

Royal Decree
Determining the Date of Commencement of Operation
of the Bueng Kan Provincial Court's Juvenile and Family Division,
B.E. 2554 (2011)

Translation

Bhumibol Adulyadej, PR.

Given under our Hand this 23rd Day of May, B.E. 2554 (2011);

Being the 66th Year of our Reign

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

Whereas it is desirable to determine the date of commencement of operation of the Bueng Kan Provincial Court's Juvenile and Family Division;

Be it decreed by the King's most Excellent Majesty, by virtue of Section 187 of the Constitution of the Kingdom of Thailand and Section 8, paragraph 2, of the Act Establishing Juvenile and Family Courts and Juvenile and Family Case Procedure, B.E. 2534 (1991)—a law containing certain provisions giving rise to the restriction of personal rights and liberties, in respect of which Section 29 incorporating Section 31, Section 34, Section 35, Section 36, Section 37, Section 48 and Section 50 of the Constitution of the Kingdom of Thailand so permit by means of the legal provisions as follows:

Section 1

This Royal Decree shall be cited as the "Royal Decree Determining the Date of Commencement of Operation of the Bueng Kan Provincial Court's Juvenile and Family Division, B.E. 2554 (2011)".

Section 2

This Royal Decree shall come into force from May 20, B.E. 2554 (2011) onwards.

Section 3

The Bueng Kan Provincial Court's Juvenile and Family Division shall commence its operation as from May 20, B.E. 2554 (2011), and shall be competent to exercise territorial jurisdiction throughout the territory of Changwat Bueng Kan.

Section 4

All cases determined to be heard by the Nong Khai Provincial Court's Juvenile and Family Division prior to the commencement of operation of the Bueng Kan Provincial Court's Juvenile and Family Division shall continue to be dealt with by the Nong Khai Provincial Court's Juvenile and Family Division until they are concluded, save where the Prime Judge of the Nong Khai Provincial Court's Juvenile and Family Division transfers any of them to the Bueng Kan Provincial Court's Juvenile and Family Division. In this respect, the proceedings held before the Nong Khai Provincial Court's Juvenile and Family Division shall be deemed as if held before the Bueng Kan Provincial Court's Juvenile and Family Division.

Section 5

The President of the Supreme Court of Justice shall be in charge of this Royal Decree.

Countersigned by:
Mr.Abhisit Vejjajiva,
Prime Minister.

Remarks:

The grounds for promulgation of this Royal Decree are as follows:

Pursuant to the Act Establishing Changwat Bueng Kan, B.E. 2554 (2011), Amphoe Bueng Kan, Amphoe Seka, Amphoe So Phisai, Amphoe Bung Khla, Amphoe Bueng Khong Long, Amphoe Pak Khat, Amphoe Phon Charoen and Amphoe Si Wilai are separated from the administration of Changwat Nong Khai to constitute Changwat Bueng Kan. The territory constituting Changwat Bueng Kan has once been subject to the competence of the Nong Khai Provincial Court. But upon coming into force of the Act Establishing Changwat Bueng Kan, B.E. 2554 (2011), the Nong Khai Provincial Court is no further competent to exercise the juvenile and family jurisdiction over the territory of Changwat Bueng Kan. The proceedings as to juvenile offences as well as the juvenile and family cases would therefore be held before the Provincial Court. This would debar the child and juvenile offenders from the benefit of the protection of rights granted by the law on establishment of juvenile and family courts and juvenile and family case procedure. It is hence expedient to establish a juvenile and family division inside the Bueng Kan Provincial Court to address the juvenile and family cases. In this respect, Section 8, paragraph 2, of the Act Establishing Juvenile and Family Courts and Juvenile and Family Case Procedure, B.E. 2534 (1991), prescribes that a juvenile and family division is to be set up in the provincial courts of every Changwat other than that in which a juvenile and family court is already established according to paragraph 1, and that the commencement of operation of such juvenile and family division shall be determined by a royal decree. It is therefore necessary to enact this Royal Decree.

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