or paragraph two must be done to another senator in writing and submitted to the Presiding Officer before the motion or the amendment to the
motion comes under consideration of the sitting according to the agenda.

Rule 51. Any motion which has the same principle as the one lapsed shall not be submitted in the same session unless permitted by the President upon considering that the circumstances have changed.

Part 3
Debates

Rule 52. The mover of a motion has the right to open a debate. But if there are several movers, the Presiding Officer shall permit only one of them to open a debate.

A committee member who has reserved his opinion or committee member entrusted by him, or a mover of an amendment to the motion who has reserved his amendment to the motion at the stage of the committee or person entrusted by him, shall have the status of a mover of a motion.

Rule 53. After the first debater under Rule 52 has opened the debate, the next succeeding debates shall be in alternation between members of the opposing sides, except in the time of
any side there is no person to speak, the other side may debate in succession.

Debates supporting neither sides may be made without being in alternation and shall not be regarded as the time of debate of any side.

**Rule 54.** If several persons ask leave to speak, the Presiding Officer may call upon any one of them to speak; provided that the mover or seconders of a motion or an amendment to the motion and those who have not yet been called upon to speak shall be taken into consideration.

**Rule 55.** A debate must be within the scope of or connected with the issue under deliberation, and must not be superfluous, complicated, repetitive, or overlapping with those of other person, or unnecessarily expressed in foreign language. Reading of any document or showing any material to the sitting shall be prohibited, unless permitted by the Presiding Officer; provided that this shall not prejudice the right of the senator to write and read the debate in the sitting.

A debater shall not make impolite gesture or remarks, insinuate or make sarcastic statement against any person, and shall not refer to the King’s institution or mention name of a senator or any person unnecessarily.
Rule 56. If the Presiding Officer is of the opinion that any person has debated for a reasonable period of time, he may order him to stop even if Rule 55 has not been violated.

Rule 57. Any senator who is of the opinion that a Rule has been violated may stand up and make a show of hand in order to protest. The Presiding Officer must give him an opportunity to explain, and the Presiding Officer shall decide whether the Rule has or has not been violated as protested. The decision of the Presiding Officer shall be deemed final.

The provisions of paragraph one shall apply mutatis mutandis to the person against whom the debate is on his personal or other matter thereby causing him injury. After the Presiding Officer makes decision that the Rule has been violated, he may order the debater to withdraw his words and the debater must observe the order of the Presiding Officer.

Rule 58. A debater may withdraw his words himself or upon protest or under the order of the Presiding Officer in accordance with Rule 57.

Rule 59. A debate ends upon:

1. lack of debater;
2. the sitting resolving for closure of debate;
3. the sitting resolving to raise other matter for deliberation.
Rule 60. In the case where the Presiding Officer is of the opinion that the debate has continued for a reasonable period of time, he may ask the sitting to decide whether or not to close the debate.

Rule 61. When the debate ends, no one shall make a further debate except in the case where the sitting has to pass a resolution on the matter under deliberation, then the person who has opened the debate shall have the right to sum up before the sitting passes a resolution. After the debate has finished, the Presiding Officer shall give a signal to inform senators before voting.

Rule 62. The Presiding Officer may permit any person to give statement of facts to the sitting.

Rule 63. If the Presiding Officer gives a signal by the fall of gavel or standing, any person who is speaking shall stop and sit down immediately and every person shall listen to the Presiding Officer.

In case of reading a Royal Command or Royal Speech, every person present shall courteously stand up to listen throughout the reading.
Part 4
Resolutions

Rule 64. In the case where a resolution of the Senate is required, the Presiding Officer shall ask the sitting to pass a resolution.

A resolution on any issue requires the quorum being constituted and shall be made by a majority of votes, unless otherwise provided in the law or these Rules.

Rule 65. In respect of the majority votes under section 126 paragraph two of the Constitution, in case the sitting is divided in opinion into two sides, the opinion of the one securing more votes shall prevail; if the sitting is divided in opinion into more than two sides, the opinion of the one securing most votes shall prevail.

The casting vote of the Presiding Officer shall be openly taken with or without reason.

Rule 66. Subject to the provisions of the Constitution, voting shall be openly taken unless a motion for voting by secret ballot is submitted by a senator seconded by not less than twenty senators, the voting shall be by secret ballot; provided that if there is a protest by a senator seconded by more than one-third of the total number of senators present, open voting shall be taken.
Rule 67. The methods of open voting are as follows:

(1) by using voting machine determined by the President;
(2) by the show of hand with a ballot-paper, voters cast for shall show blue ballot-paper, voters cast against shall show red ballot-paper, and abstaining senators shall show white ballot-paper; the ballot-papers shall be affixed by their signatures and identification numbers;
(3) by roll-call in alphabetical order; senators shall vote one by one in accordance with the method determined by the Presiding Officer;
(4) by any other method as the sitting considers expedient for a specific case.

Open voting shall be taken by the method under (1). The method under (2), (3) or (4) may be adopted only upon motion submitted by a senator and approved by the sitting or re-counting of votes under Rule 74.

In open voting under (1), voting machine shall be cast until the Presiding Officer has ordered to close the voting.

In open voting under (2), the Presiding Officer shall order the officials to receive ballot-papers from senators for further counting procedure.

Rule 68. The methods of voting by secret ballot are as follows:
(1) by using voting machine determined by the President;
(2) by making a sign on a ballot-paper enclosed in an envelope provided by the officer, voters cast for shall make the sign (✓), voters cast against shall make the sign (x), abstaining voters shall make the sign (Ø);
(3) by any other method as the sitting considers expedient for a specific case.

In secret voting under (1), voting machine shall be cast until the Presiding Officer has ordered to close the voting.

When voting by secret ballot under (2) is to be taken, senators shall sit at their specified seats, and the Presiding Officer shall order the officials to distribute a piece of paper and an envelope to every senator. And when the paper has been marked and enclosed in an envelope, the Presiding Officer shall order the officials to collect the papers and forward them to vote-counting committee for further proceedings. In counting of votes, the Presiding Officer shall invite not less than five senators to count the votes.

**Rule 69.** Prior to voting by secret ballot, the Presiding Officer shall give a signal informing senators to be ready for casting votes.

**Rule 70.** In respect of the order for passing resolutions, the resolution on the last motion shall be passed first, and then the resolutions on other motions shall be passed in inverse order to the
first motion. However, any mistake in setting up the order as aforesaid shall not prejudice the resolutions which have been voted and counted.

**Rule 71.** The Presiding Officer has the power to order the issues to be considered or resolved concurrently or separately, unless otherwise resolved by the sitting.

**Rule 72.** A senator who enters the sitting during the time of casting vote may cast his vote before the Presiding Officer has ordered the termination of voting in case of open voting under Rule 67 (1) or voting by secret ballot under Rule 68 (1), or may cast his vote for the side the votes of which have not been finished counting in case of open voting by any other method, or may cast his vote before the Presiding Officer has ordered the votes to be counted in case of voting by secret ballot by any other method.

**Rule 73.** After the votes have been counted, the Presiding Officer shall forthwith announce the resolution to the sitting. In case the minimum number of votes is required by the Constitution or these Rules for the passing of resolutions on any matter, he shall also announce whether the majority votes satisfy the minimum requirement.

In the case under paragraph one, if the resolution on voting result taken by method of voting under Rule 68(2) has been
announced to the sitting, the Presiding Officer shall give order for the officials to destroy all ballot-papers.

**Rule 74.** In any counting of votes, if a senator seconded by not less than ten senators make a request for a re-counting of votes, the votes shall be re-counted unless the difference of votes is more than ten.

In such re-counting of votes under paragraph one, voting method shall be changed to the next succeeding method in the order under Rule 67 or Rule 68, as the case requires, unless otherwise specifically prescribed by the Constitution or these Rules.

The methods of counting of votes under Rule 67 (3) or Rule 68 (2) shall not be requested for a re-counting of votes.

**Rule 75.** In respect of any unprotested motion, the Presiding Officer shall ask the sitting whether there is any dissenting opinion. If there is none, it shall be deemed that the sitting resolved to approve such motion.

The provisions of paragraph one shall not apply to the motion which is in the nature of an organic law bill or a bill or to any other matter which the Constitution or these Rules prescribed that the sitting shall decide by casting votes.

**Rule 76.** The Secretary-General of the Senate shall cause the voting of each senator to be recorded and disclose such record at
the Secretariat of the Senate for inspection by the public, except in case of the voting by secret ballot.

CHAPTER IV
Committees

Rule 77. The Senate shall establish standing committees to consider organic law bills or bills, carry out activities, investigate or study any matter within the powers and duties of the Senate or as entrusted by the Senate.

Each standing committee consists of not less than nine but not more than fifteen members; provided that there shall be twenty-two standing committees as follows:

1. Committee on Sports

    shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning encouragement and development of national sports, including the study of problems and obstacles of national and international sports development, etc.

2. Committee on Agriculture and Co-operatives

    shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning the development of agriculture, agricultural and food industry,
co-operatives, the development of production, transformation and agricultural business, including the directions of agricultural development solution, etc.

3. **Committee on Communications**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning communications, road, ship, aircraft and spacecraft, mass transport, goods transport and merchant marine, etc.

4. **Committee on Monetary, Finance, Banking and Financial Institutions**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning monetary affairs, finance, banking, monetary and capital markets and national financial institutions, etc.

5. **Committee on Foreign Affairs**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning foreign affairs, international relations, Thai national overseas, any situation which may make the impact on foreign affairs and national image, etc.

6. **Committee on the Armed Forces**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning military
affairs, the protection and upholding of security of the State, national interests, development of the country, etc.

7. **Committee on Tourism**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning the promotion and development of tourism, including the study of problems and obstacles of national and international tourism development, etc.

8. **Committee on Interior Administration**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning the central, regional administrative bodies, and local government organisation including a special local government organisation, development of bureaucratic system, performance of duties of State officials, decentralization of power, consideration and study the policies on public welfare and maintenance of public order, disaster prevention and mitigation, etc.

9. **Committee on Energy**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning the administration, promotion of development, searching for, utilization and conservation of energy, acquisition of renewable energy and alternative energy, study of impacts and guidelines on resolving
the problems and obstacles of searching for and utilizing the energy, energy security, etc.

10. Committee on Political Development and Public Participation

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter relating to promote and encourage political development and other proceedings for promoting a democratic regime of government with the King as Head of State, public participation in laying down policies, decision on political issues, preparation of the economic, social and political development plans, etc.

11. Committee on Social Development and Children, Youth, Women, the Elderly, the Disabled and the Underprivileged Affairs

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning children, youth, women, the elderly, the disabled and the underprivileged as well as co-ordination of the internal and external organizations, national and international community and local government organization relating to the directions of co-operation to promote the solution of children, youth, women, the elderly, the disabled and the underprivileged promoting potentialities for the development of living of the community, protecting and providing aids to the indigent, social development, promoting equality and eliminating
the unjust discrimination against a person, giving guarantees, security and development of quality lives to the Thai people as a whole, etc.

12. **Committee on Justice and Police Affairs**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning the implementation of policies on administration of justice, judicial proceedings, police, state attorney and correction, act in compliance with the law, as well as national defense and national peace keeping, etc.

13. **Committee on Labour and Social Welfare**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning domestic Thai workforce and foreign workers either formal workforce or informal workforce, Thai workforce overseas, free wage-earner, labour welfare, social security, etc.

14. **Committee on Science, Technology, Information and Telecommunications**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning the promotion and development of science and technology, information technology, information, public information, telecommunications, etc.
15. Committee on Religions, Moral, Ethics, Arts and Culture

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning religions, patronization and protection of religions, conservation of and passing on national arts and custom, local culture and local wisdom, promotion of moral, ethics, culture and Thai identification, etc.

16. Committee on Education

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning education, development of all levels and forms of national education, providing education service for the people, having regard to the standard, fairness and thoroughness of education, emphasizing the best intelligence, discipline, moral ethics, public conscious, awareness of being Thai on the ground of the democratic regime of government with the King as Head of State and the independent of academic matter of State higher education institutions, etc.

17. Committee on Public Health

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning public health, health development, appropriate and standard public health service, medical treatment, control and prevention of diseases, rehabilitation, health and sanitary condition promotion, development of quality of life of the public, etc.
18. **Committee on Constitutional Organs Affairs and Following up the Budget Administration**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning the administration and management of constitutional organs and the policy on budget of the Council of Ministers, monitoring and elevating the annual budget disbursement of government agency, State agency and State enterprise, etc.

19. **Committee on Natural Resources and Environment**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning the management of land, water resources and other natural resources, including the promotion, conservation and protection of quality of environment, the study of utilization, protection, modification, conservation of environment, etc.

20. **Committee on Studying and Inspecting Corruption and Strengthening Good Governance**

shall have the powers and duties to carry out activities, study and inspect corruption in the State agencies or other agencies, to strengthen good governance in the administration of state affairs and study any matter concerning mechanisms for, procedures in and measures to counter corruption, etc.
21. **Committee on Economics, Commerce and Industry**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter relating to encourage and support the development of economics, commerce and industry, to promote the sustainable development of economics with the implementation of the sufficient economy philosophy, etc.

22. **Committee on Human Rights, Rights and Liberties and Consumer Protection**

shall have the powers and duties to consider bills, carry out activities, investigate or study any matter concerning the promotion of co-operation and co-ordination among Government Agencies, private organizations and other organization in the field of human rights, monitoring and examining the commission or omission which violates human rights, rights and liberties, consumer protection, trouble problems of consumer, etc.

In case of necessity or expedient the Senate may establish more standing committees or may decrease number of standing committees at any time.

A senator may hold the position of committee member of not more than two standing committees; provided that chairman of a standing committee shall hold the position of committee member of only one standing committee. A senator holding the position of secretary of a standing committee shall hold the position of secretary of a standing committee of only one standing committee.
**Rule 78.** In allocating senators to hold positions of standing committee members under Rule 77, the sitting shall establish a standing committee consisting of not more than thirty senators. Each senator shall submit to the standing committee, in accordance with the application form prescribed by the standing committee, his choices to hold the position of committee member of not more than two standing committees. In the case where the applicants of any committee lessen or exceed the number required, the equalization with the consult of all members concerned or drawing lots shall be applied.

In electing standing committees, the sitting shall elect committee members from the list considered by the standing committee under paragraph one.

When the new senators obtained from selection and from election take offices, the selection for all of the new standing committees under Rule 77 shall be carried out.

**Rule 79.** In the case where dispute arises as to the powers and duties of various standing committees under Rule 77 being either ambiguous or overlapping with one another, and causing obstacles to their performance of activities, such standing committees shall meet each other to find out joint solution. If such solution cannot be found out, it shall be submitted to the Senate to establish an *ad hoc* committee specifically for consideration of the case.
Rule 80. The Senate shall establish an Ad Hoc Committee on the Senate Affairs comprising the President or a Vice-President as entrusted by the President to be chairman of the committee, representatives of all standing committees under Rule 77 paragraph two for one each, not more than seven senators elected by the sitting under Rule 81 and Secretary-General to be committee members, which have the powers and duties to carry out activities, investigate or study any matter relating to the following matters:

(1) to consider a bill or any other matter entrusted by the Senate or the President;

(2) to follow up the implementation of resolutions and check the minutes of the sittings;

(3) to carry out any activity or consider any matter which is not the powers and duties of any other committees of the Senate;

(4) to co-ordinate the Senate with the House of Representatives, the Council of Ministers, the constitutional organs and other State agencies concerning the activities of the Senate;

(5) to co-ordinate with all standing committees and senators in considering the name-list of senators or any person which shall be submitted to the sitting for the nomination of the standing committee members or ad hoc committee members under Rule 81 or Rule 102, as the case required, so as to proceed in an orderly, appropriate and fair manner;
(6) to procure technical, information, and information technology support to the activities of the Senate;

(7) to receive complaints or petitions from the public and forward them to various committees or other State agencies concerned for consideration;

(8) to publicize the work of the Senate;

(9) to give advice to the Senate relating to develop the work system and the performance of various activities of the Senate;

(10) to give advice to the Senate relating to fix the detail of budget or an amendment to the motion of annual appropriations in so far as it is related to the Senate and the Secretariat of the Senate;

(11) to give advice to the Senate relating to provide various welfare and benefits to senators;

The committee under paragraph one shall have the same term of office as the standing committees of the Senate.

**Rule 81.** The sitting shall elect the standing committees or *ad hoc* committees from the nomination list proposed by senators seconded by not less than five senators, except for the election of standing committees of the Senate, the proceedings under Rule 78 paragraph two shall be taken.

In electing an *ad hoc* committee for considering an organic law bill or a bill, the Council of Ministers, the Constitutional Court, the Courts of Justice, the Administrative Courts or independent
constitutional organs concerned shall nominate not more than one-fifth of the total number of all committee members; provided that in electing an ad hoc committee to act other activities, persons not being committee members of not less than one-third but not more than one-half of the total number of all committee members shall constitute a committee.

In voting for election of a committee, a senator shall vote for nominees equal in number to the committee members to be elected in accordance with the procedure prescribed by the Presiding Officer.

The President and Secretary-General of the Senate shall be responsible for the counting of votes. The President shall announce the result of counting of votes and the names of the elected committee members in that sitting or the next sitting.

The elected committee members shall be deemed to hold office from the date of election by the Senate.

Rule 82. In electing an ad hoc committee for considering a bill which eligible voters submitting the petition, representatives of such voters of not less than one-third of the total number of its members shall be appointed

Rule 83. In considering a bill which has been determined by the President to contain essential substance relating to children, youth, women, the elderly, the disabled or handicapped, if the Senate does not consider it by its full committee, the Senate shall appoint
an ad hoc committee consisting of representatives from private organizations concerned with the corresponding types of persons, of not less than one-third of the total number of members of the committee and the members thereof shall consist of women and men in close proportions.

**Rule 84.** In the meeting of the committee, the presence of not less than one-half of the total number of the existing committee members is required to constitute a quorum, and these Rules in so far as they are related to the sitting shall apply *mutatis mutandis*.

**Rule 85.** Each committee shall elect chairman, vice-chairman, secretary, spokesman and any other positions as it deems necessary from its members.

The most senior committee member present in a meeting of the committee shall act as the Chairman *pro tempore* in order to have the meeting proceed under paragraph one.

Each committee shall appoint an official of the Secretariat of the Senate from the list proposed by the Secretary-General of the Senate to be an assistant secretary to the committee.

In regard to the standing committees of the Senate, the various positions under paragraph one shall be all newly elected when the one and a half-year period of their performance of duties is completed, unless the chairman of any standing committee requests the sitting to further extend such period of not more than three times, each with thirty days because it is during the
consideration, inspection or study of any matter concerning the corruption of a person holding political position and high ranking official.

**Rule 86.** For the purpose of the proceedings, the standing committees of the Senate may appoint qualified persons as advisor, expertise, technician and secretary to the standing committee in accordance with the order prescribed by the President.

**Rule 87.** Each committee has the power to appoint a sub-committee to consider any matter within the scope of its powers and duties and submit a report to the committee within the period of time prescribed by the committee, and the Rules on Committees shall apply *mutatis mutandis*.

In the case where the sub-committee has not finished carrying out activities, investigating or studying any matter within any period of time, the chairman of the sub-committee shall request the meeting of the committee to extend such period.

Each sub-committee consists of not less than ten members; provided that the chairman and vice-chairman of the sub-committee must be appointed from members of such committee.

The qualifications and rules for the appointment of sub-committee members who are not members of the committee shall be in accordance with orders prescribed by the President.
**Rule 88.** A summons to any person to submit documents or to give statement of facts or opinion in connection with the act done or with the matter under investigation or study under section 135 paragraph two of the Constitution shall be issued in writing and signed by the chairman of the committee or the person acting on his behalf.

In the case where a person under paragraph one is a government official, official or employee of a State agency, State enterprise or local government organization, the chairman of the committee shall inform the Minister who commands and supervises the agency such person attached to for ordering him to take the proceedings.

Convening notice except for the first meeting shall be signed by the secretary of the committee or person acting on behalf of the secretary.

**Rule 89.** A senator and person permitted by the committee has the right to attend the meeting of a committee.

In case of a meeting *in camera* only senators or persons interested in the meeting and permitted by the Presiding Officer may attend.

**Rule 90.** Subject to Rule 89, the mover of a motion has the right to give explanation or opinion to the meeting of a committee on the whole matter, while the mover of an amendment
to the motion has the right to give explanation or opinion only on
the amendment.

In giving explanation or opinion under paragraph one, the
mover of a motion or an amendment to the motion may, in writing
and by submitting to the chairman of the committee, entrust
another senator to act on his behalf.

**Rule 91.** The Secretary-General of the Senate shall notify
the schedule of committee meetings at the Secretariat of the Senate,
and serve a written notice calling on the mover of a motion or an
amendment to the motion to give explanation for the motion or
amendment, as the case requires.

**Rule 92.** If the mover of an amendment to the motion
or person entrusted by him fails to give explanation to the
committee within thirty minutes from the time the committee has
commenced the consideration of the amendment, such amendment
to the motion shall lapse unless, in an exceptional case, the
committee considers expedient to extend the period of time
before the committee finishes the consideration of such matter.

**Rule 93.** If the mover of an amendment to the motion or
person entrusted by him disagrees with the resolution of the
committee on any point, he may reserve the amendment on that
point for decision of the Senate.
Rule 94. Any committee member who disagrees with the resolution of the committee on any point may reserve his opinion on such point for decision of the Senate.

Rule 95. After the committee has considered an organic law bill or a bill, carried out an activity, investigated or studied any matter under the powers and duties of the Senate or entrusted by the Senate, the committee shall report to the Senate thereof.

In the sitting of the Senate, the committee has the right to give statement or explanation or make a modification concerning such acts in paragraph one. For this purpose, the committee may entrust any person to give statement or explanation on its behalf.

Rule 96. In the consideration of the committee, if the committee is of the opinion that there is an observation which the Council of Ministers, the Constitutional Court, the Courts of Justice, the Administrative Courts or constitutional organs concerned should be informed of or should act upon, such observation shall be recorded in the report of the committee for consideration of the Senate.

In the case where the Senate agrees with the observation of the committee, the President shall send the report and observation to the Council of Ministers, the Constitutional Court, the Courts of Justice, the Administrative Courts or the constitutional organs concerned.
Rule 97. If, under a resolution of the Senate, any committee is required to carry out any activity, investigate or study any matter within any period of time and it is likely that such committee cannot finish within such period, the chairman of the committee or the person acting on his behalf must forthwith report to the President for information.

In such case under paragraph one, if it is during general ordinary session, the President shall report the sitting and the sitting may resolve to extend such period or to establish a new committee to replace the former one or to proceed otherwise as the sitting considers expedient. Subject to Rule 152, if it is out of session or during legislative ordinary session, the President shall have the power to extend such period as he considers expedient and subsequently inform the Senate.

Rule 98. During the expiration of the term or the dissolution of the House of Representatives, the committee shall not consider the organic law bills or bills approved by the House of Representatives. But it may proceed to perform other duties within the powers and duties of each of the committees or entrusted by the Senate.

Rule 99. A committee member vacates office upon:

(1) expiration of the term of office;

(2) death;

(3) resignation;
(4) expiration of the term of the standing committee under Rule 78 and Rule 80;

(5) establishment of a new committee to replace the former one under Rule 97;

(6) the Senate passing a resolution to remove from office.

For the purpose of the proceedings under section 132 of the Constitution, the committee member vacating office under (1) shall remain in office to perform duties until the newly elected or selected committee member takes office.

For the purpose of carrying out activities, investigating or studying any matter within the powers and duties of the Senate, the committee member vacating office under (1) or (4), shall remain in office to perform duties until the newly elected committee member takes office.

**Rule 100.** In the case where a committee member vacates office in any standing committee, the chairman of the standing committee shall inform the President in order to ask the Senate to hold an election of committee member to fill the vacancy. In the case of *ad hoc* committee, if a committee member vacates office in any *ad hoc* committee, the chairman of the *ad hoc* committee may inform the President in order to ask the Senate whether or not to hold an election of *ad hoc* committee member to fill the vacancy.
CHAPTER V
Consideration of the Selection of a Person to Hold any Position under Section 121 of the Constitution

Rule 101. In considering a person to hold any position in accordance with the provisions of the Constitution, the Senate shall appoint a standing committee of not more than fifteen in number for examining past records, behavior and ethical conduct of the person nominated for holding such position as well as gathering necessary facts and evidence for that specific position.

Rule 102. In appointing the standing committee under Rule 101, committee members shall be appointed from three senators nominated by the Ad Hoc Committee on the Senate Affairs. The remaining member shall be elected by the sitting from the list of senators nominated one each from every standing committee.

Rule 103. At a meeting of the standing committee under Rule 101, the presence of not less than one-half of the total number of the existing committee members is required to constitute a quorum.

Rule 104. For the purpose of examining past records, behavior and ethical conduct of the person nominated for holding any position in accordance with the provisions of the Constitution, the standing committee under section 101 may
summon any person to submit documents or necessary facts and evidence or to give statement of facts or opinion as it thinks fit, including to serve a written notice inviting the person nominated for holding the position in accordance with the provisions of the Constitution to give statement of facts or explanation on the past records, behavior and ethical conduct to the committee. If there is any information or facts appearing to be prejudicial to the nominee, and such information or facts still remain elusive, the nominee has the right to give explanation or statement of facts on that issue for justification.

**Rule 105.** The meeting of a standing committee under Rule 101, shall be held *in camera*, only persons interested in the meeting and permitted by the presiding member may attend.

**Rule 106.** After having finished an activity, the standing committee under Rule 101 shall submit a report to the President.

Such report shall be kept secret and the necessary information, facts and evidences shall be specified in detail and identified individually.

**Rule 107.** After having received the report of the committee under Rule 106, the President shall place it on the agenda as an urgent matter, and the Secretary-General of the Senate shall send only the agenda and relevant documents without the secret report of the committee to senators.
Rule 108. In the sitting, the standing committee under Rule 101 shall present the secret report, with copies to be distributed by the Secretary-General of the Senate to senators in the sitting for consideration. No copy of such report shall be taken out of the sitting hall.

Before presenting the report to the sitting under paragraph one, the committee shall request for a sitting in camera.

In the case where the sitting is not held in camera, the President shall order to give up the radio and/or television broadcasts, if any, of the proceedings and the Secretary-General of the Senate shall submit the secret under paragraph one to the Ad Hoc Committee on the Senate Affairs for decision as to whether or not it is expedient to be disclosed. If such Committee considers not to disclose, the Secretary-General of the Senate shall separate such secret report from the minutes and keep it undisclosed.

Rule 109. After the sitting has finished the consideration, senators shall return the copy of the secret report of the standing committee under Rule 101, to the Secretary-General of the Senate in the sitting for further destruction under the Regulation on Keeping Secret of Official Information, B.E. 2544 (2001). The chairman of the committee or entrusted person shall supervise such destruction.

Rule 110. The provisions of Chapter IV on Committees shall apply mutatis mutandis to the proceedings by the committee except in so far as there are already provided in this Chapter.
CHAPTER VI
The Removal from Offices under Section 270
of the Constitution

Rule 111. In this Chapter:
“accused person” means the person whose accusation, according to the report of the National Counter Corruption Commission submitted to the Senate, has a *prima facie* case.

“person holding a position” means the holder of the position which may be removed from office under the Constitution and the person who may be removed from office under the organic law on counter corruption.

“the N.C.C. Commission” means the National Counter Corruption Commission.

Rule 112. When, during the session, there is a request for removing a person holding a position under section 270 of the Constitution, the President shall inform the sitting without delay. If it is out of session, the President shall inform senators in writing without delay.

Rule 113. Upon receipt a request for removing a person holding a position under section 271 paragraph one or paragraph two of the Constitution, the President shall inspect and consider whether the request is accurate and complete under section 62 of
the Organic Act on Counter Corruption, B.E. 2542 (1999) and refer the matter to the National Counter Corruption Commission for investigation within fifteen days from the date of receipt of the request. If the proceedings are not complete within such period, the President shall give explanation to the sitting to request it to extend the period.

In the case where the President has received the request for removing a person holding a position under section 271 paragraph three of the Constitution, the President shall inspect and consider whether the request is accurate and complete under section 61 of the Organic Act on Counter Corruption, B.E. 2542 (1999) and refer the matter to the National Counter Corruption Commission for investigation within thirty days from the date of receipt of the request. If the proceedings are not complete within such period, the President shall give explanation to the sitting to request it to extend the period.

The rules and procedure for inspection and consideration of the request, referring the matter to the National Counter Corruption Commission for investigation and information for the result of inspection in case of the request is not accurate and complete shall be in accordance with orders issued by the President.

**Rule 114.** Upon receiving the report, documents and opinions from the N.C.C. Commission resolving that an accused person is under any circumstance provided in section 270 of the
Constitution, the President of the Senate shall convene a sitting of the Senate to consider the said matter without delay and shall place it on the agenda as an urgent matter.

**Rule 115.** The President of the Senate shall order to distribute copies of the report, documents and opinions of the N.C.C. Commission to senators and the accused person to study in advance not less than fifteen days before the first sitting to be held under Rule 117; provided that where there are a lot of documentary evidences, the senators or interested parties shall examine the said documents at a room provided therefor by the Secretariat of the Senate.

A senator or an interested party has the right to take copies of documentary evidences, except that it is a secret document or that it should not be disclosed.

The copying of documents under paragraph two shall be carried out under the supervision of the Secretary-General of the Senate or the official entrusted by him.

The Secretariat of the Senate shall prepare the list of documents running clearly in order.

**Rule 116.** All documents supporting the sitting of the Senate or evidencing the case of removal from office shall be deemed disclosed, unless the sitting resolves otherwise.
Rule 117. The President of the Senate shall convene the first sitting, within twenty days from the date of receipt of the report and opinions of the N.C.C. Commission, for fixing the day on which the N.C.C. Commission and the accused person shall make oral statements under Rule 120 and for considering the application for submission of additional evidences under Rule 121.

Rule 118. The procedure of the Senate for the removal of any person from office shall be open, except where it is necessary for the protection of major public interests.

In the sitting in camera, only senators, interested parties and the persons permitted by the sitting may be present in the sitting or at any place for the distance where the sitting can be heard. The use of tape recorder or any communicable instrument shall be prohibited, except for the record of the Senate.

Rule 119. In considering the case, the Senate shall rely on the case file submitted by the N.C.C. Commission and shall consider the evidences and reasons underlying the accusation as prima facie case under section 270 of the Constitution, item by item.

Rule 120. In commencing the consideration, the person entrusted by the N.C.C. Commission has the right to give oral statements of opening the case in accordance with the report and opinions of the N.C.C. Commission. Afterwards the accused
person or his representative shall have the right to make oral argument against the oral statements or report and opinions of the N.C.C. Commission without interrogation.

Upon completion of the oral statements under paragraph one, the sitting shall consider whether to make any additional interrogation, by considering the motions submitted by senators in advance before the date of the sitting.

If the sitting resolves to interrogate any issue, there shall be established an interrogative committee to which Rule 101 and Rule 102 shall apply, and the Senate shall fix a sitting to interrogate the persons concerned within seven days and its resolution on interrogation must be informed the interested parties without delay.

The interrogation under paragraph three shall be within the scope determined by the sitting and shall be made by the interrogative committee only.

**Rule 121.** In the sitting of the Senate, it is prohibited to investigate in any document or evidence other than those appeared in the N.C.C. Commission’s case file under Rule 119, except that it is the documentary or material evidence the accused person has submitted to the N.C.C. Commission for inquiry but the commission refuse to admit into consideration or there is a reasonable cause to prove that he is unable to know that such evidence must be presented for his own benefit or that it exists.
The admission of additional evidence under paragraph one shall be made by the resolution of the Senate; provided that the application for admission of additional evidence shall be made not less than five days before the first sitting under Rule 117.

**Rule 122.** The N.C.C. Commission and the accused person shall have the right to submit an application for making oral conclusions or for submission of written statement of conclusions to the sitting within seven days from the date of opening the case.

In the case where there is an application for making oral conclusions, the President of the Senate shall convene a sitting for hearing such conclusions within seven days from the date of receiving such application. In the case where there are oral conclusions of both parties, the N.C.C. Commission shall precede.

In the case where there is an application for submission of written statement of conclusion, such application shall be submitted to the President within seven days from the date of expiration of the period under paragraph one.

**Rule 123.** The President of the Senate shall convene a sitting for passing a resolution whether to remove the accused person from office or not within three days from the date of making oral conclusions or the date of expiration of the period for submission of written statement of conclusions.
Rule 124. The voting of removal from office shall be made by secret ballot. The Secretary-General of the Senate shall provide the voting place with a ballot box and prepare ballot-papers specifying the name of the accused person. The Secretary-General of the Senate shall read the name of each senator to get a ballot-paper in front of the voting place and then enter to cast vote in order. A senator shall mark a cross (x) in the space for indicating the intention to cast vote for removal from office or not. After finishing the vote-casting, the counting of votes shall commence.

Rule 125. The President of the Senate shall draw lots in order to select not less than ten senators to be members of vote-casting and vote-counting committee.

In counting of votes, it shall be announced “removal” or “not removal” while raising hand showing openly the ballot-paper to the audience in the sitting.

Rule 126. After the Senate has reached a resolution, the President of the Senate shall inform the N.C.C. Commission, the accused person or person being removed from office thereof, as the case may be, the Secretary-General of the Council of Ministers and other State officials concerned without delay.

Rule 127. As from receiving the report of the N.C.C. Commission under Rule 114 until the completion of casting votes under Rule 124, a senator must be impartial and fair, never give or
make by any means a statement or opinion causing the consideration or decision of the sitting to be unjust, for example,

1) to criticize in the public the litigation or verbal evidence of any party being inappropriate for the impartiality of the case;

2) to give opinions to the public in such a manner as may imply the vote he casts;

3) to give opinions among senators themselves deviating from fact or unfairly criticize the litigation or fact and evidence of any party or affecting the creditability of any concerned person in the case;

4) to induce or advise any senator to pass a resolution being seriously detrimental to the dignity of being senator.

Rule 128. The provisions of this Chapter shall apply *mutatis mutandis* to the removal of persons holding the positions in addition to section 270 of the Constitution.
CHAPTER VII
Consideration of Organic Law Bills, Bills and
Emergency Decrees

Part 1
Consideration of Organic Law Bills

Rule 129. At the first reading of an organic law bill, the Senate shall consider and resolve whether to accept or reject the principle of such organic law bill.

The President may allow representatives of the Council of Ministers, the Constitutional Court, the Supreme Court of Justice or the independent constitutional organs concerning the organic law bill to give a statement or an explanation for consideration of the sitting.

Voting for adoption of an organic law bill’s principle in the first reading and section by section scrutiny of such organic law bill in the second reading shall be made by majority of votes of the Senate.

Voting in the third reading shall be supported by the votes of more than one-half of the total number of the existing members of the Senate.

Rule 130. In the case where the Senate amends the organic law bill and the House of Representatives has constituted a joint
committee in accordance with section 147 (3) and section 140 of the Constitution, after the House of Representatives has notified the number of members of the joint committee, the President shall proceed to have the Senate appoint the joint committee members.

After the joint committee has submitted the organic law bill which has already been considered together with a report of the joint committee, the President shall place it on the agenda as an urgent matter. And the Senate shall resolve whether or not to approve such organic law bill.

In the case where the Senate approves the organic law bill already considered by the joint committee under paragraph two, the votes of more than one-half of the total number of the existing members of the Senate shall be taken.

**Rule 131.** After having received the organic law bill amended by the House of Representatives to remove the inconsistency or contrariness with the Constitution from the House of Representatives under section 141 paragraph three of the Constitution, the President shall place it on the agenda as an urgent matter.

The Senate shall consider the amended organic law bill under paragraph one to remove the inconsistency or contrariness with the Constitution whereby the voting for the amendment shall be supported by the votes of more than one-half of the total number of the existing members of the Senate.
**Rule 132.** The provisions of Chapter VII Part 2 on Consideration of Bills shall apply *mutatis mutandis* to the consideration of organic law bills as provided in this part.

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**Part 2**

**Consideration of Bills**

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**Rule 133.** There shall be a roll recording the date, month, and year the Senate receives the bill from the House of Representatives and the date, month, and year the Senate returns such bill to the House of Representatives.

**Rule 134.** When the President receives the bill from the House of Representatives, it shall be placed on the agenda as an urgent matter.

**Rule 135.** Subject to section 168 paragraph three of the Constitution, consideration of a bill shall be made in three formal readings.

**Rule 136.** In the case where there is necessary concerning public interests, when the House of Representatives resolves to approve the principle of the bill at the first reading, the President may entrust any standing committee concerned or the Senate
may appoint an ad hoc committee of not more than fifteen members, as the case requires, to specifically deliberate and study such bill. And after the House of Representatives resolves to approve the bill at the third reading, such committee shall urgently submit a report to the President as an information concerning the bill for subsequent consideration of the Senate.

**Rule 137.** At the first reading of a bill, the Senate shall consider and resolve whether to accept it for consideration or to disagree with the House of Representatives.

**Rule 138.** In considering the bill approved by the House of Representatives, if it is the bill which persons having the right to vote submit a petition, the Senate shall allow representatives of the persons submitting the petition to state the principle of the bill.

**Rule 139.** In the case where the Senate resolves to accept the bill for consideration at the first reading, the Senate shall give the bill its second reading respectively.

**Rule 140.** At the second reading, the bill shall be considered by the committee established by the Senate or committee of the whole House.

A bill shall usually be considered by a committee established by the Senate. Consideration by the committee of the whole House
may be made only upon motion submitted by a senator and seconded
by not less than ten senators with the approval of the sitting.

In considering a bill by the committee of the whole House,
the Senate may establish a committee to consider any specific
matter concerning such bill.

**Rule 141.** In case of consideration of a bill by the committee
established by the Senate, the Senate may entrust a standing
committee or an *ad hoc* committee to make such consideration.

**Rule 142.** In considering the bill at the committee stage, if
any senator considers expedient to amend the bill, he shall submit
an amendment to the motion in advance and in writing to the
chairman of the committee within seven days from the date the
Senate accepts the bill for consideration, unless otherwise
prescribed by the Senate.

The amendment to the motion shall be submitted for
section by section in accordance with the form prescribed by the
Secretary-General of the Senate.

**Rule 143.** After the committee has finished the consideration
of a bill, the committee shall submit such bill by showing the original
draft of and the details of the amendment to the bill as well as a
report to the President. Such report shall at least specify whether
or not there is an amendment to any section. And if there is an
amendment to the motion, the resolution of the committee on such
amendment or reservation of the amendment to the motion by the mover of such amendment or reservation of opinion by a committee member shall also be specified in the report.

In the case where the committee is of the opinion that there is an observation which the Council of Ministers, the Constitutional Court, the Courts of Justice, the Administrative Courts or constitutional organs concerned should be informed of or should act upon, such observation shall be recorded in the report of the committee for consideration of the Senate and Rule 96 shall apply \textit{mutatis mutandis}.

\textbf{Rule 144.} After the President has received the bill and the report of committee under Rule 143, he shall submit it to the Senate for further consideration and place it on the agenda as an urgent matter.

\textbf{Rule 145.} In the case where the Senate resolves to have a bill considered by the committee of the whole House, all the senators present in the sitting shall constitute the committee and the Presiding Officer shall also be chairman of the committee.

The consideration of the committee of the whole House shall be both the consideration at the committee stage and the second reading of the Senate in order of the sections.

\textbf{Rule 146.} In considering the bill of which the committee has finished the consideration, the Senate shall respectively
consider the title of the bill, preamble and then consider the bill in order of the sections. The debate shall be made only upon the wording or statement which has been amended or the mover of an amendment to the motion has reserved the amendment or the committee member has reserved his opinion, unless otherwise resolved by the sitting.

**Rule 147.** Having finished the consideration of the bill under Rule 146 in its entirety, the Senate shall consider the entire bill in conclusion. For this purpose, a senator may propose correction of wordings, but no amendment to any statement of the bill may be made except statements which are considered contradictory with one another.

**Rule 148.** Having finished the consideration of the bill at the second reading, the Senate shall proceed with the third reading of the bill.

**Rule 149.** At the third reading, the sitting shall resolve whether to agree with the House of Representatives or not. If the bill is amended at the second reading, the sitting shall resolve whether or not to amend the bill. For this purpose, the resolution to amend the bill shall mean to amend the bill as considered at the second reading, and the resolution not to amend the bill shall mean that the Senate agrees with the House of Representatives without any amendment.
No debate shall be made at this reading.

Rule 150. In considering the bill, after the Senate has resolved to agree or disagree with the House of Representatives or to have the bill amended, the President shall inform the House of Representatives.

Rule 151. In the case where the Senate amends the bill and the House of Representatives has constituted a joint committee in accordance with section 147 (3) of the Constitution, after the House of Representatives has notified the number of members of the joint committee, the President shall proceed to have the Senate appoint the joint committee members.

After the joint committee has submitted the bill which has already been considered together with a report of the joint committee, the President shall place it on the agenda as an urgent matter. And the Senate shall resolve whether or not to approve such bill.

Rule 152. The Senate shall finish the consideration of a bill within the period as prescribed in section 146 of the Constitution. If it is likely that the Senate may not finish the consideration within such period, the chairman of the committee shall inform the President to proceed to request the Senate to extend the period as exceptional case.
After the Senate has already finished the consideration of the bill, such bill shall be returned to the House of Representatives within the period under section 146 of the Constitution.

**Rule 153.** Subject to section 146 and section 168 of the Constitution, in the case where the bill has been approved by the Senate, before being sent to the House of Representatives, if there is any defect during the consideration of the Senate, the President may consult the sitting or a senator submit a motion seconded by not less than twenty senators to bring the bill back to reconsider. If the Senate resolves to approve it with a majority of votes, the proceedings shall be taken.

Consultation and motion under paragraph one shall specify the issue of which the reconsideration is made and shall clearly state the reasons therefor.

The amendment of the bill shall be considered in so far as it is necessary and by the committee of the whole House.

**Rule 154.** After the House of Representatives has resolved to accept the principle of the annual appropriations bill, supplementary appropriations bill or transfer of appropriations bill, the Senate shall appoint an *ad hoc* committee consisting of members in such number as prescribed by the sitting to consider and study such bill.

**Rule 155.** After the Senate has received the annual appropriations bill, supplementary annual appropriations bill or
transfer of appropriations bill from the House of Representatives, the President shall forthwith send the bill to the ad hoc committee under Rule 154, and the committee shall consider and report its opinion to the President within ten days from the date of receipt of such bill. In the consideration at the committee stage, no amendment to the motion may be submitted.

After the Senate has received the annual appropriations bill, supplementary appropriations bill or transfer of appropriations bill together with the report on the opinion of the committee under paragraph one, the President shall place it on the agenda as an urgent matter.

In considering the bill under paragraph one and paragraph two, the Senate shall consider the entire bill and resolve whether or not to approve such bill.

In this consideration, senators may not propose any amendment.
Part 3
Further Consideration of Organic Law Bills or Bills Being Approved by the National Assembly under Section 153 of the Constitution

Rule 156. After the National Assembly has resolved to approve the further consideration of the organic law bill or bill under section 153 of the Constitution, if the consideration of the organic law bill or bill is pending at any reading, the Senate may continue its consideration at that reading and the President shall place it on the agenda as an urgent matter.

The period of consideration of the organic law bill or bill pending in the Senate shall be re-counted as prescribed in section 146 of the Constitution from the date the National Assembly has resolved to approve it.

Rule 157. In considering the pending organic law bill or bill, the proceedings prescribed in Chapter VII on Consideration of Organic Law Bills, Bills and Emergency Decrees shall be continued.
Part 4
Consideration of Emergency Decrees

Rule 158. After the President has received an Emergency Decree from the Council of Ministers, he shall place it on the agenda as an urgent matter.

In considering the Emergency Decree under section 184 and section 186 of the Constitution, the Senate shall consider and resolve whether or not to approve such Emergency Decree.

After the Senate has reached a resolution, the President of the Senate shall inform such resolution to the Council of Ministers and the House of Representatives.

CHAPTER VIII
Interpellations

Rule 159. Interpellation shall be submitted in writing and in advance to the President by containing statements in the form of questions of facts or policy, and specifying whether the reply shall be published in the Government Gazette or made in the sitting of the Senate.

The facts alleged to support the interpellation must be certified by the interpellant as correct even if they are not
affirmatively certified in the interpellation. And if it is necessary to have a supplementary statement, it shall be separately specified.

Questions, facts as well as supplementary statements must not be superfluous, complicated, repetitive or in the nature of debate.

**Rule 160.** Each interpellation shall be interpellated and interrogated by one person only.

**Rule 161.** Interpellation must not be:

(1) cynical, sarcastic or insinuating;
(2) ambiguous or elusive;
(3) a matter having been replied or refused to reply;
(4) a matter requesting for an opinion;
(5) a legal issue;
(6) immaterial; or
(7) a private matter of any person except in so far as it is concerned with official duties.

**Rule 162.** The interpellation under Rule 161 (3) may be re-interpellated only when it is materially different, or the circumstances at the time of making such interpellation have been changed from that of making the previous interpellation.

**Rule 163.** In the case concerning vital interests of the State or in case of emergency which has urgent necessity to maintain public safety or averting public calamity or which
adversely affects public order or morals or freedom of the public or affects international relations which a Minister ought to give statement or to proceed immediately, an urgent interpellation may be made.

**Rule 164.** It shall be the power of the President to decide whether or not an interpellation of a senator is the interpellation under Rule 159, Rule 161, Rule 162 or Rule 163. And the President shall finish his decision within seven days from the date of receipt of such interpellation.

The Secretary-General of the Senate shall inform the interpellant of such decision under paragraph one within five days from the date the President decides.

**Rule 165.** The President shall deliver the interpellation to the Minister interpellated.

In the case where the reply of interpellation is required to be published in the Government Gazette, the President shall inform the Minister interpellated to reply within thirty days from the date of receipt of such interpellation. If the Minister has replied it in the Government Gazette or the reply cannot be made within such period, the Secretary-General of the Senate shall inform the interpellant thereof.

In the case where the reply of interpellation is to be made in the sitting, the President shall place it on the agenda within fifteen days from the date of delivery under paragraph one. But in
case of an urgent interpellation, the President shall deliver it to the
Minister interpellated and shall also inform as to which sitting has
been fixed for the interpellant to interpellate such matter. In fixing
the time of interpellation, the President shall take into account the
significance of the situation and the interests of the public which
should be immediately informed as the principal factors of
consideration. If the President cannot place the interpellation on
the agenda within such period, he shall inform the sitting and the
interpellant thereof.

Rule 166. The Prime Minister or Minister responsible for
the administration of State affairs on that matter shall make a reply
to the interpellation, unless he is not present with an unavoidable
necessity or have a critical mission, other Minister shall be
entrusted to make a reply thereto. The President shall be notified in
writing prior to or on the date the matter is considered in the sitting.

The Prime Minister or Minister may request to postpone
his reply to an interpellation, but he must give reason to the sitting
or submit the request in advance and in writing to the President
and shall specify the time when his reply will be made.

Rule 167. When the matter on the agenda to be considered
is interpellation, the Presiding Officer shall permit the interpellant to
interpellate respectively. In making an interpellation, neither
explanation nor reading thereof shall be made.
Rule 168. The interpellant has the right to withdraw his interpellation. If the interpellant fails to make an interpellation or is not present at the sitting, such interpellation shall be deemed to lapse.

Rule 169. After the Minister has replied, the interpellant has the right to ask one more question, unless he requests to ask further questions because the reply leaves the issues unqualified and the Presiding Officer has given permission. In asking questions, the interpellant has the right to give a supplementary statement of facts as necessary.

Rule 170. In each sitting, not more than five interpellations may be placed. But in case of necessity or urgency, the President may place more than five.

The period of interpellations and the replies of interpellations in each sitting shall not exceed two hours.

Rule 171. In each sitting, the same interpellant shall not interpellate more than one, unless there is no interpellation of other senator remaining.

Rule 172. Any interpellation which the membership of interpellant is terminated shall be deemed to lapse.

Rule 173. Any interpellation to which the Minister has not yet replied shall lapse upon the Council of Ministers vacating offices **en masse**.
CHAPTER IX
General Debate

Rule 174. A motion for a general debate under section 161 of the Constitution shall be submitted in writing to the President indicating that on what matter the Council of Ministers is requested to give statement of facts or explain any important problem in connection with the administration of the State affairs.

The President shall inform the motion for a general debate under paragraph one to the Prime Minister and place it on the agenda as an urgent matter.

Rule 175. After the Council of Ministers has given statement of facts or explained important problems in connection with the administration of the State affairs, a senator has the right to debate and interrogate.

Rule 176. Only Minister has the right to reply to the interrogation.

The Minister may reply to each senator who makes interrogation or debate in general respectively or may make a general reply to several senators.

Rule 177. Apart from the Rules prescribed in this Chapter, in the debate, the provisions of Chapter III Part 3 on Debates shall apply *mutatis mutandis*. 
CHAPTER X
Maintenance of Order

Rule 178. The place of the sitting shall be revered and is a restricted area. Entrants must behave in an orderly and respectful manner, and dress in such manner as determined by the President. A person other than member of the National Assembly or parliamentary official must leave the place of the sitting when his task is over.

Using any means of communication causing nuisance or smoking in the sitting shall be prohibited.

A senator shall wear a uniform of member of the National Assembly, universal attire, or dress suit or Royal Grant Dress or dress as determined by the President.

Rule 179. Whoever violates these Rules, the Presiding Officer has the power to warn, prohibit, order the withdrawal of words, forbid him to speak on the matter under deliberation, order the making of apology in the sitting or expel from the sitting with or without time limit.

In the case where the Presiding Officer has expelled anyone from the sitting, if such person disobeys the order, the Presiding Officer has the power to order the security officers to take him out of the sitting or the sitting precincts.
The order of the Presiding Officer under these Rules is not disputable.

**Rule 180.** In maintenance of order in so far as it is related to outsiders entering into the sitting or the sitting precincts or attending the sitting, as well as the etiquette of such person and the publication of any statement concerning the deliberation of the Senate shall be in accordance with the orders prescribed by the President.

**CHAPTER XI**

**Final Rules**

**Rule 181.** If the Presiding Officer consults the sitting, or a senator submits a motion seconded by not less than ten senators, for a temporary suspension of any one of the Rules either totally or partially in a specific case, and the sitting approves by votes of not less than one-half of the total number of senators present, its application shall be suspended.

**Rule 182.** If there is a problem which requires an interpretation of these Rules, it shall be within the power of the Senate to decide. After the sitting has resolved to decide by votes
of not less than one-half of the total number of the existing senators, such decision shall be deemed final.

Application for the sitting to decide under paragraph one may be made by consultation of the Presiding Officer, or by motion of a senator seconded by not less than ten senators.

**Rule 183.** An application to amend these Rules may be submitted by a motion seconded by not less than twenty senators.

A motion for amendment of these Rules shall be in the form of draft Rules of Procedure which shall be divided into various Rules and supplemented by the memorandum of the principle and reasons.

In considering the motion under this Rule, the provisions of Chapter VII Part 2 on Consideration of Bills shall apply *mutatis mutandis*.

**Rule 184.** In the case where the Senate has to consider whether to permit the arrest, detention or summons by a warrant of a senator for inquiry as an alleged offender in a criminal case during the session under section 131 paragraph one of the Constitution, or whether to permit a criminal trial of a senator against whom a criminal charge is brought during the session under section 131 paragraph three of the Constitution, the President shall place it on the agenda as an urgent matter.
Rule 185. In the case where the President orders the release of an arrested senator under section 131 paragraph two or a detained senator under section 131 paragraph five of the Constitution, the Presiding Officer shall inform the sitting on the first opportunity of the sitting.

Rule 186. In the case where a person suffering damage from the words expressed by the senator desires the explanations to be published under section 130 paragraph three of the Constitution, such person shall submit his request in accordance with the form prescribed by the President.

The request under paragraph one must be statement of facts which are not a criminal offence or a wrongful act against any other person.

When the President has received such request, he shall urgently submit it to the Ad Hoc Committee on the Senate Affairs for further consideration. And the committee shall finish its consideration and summit a report stating its opinion to the President within seven days from the date of receipt of the request.

The Secretary-General of the Senate shall publicize such explanations by post up the notice at the Secretariat of the Senate within the period of seven days as from the date the President deems expedient and senators shall also be informed.

Rule 187. The Secretariat of the Senate shall suitably provide environment in the area of architecture, information,
communication or other service senators need for performance of their duties, including

(1) sorting, preserving or providing access to any document for consideration or distribution of the Senate in the form of electronic media or other types of information technology which are disclosed standard or which the disabled and the elderly enable to access and utilize them;

(2) providing equipment, technology, facilities and helpers for senators being the disabled or the elderly who need essential help for making them to potentially perform their duties.

Transitory Rules

Rule 188. These Rules shall not prejudice any acts which have been carried out before these Rules come into force. Any act which has not yet been carried out shall continue to be done under the Rules as in force prior to the date of the entry into force of these Rules.

Rule 189. The standing committee under Rule 101 and the ad hoc committee existing prior to the date of the enforcement of these Rules shall be the standing committee under Rule 101 and the ad hoc committee under these Rules.
The standing committee under Rule 101 and *ad hoc* committee under paragraph one shall continue the performance of activities entrusted by the Senate until finished.

**Rule 190.** The Code of Ethics of Senators and Committee Members shall apply to senators or committee members *mutatis mutandis* until the proclamation of the Rules on Code of Ethics of Senators and Committee Members under section 134 and section 279 paragraph one of the Constitution shall be made.

For the purpose of the proceedings under paragraph one, the Senate shall establish an *ad hoc* committee to prepare the draft Rules on Code of Ethics of Senators and Committee Members under section 134 and section 279 paragraph one of the Constitution within thirty days from the date of the entry into force of these Rules.

**Rule 191.** All regulations, notifications or orders issued under the Rules of Procedure of the Senate as in force prior to the date of the entry into force of these Rules shall continue to be in force in so far as they are not contrary to or inconsistent with these Rules until the regulations, notifications or orders issued under these Rules come into force.

Given on 23rd April B.E. 2551 (2008)

Prasopsook Boondech

President of the Senate