

Identity Card Act B.E. 2526 (1983)

**Prepared by
Center for Translation and Language Services,
Research Institute for Languages and Cultures of Asia,
Mahidol University**

Identify Card Act B.E. 2526 (1983)

BHUMIBOL ADULYADEJ, REX.

Given on the 29th Day of March B.E. 2526;

Being the 38th Year of the Present Reign.

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

Whereas it is deemed expedient to revise a law governing identity cards,

Be it, therefore, enacted by the King, by and with the advice and consent of the National Assembly, as follows:

Section 1 This Act shall is called the “Identity Card Act, B.E. 2526”.

Section 2¹ This Act shall come into force as from the day following the date of its publication in the Government Gazette.

Section 3 The Identity Card Act B.E. 2505 (1962) shall be repealed.

Section 4 In this Act:

“Card” means an identity card;

“Card holder” means a person whose name appears as the owner of the card;

“House registration” means a house registration according to the law on civil registration;

“Card issuing official” means a person appointed by the Minister for the execution of this Act;

¹ Published in the Government Gazette Vol. 100, Part 62, Special Issue, page 1/20, April B.E. 2526 (1983).

“Card inspection official” means a person appointed by the Minister for the execution of this Act.

“Competent official” means a person appointed by the Minister for the execution of this Act.

“Minister” means the Minister who has charge and control of the execution of this Act.

Section 5² A Thai who has attained seven years of age but not yet completed seventeen years of age and whose name appears in a house registration shall acquire a card as required by this Act.

The provision in Paragraph one shall be applied to exempted persons prescribed by the Ministerial Regulation.

Persons exempted by the Ministerial Regulation in Paragraph two who have an identification card pursuant to other laws may use the said identification card instead.

Persons who are over seventeen years of age and exempted persons prescribed by the Ministerial Regulation may apply for a card.

Section 6³ A person who is required to acquire a card under Section 5 shall file an application for a card to the competent official within sixty days of the day:

- (1) the said person attains seven years of age;
- (2) a person who has not acquired Thai nationality by birth or has recovered Thai nationality according to the Nationality Act, such person acquires Thai nationality;
- (3) the said person’s name is added in a house registration according to the Civil Registration Act;
- (4) the exemption period has expired.

Section 6 *bis*⁴ A card shall be valid from the issuance day and shall be valid for eight years from the birthday of the card holder after the issuance day.

A card that has not yet expired on the day the card holder attains seventy years of age shall remain valid for the life of the card holder.

²Section 5 as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

³Section 6 as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

⁴Section 6 *bis* as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

Section 6 *ter*⁵ A card holder shall file an application for renewal with the competent official within sixty days of the day the card expires.

A card holder may apply for a new card before the old card expires by filing an application with the competent official within sixty days of the expiry date of the old card.

Section 6 *quater*⁶ A card holder shall change or apply for a new card, as the case may be, by filing an application with the competent official within sixty days from:

- (1) the day the card is lost or destroyed;
- (2) the day the card is substantially damaged;
- (3) the day his name or surname is changed or his name or surname is changed on the house registration.

Any card holder who changes address may apply for a new card.

Section 6 *quiquies*⁷ The Minister may extend the time limits stipulated in Section 6, Section 6 *ter* or Section 6 *quater* as necessary for any locality or any person by publishing the announcement in a Government Gazette.

Section 6 *sexies*⁸ A father, mother, guardian or a person who has custody of a child who is not yet fifteen years of age shall be responsible for applying the card under Section 6 or applying the new card under Section 6 *tetra* for the said child. But it shall not be deemed prejudicial to the right of the said child to file the application by himself.

Section 7⁹ The size, color and design of the card, including its descriptions and details shall be as prescribed in the Ministerial Regulations. And the card shall at least contain the following descriptions:

- (1) Name; surname; day, month and year of birth; address according to the house registration; photo and identity number of the card holder; the card may or may not contain the details of the religion or religious sect or religious cult of the card holder;

⁵Section 6 *ter* as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

⁶Section 6 *quater* as amended by the Identity Card Act (No. 2) B.E. 2542 (1999)

⁷Section 6 *quiquies* as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

⁸Section 6 *sexies* as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

⁹Section 7 as amended by the Identity Card Act (No. 2) B.E. 2542 (1999)

(2) Signature or signature seal and insignia of the card issuing official and the issuance date.

Section 7/1¹⁰ Other than the details prescribed in Section 7, the card may contain a memory unit for recording other information about the card holder but such recorded information shall not be disclosed to persons or agencies not responsible for providing or collecting the said information; except for general information as appears on the card; or disclosing of the said information to agencies that require the said information with the consent of the card holder and for the benefit of the card holder or state or public order.

Section 8¹¹ The application for a card, new card, card change and issuance of a card, receipt and receipt duplicate shall be in accordance with the form, criteria and methods prescribed in the Ministerial Regulation.

In case the competent official is unable to issue a card to an applicant within the same day, a receipt shall be issued to the applicant.

The receipt or receipt duplicate shall be usable as a card during the duration specified on the receipt or receipt duplicate and the receipt or receipt duplicate shall be jointly used with the old card, except in case of applying for a card for the first time or lost card or card totally destroyed.

Section 9 When a card holder loses Thai nationality for whatever reason, the said card holder shall immediately lose his right to use the card and shall return the card to the competent official in the locality that his name appears in a house registration within thirty days from the day he loses Thai nationality.

Section 10¹² Subject to Section 7/1, a person who has a direct interest may seek permission to inspect descriptions or information pertaining to a card and ask the competent official to make a copy or provide a certified copy of such descriptions or information according to criteria, methods and conditions prescribed by the Ministerial Regulations.

Section 11¹³ Upon the expiration of the time limit for application of the card under Section 6, a person who is required to acquire the card under Section

¹⁰Section 7/1 as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

¹¹Section 8 as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

¹²Section 10 as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

¹³Section 11 as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

5 and is fifteen years of age or older or a person who is required to file an application on behalf of a child under Section 6 *sexies*, as the case may be, fails to apply for the card shall be liable to a fine not exceeding one hundred baht.

Upon the expiration of the time limit for application of a card under Section 6 *ter* Paragraph one or application for a new card or card change under Section 6 *quater* Paragraph one, a card holder who is fifteen years of age or older or a person who is required to file an application for a card under Section 6 *sexies*, as the case may be, fails to apply for a new card shall be liable to a fine of not exceeding one hundred baht.

In case of Paragraph one or Paragraph two as abovementioned, if a person who is required to have a card or a card holder is not yet fifteen years of age and has already filed an application by himself, the persons who are responsible for filing the application on behalf of the child under Section 6 *sexies* shall not be liable to punishment.

Section 12¹⁴ Whosoever accesses or discloses information recorded in the memory unit under Section 7/1 that is not general information as appears on the card under Section 7 without consent of the card holder shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding one hundred thousand baht or to both, except for accessing or disclosing information under Section 10 or done in accordance with a court order or accessing information amongst government agencies that is necessary for the performance of their duties.

Section 13¹⁵ A card holder who loses his Thai nationality and

(1) fails to return the card or receipt or receipt duplicate under Section 9 shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding one hundred thousand baht or to both;

(2) uses or presents the card or receipt or receipt duplicate that he has lost his right to use under Section 9 shall be liable to imprisonment for a term not exceeding ten years and to a fine not exceeding two hundred thousand baht.

Section 14¹⁶ Whosoever

¹⁴Section 12 as added by the Identity Card Act (No. 3) B.E. 2554 (2011)

¹⁵Section 13 as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

¹⁶Section 14 as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

(1) files an application for a card without having Thai nationality by presenting false evidence or conceals the fact to the competent official shall be liable to imprisonment for a term of one year to five years or to a fine of twenty thousand baht to one hundred thousand baht or to both;

(2) gives information or presents false evidence to the competent official when applying for a card under Section 6 or applying for a new card under Section 6 *ter* or applying for a new card or card change under Section 6 *quater*, which is not the case under (1), shall be liable to imprisonment for a term not exceeding three years or to a fine not exceeding sixty thousand baht or to both;

(3) forges a card or receipt or receipt duplicate shall be liable to imprisonment for a term of one year to ten years or to a fine of twenty thousand baht to two hundred thousand baht or to both;

(4) uses or presents a card or receipt or receipt duplicate arising from offenses under (1,) (2) or (3) shall be punished according to punishment terms stipulated for such offenses;

If a person who commits an offense under (4) also commits an offense under (1), (2) or (3), he shall be liable to punishment for one count under (1), (2) or (3) only, as the case may be;

If a person who commits an offense or is an instigator or an abettor in the commission of the offense under (1,) (2,) (3) or (4) is the card issuing official, card inspection official or competent official, such person shall be liable to imprisonment for a term of three years to fifteen years and to a fine of sixty thousand baht to three hundred thousand baht.

Section 15 Whosoever takes a card or receipt or receipt duplicate belonging to another person to present himself as the owner of the card or receipt or receipt duplicate shall be liable to imprisonment for a term of six months to five years and to a fine of ten thousand baht to one hundred thousand baht.

Section 15 *bis*¹⁷ Whoever unlawfully takes away or possesses a card or receipt or receipt duplicate belonging to another person for his own benefit or the benefit of others shall be liable to imprisonment for a term not exceeding six months and to a fine not exceeding ten thousand baht.

Section 16 Whosoever allows another person to dishonestly use his card or receipt or receipt duplicate shall be liable to imprisonment for a term of three

¹⁷Section 15 *bis* as added by the Identity Card Act (No. 3) B.E. 2542 (1999)

months to three years or to a fine of five thousand baht to sixty thousand baht or to both.

Section 17¹⁸ A holder of a card or receipt or receipt duplicate who is fifteen years of age and older and unable to produce the card or receipt or receipt duplicate when requested to be inspected by the card inspection official shall be liable to a fine not exceeding two hundred baht.

Section 18 All applications filed under the Identity Card Act B.E. 2505 (1962) before the entry into force of this Act shall be deemed as having been filed under this Act.

Section 19 All cards and receipts issued under the Identity Card Act B.E. 2505 (1962) shall be deemed as cards or receipts issued under this Act. All expired cards shall remain valid until birthdays of card holders and such card holders shall apply for a card under this Act within ninety days from their birthday and Section 12 shall be applicable.

Section 20 All Ministerial Regulations and Notifications issued under the Identity Card Act B.E. 2505 (1962) which are in effect on the day this Act is published in the Government Gazette shall remain in effect insofar as they are not contrary to or inconsistent with the provisions of this Act until they are replaced by Ministerial Regulations or Notifications issued under this Act.

Section 21 A person who attains sixty five years of age before the entry into force of this Act and who is required to file an application to the competent official for the card under Section 5 shall file the application for the card under Section 5 to the competent official within ninety days from the day prescribed by the Minister as published in the Government Gazette.

The Minister may vary the age of the applicants from older to younger and the locality where the applicant can file the application by publishing its notification in the Government Gazette under Paragraph one.

Section 22 The competent official shall be empowered to settle all offenses under this Act which are only punishable with a fine when the offender pays the fine as fixed by the competent official within the prescribed time and the case shall be deemed settled under the Criminal Procedure Code.

¹⁸Section 17 as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

Section 23 The Minister of Interior shall have charge and control of the execution of this Act and shall have the power to appoint card issuing officials, card inspection officials and competent officials and to issue Ministerial Regulations prescribing fees not exceeding the rates hereto attached, grant exemption from fees and prescribe other Acts for the execution of this Act.

Such Ministerial Regulations shall come into force upon their publication in the Government Gazette.

Countersigned by:

General Prem Tinsulananda

Prime Minister

Rate of Fees¹⁹

(1) Card issuance under Section 6 <i>quater</i>	per item	100 baht
(2) Receipt Duplicate issuance	per item	10 baht
(3) Make certified copy of a card	per item	10 baht

Remarks: The grounds for promulgation of this Act are as follows:

¹⁹Rate of Fees as amended by the Identity Card Act (No. 3) B.E. 2554 (2011)

Due to the fact that the Identity Card Act that is currently in effect has been applicable for a long time and some provisions are not up to date and not compatible with the current circumstances, therefore, it is deemed appropriate to improve the Identity Card Act and necessary to enact this Act.

The Identity Card Act (No. 2) B.E. 2542 (1999)²⁰

Section 11 The Rate of Fees attached to the Identity Card Act B.E. 2526 (1983) shall be repealed and replaced by the Rate of Fees attached to this Act.

Remarks: The grounds for promulgation of this Act are as follows: it is expedient to amend the Identity Card Act to prescribe Thais to have an identity card for self-identification for the benefit of the card holders and the government by prescribing a time limit of sixty days for application of a card, new card or card change in all cases and in order for the people to obtain their cards more expeditiously and to facilitate the competent officials in performing their duties. In addition, it is expedient to increase the penalty for card related offenses because current identity card related offenses affect internal security and to amend the fee rates consistent with the amended provisions, therefore, it is necessary to promulgate this Act.

Identity Card Act (No.3) B.E.2554 (2011)²¹

Section 13 The fee rates attached to the Identity Card Act B.E.2526 (1983) as amended by the Identity Card Act (No. 2) B.E.2542 (1999) shall be repealed and replaced by the fee rates attached to this Act.

Section 14 All applications filed pursuant to the Identity Card Act B.E.2526 (1983) before the entry into effect of this Act shall be deemed applications filed pursuant to the Identity Card Act B.E.2526 (1983) as amended by this Act.

Section 15 All cards, receipts or receipt duplicates issued pursuant to the Identity Card Act B.E.2526 (1983) before the entry into effect of this Act shall remain valid until the expiry dates specified on the said cards, receipts or receipt duplicates.

²⁰Government Gazette Volume 116/Part 11 Kor/page 1/2 March B.E.2542 (1999)

²¹Government Gazette Volume 128/Part 43 Kor/page 64/11 May B.E.2554 (2011)

As for the cards, receipts or receipt duplicates pursuant to Paragraph one which are not yet expired, the holders of such cards, receipts or receipt duplicates who wish to have a new card pursuant to this Act shall file an application for a new card with the competent official without any fee charged.

Section 16 A person who is not required to have a card, or is exempted from having a card pursuant to the Identity Card Act B.E.2526 (1983,) shall be required to have a card pursuant to the Identity Card Act B.E.2526 (1983) as amended by this Act and the said person must apply for a card to the competent official within one year from the day this Act comes into effect.

In case of necessity, the Minister may announce an extension of time specified in Paragraph one.

Section 17 In the initial phase, but not more than two years, since this Act comes into effect pursuant to the provision of Section 5 Paragraph one of the Identity Card Act B.E.2526 (1983) as amended by this Act, this Act shall not be applicable to persons prescribed in the Ministerial Regulations but it shall not deprive the said persons of the right to apply for a card.

Section 18 All ministerial regulations and notifications issued pursuant to the Identity Card Act B.E.2526 (1983,) that were still in force before the date this Act came into force, are still in force if they are not contrary to or inconsistent with this Act, until such time ministerial regulations or notifications are issued pursuant to this Act.

Remark: Reasons for the promulgation of this Act are as follows. It is expedient to prescribe that all Thai persons must be required to have an identity card in order to identify themselves for the benefit of receiving public services from the government, therefore, the regulations and methods of issuance of identity cards are improved so that they are consistent with the technologies used by the government in providing different services to the population via identity cards for the benefit of the card holders. Thus, it is appropriate to amend laws governing an identity card consistent with the said reasons and current circumstances and necessary to promulgate this Act.

Wimol/improved
18 November 1983
Nattaporn/inspected
17 December 1983