

Thailand: Deportation Act B.E. 2499 (1957)

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Comments This is an unofficial translation. This Act was published in the Royal Thai Government Gazette dated 7 July 1964. This document only contains selected provisions.

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Section 5

When it appears necessary in the interests of public peace and order or morals, the Minister shall have the power to order the deportation of aliens from the Kingdom for such period as may be found proper. Moreover, when the circumstances have changed, the Minister may withdraw a deportation order. The provisions of the first paragraph shall not apply to those who have held Thai nationality by birth.

Section 6

Upon issuance of a deportation order, the Minister or officer delegated by the Minister shall order the arrest and detention at any place of the person to be deported until arrangements are made to carry out the deportation order. While applying to the Minister for a deportation order against any person, the ranking administrative officer or police officer may arrest and detain such person. In such case, the provisions on arrest and detention of the Criminal Procedure Code shall apply mutatis mutandis.

Section 7

No person under a deportation order may be deported from the Kingdom before the expiration of fifteen days from the date notice of the deportation order has been given to the person to be deported. In the event of an appeal under Section 8, deportation shall be suspended until the President of the Council of Ministers has acted on the appeal.

Section 8

A person ordered deported shall have the right to appeal to the President of the Council of Ministers to withdraw the deportation order or not to be sent from the Kingdom but such appeal must be filed within seven days from the knowledge of the deportation order. The President of the Council of Ministers shall have the power to order the cancellation of the deportation order, or its mitigation in any other respect or order that the person be sent to any place to work instead of deportation as he may think fit. A penal bond may be required.

Section 9

If a problem arises concerning the nationality of a person to be deported, such person shall be obliged to present evidence proving he is of Thai nationality or was of Thai nationality by birth.

Section 9 bis

Whoever escapes from detention under Section 6 shall be liable to imprisonment for not more than three years or a fine of not more than six thousand baht or both. If the offence stated in the first paragraph is committed by breaking out of the place of detention by means of violence or threats of violence or by the concerted action of three or more persons, the offender shall be liable to imprisonment for not more than five years or a fine of not more than ten thousand baht or both.

Section 9 ter

Whoever does anything to free a person from detention under Section 6 shall be liable to imprisonment for not more than five years or a fine of not more than ten thousand baht or both. If the offence stated in the first paragraph is committed by violence or the threat of violence, the offender shall be liable to a penalty heavier than that prescribed in the first paragraph by one half.

Section 9 quater

Whoever gives lodging to, hides or aids in any way a person who has escaped from a place of detention under Section 6 so that such person may not be arrested shall be liable to imprisonment for not more than three years or a fine of not more than six thousand baht or both. If the offence stated in the first paragraph is committed to assist the offender's father, mother, child, or spouse, the court may impose no penalty.

Section 9 quinque

Whoever, being an official with the duty to watch over a person in detention under Section 6, does anything to free the person from detention shall be liable to imprisonment from one to seven years and a fine of two thousand to fourteen thousand baht. If the offence stated in the first paragraph is committed through negligence, the offender shall be liable to imprisonment for not more than two years or a fine of not more than four thousand baht or both.

Section 10

Whoever having been deported from the Kingdom returns before the expiration of the period stipulated in the deportation order or before the Minister orders the cancellation of the deportation order shall be subject to imprisonment for not more than one year and shall be deported from the Kingdom under the original deportation order.

Section 11

Whoever, in mitigation of a deportation order, has been ordered and sent to work in any place instead of deportation under Section 8 does not go or does not remain to work at such place in conformity with the order shall be subject to imprisonment for not more than one year. In such case, the Minister may also order deportation.

Section 12

The Minister of Interior shall be in charge under this Act.

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