

CONSTITUTION OF THE KINGDOM OF THAILAND
(INTERIM),
B.E. 2557
AMENDMENT (NO. 2),
B.E. 2559 (2016)

BHUMIBOL ADULYADEJ, REX.
Given on the 21st Day of March B.E. 2559;
Being the 71st Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:
Whereas it is expedient to amend the Constitution of the Kingdom of Thailand
(Interim), B.E. 2557 (2014);

Be it, therefore, enacted by the King the Constitution of the Kingdom of
Thailand (Interim), B.E. 2557 Amendment, as follows:

Section 1. This Constitution is called the “Constitution of the Kingdom of
Thailand (Interim), B.E. 2557 Amendment (No. 2), B.E. 2559 (2016)”.

Section 2. This Constitution shall come into force as from the day following
the date of its publication in the Government Gazette.*

Section 3. The provisions of section 39/1 paragraph three of the Constitution
of the Kingdom of Thailand (Interim), B.E. 2557 (2014), as amended by the Constitution of the
Kingdom of Thailand (Interim), B.E. 2557 Amendment (No. 1), B.E. 2558 (2015) shall be repealed
and replaced by the following:

“When the Constitution Drafting Committee completes the draft Constitution,
it shall notify the Council of Ministers and the National Legislative Assembly, and the Council
of Ministers shall notify the Election Commission expeditiously, so that a referendum may be

* Published in the Government Gazette, Vol.133, Part 25 Kor, Page 1, dated 22nd March B.E.
2559.

held under this section. Accordingly, the Constitution Drafting Committee shall prepare an explanation of the essential matters of the draft Constitution by summarizing in a way which the people can understand the substantive contents of the draft Constitution conveniently, and shall submit to the Election Commission within fifteen days as from the day following the date the notification is made to the Council of Ministers.”

Section 4. The following provisions shall be added as paragraph four, paragraph five, paragraph six, paragraph seven, paragraph eight, paragraph nine, paragraph ten, paragraph eleven and paragraph twelve of section 39/1 of the Constitution of the Kingdom of Thailand (Interim), B.E. 2557 (2014), as amended by the Constitution of the Kingdom of Thailand (Interim), B.E. 2557 Amendment (No. 1), B.E. 2558 (2015):

“It shall be the duty of the Election Commission to proceed to hold a referendum and announce the result of the referendum, and to publish the draft Constitution and the explanation of the essential matters of the draft Constitution under paragraph three for dissemination by any means, so that all people may have convenient access and knowledge.

The rules, procedure and the prescription of the time to hold the referendum, the qualifications and prohibitions of a person having a right to cast a vote at the referendum, the dissemination of the draft Constitution and the explanation of the essential matters of the draft Constitution, the casting of a vote in the referendum, the counting of ballots, the voided ballot, and the announcement of the result of the referendum shall be as provided by law.

The qualifications and prohibitions of a person having a right to cast a vote at the referendum shall be similar to the qualifications and prohibitions of a person having a right to vote in the last general election prior to the date this Constitution comes into force, except for the part concerning age, where a person who is not less than eighteen years old on the date of the referendum shall be a person having the right to cast a vote at the referendum.

In the arrangement for the referendum under this Constitution, voting shall determine whether to approve or disapprove the entire draft Constitution, whereby votes shall be cast on the same day throughout the Kingdom. In this regard, the National Legislative Assembly may pass a resolution to present not more than one other issue which is appropriate for the Election Commission to hold an additional referendum to determine whether to approve or disapprove of such issue on the same occasion. However, such submission shall be made in not more than ten days as from the day following the date the notification has been received from the Constitution Drafting Committee under paragraph three. For this

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purpose, the National Legislative Assembly shall receive the opinion of the National Reform Steering Assembly for consideration.

The Election Commission shall announce a date for the referendum, which shall be not sooner than ninety days but not later than one hundred and twenty days as from the day following the date the Constitution Drafting Committee submits the explanation of the essential matters of the draft Constitution to the Election Commission under paragraph three.

Subject to paragraph twelve, if in the referendum under this section there are more votes to approve the draft Constitution than the votes to disapprove the draft Constitution, the Prime Minister shall respectfully present the draft Constitution to the King within thirty days as from the date the result of the referendum is announced and when the King has put the Royal Signature thereto, it shall be published in the Government Gazette and then come into force. In this regard, the Prime Minister shall countersign the Royal Command.

Before the Prime Minister respectfully presents the draft Constitution to the King under paragraph nine, the Constitution Drafting Committee shall proceed to adjust the preamble of the draft Constitution to be complete and in accordance with the result of the referendum.

In the case where the King withholds His Royal Assent to the draft Constitution and either returns it or does not return it within ninety days, the draft Constitution shall lapse.

Section 39 shall apply *mutatis mutandis* to the performance of duties of the Constitution Drafting Committee, and in the case where the National Legislative Assembly submits an additional issue, section 37/1 shall apply *mutatis mutandis*, provided that the majority vote in the vote to approve or disapprove of the issue shall be determinative, and such matter need not be submitted to the Council of Ministers for approval, and the power and duty of the Constitution Drafting Commission shall be the power and duty of the Constitution Drafting Committee”.

Countersigned by

General Prayut Chan-o-cha
Prime Minister

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