

**Royal Decree Concerning the Administration of Islamic Organization,
B.E. 2540 (1997)**

Translation

SOMDET PHRA PARAMINTHARAMAHA
BHUMIBOL ADULYADEJ
SAYAMINTHARATHIRATBOROMMANATTHABOPHIT
Enacted on the 17th Day of October B.E. 2540;
Being the 52nd Year of the Present Reign

By the Royal Command of King Bhumibol Adulyadej, it is to be declared that due to the fact that the law concerning Islamic Masjids and the concerning the patronage to Islamic religion should be improved.

His Majesty the King, therefore, orders the legislation of the Royal Act under the suggestion and approval of the Parliament as the followings:

Section 1

The Royal Act is called "The Royal Decree concerning the Administration of Islamic organizations, B.E. 2540 (1997)"

Section 2

The enforcement of this Royal Act is since the next day of the day it is published in The Royal Gazette.

Section 3

The followings acts will be abolished:

- (1) The Royal Act concerning Islamic Masjids, B.E. 2490;
- (2) The Royal Decree concerning the Religious Patronage to Islam, B.E. 2488; and
- (3) The Royal Decree concerning the Religious Patronage to Islam (No.2), B.E. 2490

Section 4

In this Royal Act:

"Masjid" means the place where the Muslims use for their religious affairs in which there must be regular Friday prayers, and it is the place for teaching Islam.

"The devotee of the Masjid" means a Muslim who becomes the "devotee" of the Masjid by the resolution of the Islamic Committee for the Masjid and whose name is registered in the record of the devotee of the devotee of the Masjid. But he cannot be a devotee of more than one Masjid.

"Imam" means the religious leader of the Masjid.

"Kateb" means the preacher of the Masjid.

"Bilan" means the man who declare the prayer according to the set times.

Section 5

This Royal Act is under the supervision of the Minister of Interior and the Minister of Education. They are empowered to appoint the officials and to issue the ministerial rules, regulations, declarations and orders in order to be accordant to this Royal Act in the part concerning the authority of each Ministry.

The Ministerial rules in the Royal Gazette can be used for enforcement after its publication.

SECTION 1

General Provision

Section 6

His Majesty the King appoints a Sheikhul-Islam as the leader of the Islamic affair in Thailand.

The Prime Minister shall submit the name of the person who receives the approval from all provincial Islamic Committee through out the country to be Sheikhul-Islam to His Majesty the King for the Royal Appointment as Sheikhul-Islam.

The rules and the methods of the selection of the Sheikhul-Islam in Paragraph 2 have to be according to which is designated in the ministerial rule.

The financial support for the Sheikhul-Islam is according to that which is provided in the Royal Decree.

Section 7

The Sheikhul-Islam has to possess desirable qualifications and without forbitable ones, as the followings:

- (1) Being a Muslim of Thai nationality by birth.
- (2) Being not less than 40 years of age.
- (3) Having good knowledge and understanding concerning Islamic religion.
- (4) Behaving strictly according to Islamic rules.
- (5) Having good relations with every religion.
- (6) Being thoroughly convinced in the democratic regime with a King as the head of State.
- (7) Not being of had been a bankrupted person.
- (8) Not had been imprisoned by the final condemnation to be imprisoned except that the crime was committed negligently or it was a trifle offence.
- (9) Not being crippled that caused unable to perform duties, or being disable or insane or having any disease designated in the ministerial rule.
- (10) Not having any political position.

Section 8

The powers and duties of the Sheikhul-Islam are as the followings:

- (1) To give advice and proposing opinions regarding Islamic affairs to the government.
- (2) To appoint a group of well-qualified persons who give counsels concerning Islamic rules.
- (3) To declare the result of Lunar observation according to Section 35 (11) for the determination of the religious days.
- (4) Announcing the decision regarding Islamic rules.

Section 9

The Sheikhul-Islam is out of his position when:

- (1) Die
- (2) Resign
- (3) Ordered by the Royal Order to be out of the position for lack of qualifications or having forbidden character under Section 7

Section 10

The Sheikhu-Islam, members of Central Islamic Committee of Thailand, member of provincial Islamic Committee and member of Islamic Masjid Committee, have the right to wear the grown and adorn with the pin having the King's name.

These are according to the rules on that matter.

Section 11

When it deems appropriate, the Ministry of the Education may establish the "Islamic College" in order to educate the students regarding religious, general, and vocational knowledge.

SECTION 2

The Establishment and the Abolition of Masjids

Section 12

The establishment, building, moving, merging, abolishing and registering of Masjids has to be accorded to the rules and methods designated in the ministerial rules. The establishment, merging and abolishing of Masjids have to be published in the Royal Gazette.

Section 13

The Masjids that registered with the Officer is entitled as legal entity.

The Islamic Masjid Committee is the representative of the Masjid in the affairs relating to the outsiders. For this purpose the Islamic Masjid Committee may assign one or more members to represent.

Section 14

A registered Masjid which becomes legal entity can be abolished by officially registering its abolition.

All of the abolished Masjid's properties according to paragraph 1 will be transferred to the nearest Masjid which has legal entity. If not possible they will be transferred to the next nearest one, except those properties which were donated and the donators have made a declaration of intention otherwise.

Section 15

The registered Masjid has to select its Islamic Masjid I Committee according to Section 5 within 90 days since it registered.

SECTION 3

The Central Islamic Committee of Thailand

Section 16

There must be a committee called "The Central Islamic Committee of Thailand" which is composed of the Sheikhu-Islam as its president together with the committee which is appointed by His Majesty the King from the Provincial Islamic Committee. Each province will select one representation for the provincial Islamic Committee. Other members of the Central Islamic Committee are selected by the Sheikhu-Islam, of which the member is one-third of the whole number of the representative of the provincial committee. Its remnant is abandoned.

The selection of the representative of the provincial Islamic Committee and other member according to Paragraph 1 will be accordant to the rules and methods designed in the ministerial rules. The Vice-President, Secretary-General and other necessary positions are selected by the Committee among its own members.

Section 17

The members of the Central Islamic Committee of Thailand must possess the qualification, and there are no forbidden characters, as the followings:

- (1) Having qualification and not having forbidding characters according to Section 7 except (2) and (10)
- (2) Having not less than 30 years of age

Section 18

The powers and duties of the Central Islamic Committee of Thailand are as the followings:

- (1) To give advice to the Minister of Interior and Minister of Education in performing duties according to this Royal Act.
- (2) To give advice or suggestions regarding Islamic religion to the Provincial Islamic Committee and Islamic Masjid Committee.
- (3) To appoint sub- committee in order to perform tasks assigned by the Central Islamic Committee of Thailand
- (4) To issue rules concerning property management and interests providing of the offices of the Provincial Islamic Committee and Masjid Committee
- (5) To issue rules of procedure and monitor the administrative of the office of Provincial Islamic Committee and Masjid.
- (6) To perform as the Provincial Islamic Committee in the countries that lack of Islamic Committee for the Province. For this purpose the Central Islamic Committee may assign the Provincial Islamic Committee in the neighboring province to perform
- (7) To consider and judge protesting petitions according to Section 41.
- (8) To manage the registration of properties, documents and income and expense accounts of the office of the Central Islamic Committee of Thailand as its fact.
- (9) To announce and give warrants relating to Islamic religion.
- (10) To promote the arrangement of religious affairs and religious education.
- (11) To co-ordinate with the related official units in Islamic matters.
- (12) To perform other duties designated in Royal Act.

Section 19

The term of the Central Islamic Committee appointed by His Majesty the King is 6 years, but it can be reappointed.

When any members of the Committee are out of his position according to his term, a new member has to selected for the new appointment within 90 days since the day of his term is terminated. While the new members are not yet selected, the former members shall perform his duties until His Majesty the King appoints the new one.

Section 20

Apart from the being out of position at the end of the term according to Section 19 members of the Central Islamic Committee will be out of position when:

- (1) Die
- (2) Resign
- (3) Ordered by the Central Islamic Committee to be out of position due to lacking of required qualifications or having forbidden characters according Section 17.

In case of the vacancy of the position because of the other causes except the retirement due to the end of the term, a new member has to be selected and appointed within 90 days.

Since the day of vacancy according to the rules and method assigned in the ministerial rules, unless the time remaining is less than 180 days, the new members can be in the position only the remaining time of the former members.

The Ministry of Interior has to declare the terminated list of members of the Central Islamic Committee in Royal Gazette.

Section 21

Not less than half of the whole number of members has to be present in the meeting of the Central Islamic Committee so that it will be counted as quorum.

When the President of the Committee is absent or unable to perform his duty, the Vice-President will be in charge. When both the President and Vice-President are absent or unable to perform their duties, a member of the Committee has to be selected by all the present members and the chairman of the meeting.

The majority will make the resolution. Each member has one vote. If the votes are equal, the chairman has to vote as the final decision. If the resolution is concerning to get any members of his position, the resolution must have not less than three-fourth votes out of the whole members of the present members.

Section 22

The office of the Central Islamic Committee of Thailand has to be set up as legal entity, with the duty relating to the affairs of the said Committee.

Members of the said Committee are the representatives of the office in the matters relating to the outsiders. For this purpose the Central Islamic Committee of Thailand can assign the work to one or more members. The Secretary General of the said Committee is responsible for the affairs of the Office.

SECTION 4

The Provincial Islamic Committee

Section 23

When there are people who embrace Islam and there are not less than three Masjids in the province according to Section 13, the Central Islamic Committee of Thailand will declare that province to have a group of the Provincial Islamic Committee with its members not less than nine but not exceed thirty.

The Ministry of Interior will assign the duty of the selection of members of the Provincial Islamic Committee to the Imams of the Masjids in that province to perform according to the rules and methods designated in the ministerial rules.

The members of the said Committee will select the President, Vice-President, Secretary and other necessary positions among themselves. The Ministry of the Interior will publish the names of the selected person in the Royal Gazette.

Section 24

The members of the Provincial Islamic Committee must possess qualifications and there are with no the forbidden characters, as the following:

- (1) Having qualifications and non forbidden characters according to Section 17.
- (2) Having been a devotee man for the Masjid in that the Province for not less than one year before the selection.
- (3) Having residence in that province not less than one year before the selection.

Section 25

The term of the members of the Provincial Islamic Committee is six years. When the position of the members is vacant, new members must be selected within 90 days since the vacancy of the positions. The selection is done according to the rules and methods designated in the Ministerial rules. Unless any position is vacant less than 180 days before the end of the term and the number of the remaining members is not less than half of the selected members there may not be the selection of the new member. The newly-selected members will be in his position for the time equal to the remaining time of the former one.

Section 26

In any provinces having a Provincial Islamic Committee, the said Committee has the following power and duties:

- (1) To give advice and suggestions regarding Islam to the Governor of the country.
- (2) To supervise and examining the working of Provincial Islamic Committee in the province and other provinces as assigned by the Central Islamic Committee.
- (3) To compromise or umpiring the complaints of devotee men of the Masjids whom have been wronged by the Masjids Committee.
- (4) To monitor the selection of the members of the Masjids Committee.
- (5) To consider the appointment and the dismissal of members of the Masjids Committee.
- (6) To investigate for the dismissal of members of the Masjids Committee according to Section 40 (4)
- (7) To command members of the Masjids Committees to suspend their duties during the investigation.
- (8) To consider establishment, transferring, merging and abolishment of the Masjids.
- (9) To appoint acting persons in the place of Imam, Kateb and Bilan, when it is vacant.
- (10) To issue the marriage and divorce certificates according to the Islamic rules.
- (11) To compromise disputes concerning family and hesitance according to Islamic rules when requested.
- (12) To manage the records of properties, documents and the income expense accounts of the Provincial Islamic Committee so that they are accurate and up-to-date. Also reporting the result of the workings, financial conditions and properties to the Central Islamic Committee of Thailand once a year within March of every year.
- (13) To announce and give assurance regarding religious matters in the province.

Section 27

Beside being out of the position at the end of the term in accordance with Section 25, Members of Provincial Islamic Committee will be out of position when:

- (1) Die
- (2) Resign
- (3) Ordered by the Central Islamic Committee to be out of position due to lacking of required qualifications or having forbidden characters as mentioned in Section 24.

The Ministry of the Interior has to publish the names of the dismissed members in the Royal Gazette.

Section 28

The meeting of the Provincial Islamic Committee is under the enforcement of Section 21, *mutatis mutandis*.

Section 29

The office of the Provincial Islamic Committee has to be set up with the position of legal entity having duties concerning affairs of the said Committee and having members of the Committee as representatives of the Office in affair relating to the outsiders. For this purpose the Provincial Islamic Committee can decide to assign the tasks to one or more members of the Committee. The Secretary of the Committee is responsible for the Office affairs.

SECTION 5

The Masjids Islamic Committee

Section 30 A Masjids Islamic Committee has to be established. It is composed of:

- (1) Imam as its President.
- (2) Kateb as Vice- President.
- (3) Bilan as its Vice- President, and
- (4) Other members according to the designation of devotee men of that Masjids.

They must be not less than six persons but not exceed twelve.

The devotee men of that Masjid whose ages are more than fifteen shall convene the meeting in order to select those who will be in the position of the Paragraph 1.

The members of the Provincial Islamic Committee or any members assigned by the President of the said committee shall be the chairman in the meeting of devotee men of the Masjid in order to select members of the Islamic Committee of the Masjid and to the Provincial Islamic Committee to appoint according to the rules prescribed by the Central Islamic Committee.

Section 31

Imam, Kateb and Bilan must have the re-qualification and forbidden characters, as the followings:

- (1) Having qualification and having no forbidden characters according to Section 17
- (2) Be able to recite the Quran correctly.
- (3) Be able to lead the religious performances correctly according to the Islamic rules.
- (4) Be able to preach
- (5) Having been a devotee man of that Masjid not less than 90 days before the day of selection.

Imam, Kateb and and Bian are not considered as priests or clergymen to dismiss Imam, Kateb and Bilan shall be done according to rules prescribed by the Central Islamic Committee

Section 32 The members of the Committee stated in the Section 30 (4) must have required qualification and no forbidden characters as the followings:

- (1) Having required qualification and no forbidden characteristics according to Section 17
- (2) Having been the devotee men of that Masjid not less than 90 days before the day of selection.
- (3) Having residences in the province where that Masjid is situating not less than 90 before the day of selection.

Section 33

When the position of Imam, Kateb or Bilan is vacant, methods prescribed in Section 30 is applied for the selection of the replacing members within 180 days since the day of vacancy.

Section 34

The term of members according to Section 30 (4) is four years. When the position is vacant, methods stated in the Section 30 is applied for the selection of new members within 180 days the day of vacancy. Unless the vacancy caused by the resolution of the Provincial Islamic Committee according to Section 40 (4) and such member has submitted a protesting petition to the Central Islamic Committee of Thailand according to Section 41. The period of 180 days is counted sine the resolution of the Central Islamic Committee of the Thailand is issued.

In case of the vacancy of member is before its term not more than 180 days the selection of new members may not be performed. The replacing members are in the position as same as the remaining time of the replaced ones.

Section 35 The powers and duties of the Masjid Islamic Committee are as the followings:

- (1) To maintain the Masjid of the Masjid's properties.
- (2) To set up the rules and regulations within the Masjid so that the working procedure of the Masjid will be in order.
- (3) To follow the direction and suggestions of the Central Islamic Committee of Thailand and the Provincial Islamic Committee they are not against the Islamic rules and law.
- (4) To support devotee men in performing the religious duties and promote unity and the assistance of each other in the right way according to Islamic rules.
- (5) To consider the acceptance of Muslims as the devotee men of the Masjid.
- (6) To facilitate and educate the devotee men so that they can perform their duties correctly and strictly.
- (7) To compromise the disputes between the devotee men if requested.
- (8) To provide and keep the register book of devotee men in the Masjid. Examining and correcting it as its fact.
- (9) To dismiss names of the devotee men who violate or not follow the Islamic rules from the book.
- (10) To mange the registration of the properties, documents and income-expense account of the Masjid correctly as its fact and report the working procedure, financial position and properties of Masjid to the Provincial Islamic Committee within the month of March every year.
- (11) To observe the Lunar and inform its result to the Provincial Islamic Committee.
- (12) To disseminate education and arranging activities which are not against Islamic rules.

Section 36

Any devotee man dismissed according to Section 35 (9) has a right to submit his protesting petition to the Provincial Islamic Committee within 30 days since the days of dismissal of his name from the register book. The Provincial Islamic Committee has to complete their judgment within 120 days since the day the petition is received. The resolution of the Provincial Islamic Committee is final.

The submitting of the protesting petition and judging the judging of the petition according to Paragraph 1 are to be under the regulation prescribed the Central Islamic Committee of Thailand.

Section 37

The duties of the imam are as the followings:

- (1) To perform duties according to Islamic rules.
- (2) Supervising and suggest the Masjid officials to do their works correctly.
- (3) To suggest the devotee men of the Masjid to behave themselves correctly according to Islamic rules and law.
- (4) To facilitate Muslims in their religious performances.
- (5) To Sermonize the Islamic moral the devotee men of the Masjid Section

Section 38

A Kateb has a duty to preach to devotee men of the Masjid according to Islamic rules.

Section 39

A Bilan has a duty to announce and invite Muslims to pray in fixed times according to Islamic rules.

Section 40

A member of the Masjid Islamic Committee is out of position when:

- (1) Finish the tem mentioned in Section 34 Paragraph 1, other members, Section 30 (4).
- (2) Die
- (3) Resign
- (4) Dismissed the resolution of the Provincial Islamic Committee due to lacking required qualification or having forbidden character according to Section 32.
- (5) The devotee men of the Masjid according to Section 30, Paragraph 2 of more than half of all members submit petition the Provincial Islamic Committee and they has investigated and given a judgment to dismiss him.
- (6) The Provincial Islamic committee has investigated and found his behavior can debauch the Masjid or is defective in performing his duties, or does not operate the Masjid's affairs in order, or in a way against Islamic rules or doing anything leading to the lose of the Masjid's interests; then the Provincial Islamic Committee resolve to dismiss.

In the case the investigation indicates that nature of the offence is not serious enough to be dismissed from the position, the Provincial Islamic Committee may parole.

Section 41

The dismissed of the Provincial Islamic Committee according to Section 40 (4) (5) and (6) has a right to submit his protesting petition to the Central Islamic Committee of Thailand within 30 days from the day order of dismissed is received. The Central Islamic Committee of Thailand has to complete its judgment within 90 days since the petition is received. The resolution of the Central Islamic Committee is final.

The submission and judgment of the protesting petition according to Paragraph 1 is under the regulation designated by the Central Islamic Committee.

Section 42

The meeting of the Masjid Islamic Committee has applied the Section 21, *mutatis mutandis*.

Transitory Provision

Section 43

The occupier of the position of Sheikhul-Islam whose term is between the days this Royal Act is enforced shall remain in his position until dismissed from position according to Section 9.

The members of Central Islamic Committee and Provincial Islamic Committee whose term are between the days this Royal Act is enforced shall remain in their positions for two years more since the day of the enforcement.

The members of Masjid Islam Committee whose terms are between the day this Royal Act is enforced shall remain in their titles until dismissed from position according to Section 40.

Section 44

The Masjids which registered according to the Islamic Masjid Act, B.E. 2490 shall be Masjids according to Section 13 of this Royal Act.

Section 45

The "Islamic College of Thailand" that established according to the Royal Decree concerning Islamic Religious Patronage, B.E. 2488 shall be Islamic College according to this Royal Act.

Section 46

All the Ministerial rules, regulation, announcements and orders issued according to the Islamic Masjid Act, B. E. 2488 can be applied *mutatis mutandis* until Ministerial rules, regulation, announcements and orders according to this Royal Act are issued. But this is not more than two years since the day this Royal Act is enforced.

Countersigned by

Gen. Chavalit Yongchaiyudh

Prime Minister

Note: The reason of the issuing of this Royal Act is the Islamic Masjid Act, B.E. 2490, the Royal Decree regarding Islamic Religion Patronage, B.E. 2488 and the Decree regarding Islamic amended. So it is necessary to publish this Royal Act.

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