

DEPORTATION ACT  
B.E. 2499 (1956)\*\*

---

BHUMIBOL ADULYADEJ, REX;  
Given on the 17<sup>th</sup> Day of January B.E. 2500;  
Being the 12<sup>th</sup> Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:  
Whereas it is deemed expedient to amend the law on deportation:  
Be it, therefore, enacted an Act by His Majesty the King, by and with the advice and consent of the National Assembly, as follows:

**Section 1.** This Act shall be called “Deportation Act” B.E. 2499

**Section 2<sup>1</sup>.** This Act shall come into force on the date after its publication in the Government Gazette.

**Section 3.** The Deportation Act, R.E. 131 (Rattanakosin Era) shall be repealed.

**Section 4.** In this Act :

“Alien” means any person who doesn’t hold Thai nationality.

“Minister” means the Minister in charge under this Act.

**Section 5.** When it appears necessary in the interest of public order or morals, the Minister shall be empowered to order a deportation of aliens from the Kingdom for a period as may be deemed appropriate. Moreover, when circumstances have changed, the Minister may revoke such deportation order.

---

\* Translated by Artra Khunthongjan under contract for the Office of the Council of State of Thailand's Law for ASEAN project. Initial Version – pending review and approval by the Office of the Council of State.

\*\* As amended up until Deportation Act (No.3), B.E. 2521 (1978)

<sup>1</sup> Government Gazette No.74/ Section 11/Page 295/ 29<sup>th</sup> January B.E. 2500.

The provision of the first paragraph shall not apply to those who have held Thai nationality by birth.

**Section 6<sup>2</sup>.** Upon issuance of a deportation order against any person, the Minister or the officer assigned by the Minister shall order an arrest and detention of such person at any place until the arrangements are made to carry out the deportation order.

Pending the application to the Minister for a deportation order against any person, administrative officers or senior police officers may arrest and detain such person. In such case, the provisions on arrest and detention of the Code of Criminal Procedure shall apply mutatis mutandis.

In the case where the execution of the deportation order has not been set ready for the deportee to be deported from the Kingdom yet, the Minister may, during the detention of the deportee and upon the deportee's request, issue an order allowing the deportee to be sent for work at any place instead of being detained as deemed appropriate. In such case, the deportee has to pledge a bond or pledge a bond with security or be paroled, and such deportee has to report at the place and time specified by the Minister. However, the interval between each report must not exceed six months.

**Section 7.** No deportee shall be deported from the Kingdom prior to the expiration of a period of fifteen days from the date where the notice of deportation order is served to the deportee.

In the event of an appeal under Section 8, the deportation shall be suspended until the Prime Minister has ruled.

**Section 8.** The deportee shall have the right to appeal to the Prime Minister to revoke the deportation order or not to be sent from the Kingdom but such appeal must be filed within seven days after the deportee is informed of the deportation order. The Prime Minister is empowered to issue a revocation of the deportation order, or order its relief in any other respects, or command that the deportee be sent for work at any place instead of being deported, as deemed appropriate. The deportee may, however, be released on parole.

---

<sup>2</sup> Section 6 was amended by Deportation Act (No.3), B.E. 2521.

**Section 9.** When there is a question related to the nationality of the person to be deported, such person shall have the burden of proof of his Thai nationality or his past acquisition of Thai nationality by birth.

**Section 9 bis**<sup>3</sup>. Whoever flees from detention under Section 6 shall be sentenced to imprisonment for not more than three years, or to a fine not exceeding ten thousand baht or both.

If the offence in the first paragraph is committed by breaking open the place of detention, by means of violence or threats of violence or by a concerted action of three or more accomplices, the offenders shall be sentenced to imprisonment for not more than five years or to a fine not exceeding ten thousand baht or both.

**Section 9 ter**<sup>4</sup>. Whoever does by any means to free a person detained under Section 6 from detention shall be sentenced to imprisonment for not more than five years or to a fine not exceeding ten thousand baht or both.

If the offence in the first paragraph is committed by means of violence or threats of violence, the offender shall be sentenced to a penalty more severe by one half than that prescribed in the first paragraph.

**Section 9 quater**<sup>5</sup>. Whoever accommodates, conceals or assists by any other means, a person who flees from detention under Section 6 in order that such person may not be arrested, shall be sentenced to imprisonment for not more than three years or to a fine of not exceeding six thousand baht or both.

Whoever provides accommodation for the person who flees from detention under Section 6 shall be presumed to have committed the offence in the first paragraph, unless the person could prove that he was unknowing, despite having exercised a sufficient care .

If the offence in the first paragraph is committed to help the father, the mother, the children, or the husband or wife of the offender, the Court may exempt the offender of punishment.

**Section 9 quinque**<sup>6</sup>. Whoever, being an official in charge of watching over a person in detention under Section 6, does by any means to free the person from detention shall be

---

<sup>3</sup> Section 9 bis was added by Deportation Act (No.2), B.E. 2507.

<sup>4</sup> Section 9 ter was added by Deportation Act (No.2), B.E. 2507.

<sup>5</sup> Section 9 quater was amended by Deportation Act (No.3), B.E. 2521.

<sup>6</sup> Section 9 quinque was added by Deportation Act (No.2), B.E. 2507.

sentenced to imprisonment from one to seven years and to a fine from two thousand to fourteen thousand baht

If the offence in the first paragraph is committed by negligence, the offender shall be sentenced to imprisonment for not more than two years or to a fine not exceeding four thousand baht or both.

If the offender in the second paragraph has managed to recapture within three months the person who was freed from detention, the penalty shall be cancelled.

**Section 10.** Whoever having been deported from the Kingdom, returns thereto before the expiration of a period specified in the deportation order or before the Minister issues a revocation of the deportation order, shall be sentenced to imprisonment for not more than one year and shall be subsequently deported from the Kingdom according to the original deportation order.

**Section 10 bis<sup>7</sup>.** Whoever having been allowed under the Minister's order to be sent for work at any place instead of being detained before the execution of the deportation order under the third paragraph of Section 6, refuses to go there or to work as assigned, shall be sentenced to imprisonment for not more than one year and shall be detained pending the arrangements of deportation according to the original deportation order.

**Section 11.** Whoever having been allowed under the Minister's order to be sent for work at any place instead of being deported under Section 8 does not go there or does not remain at work as ordered shall be sentenced to imprisonment for not more than one year. In such case, the Minister may also issue an order of deportation against him.

**Section 12.** The Minister of Interior shall be in charge under this Act.

Countersigned by  
Field Marshal Plaek. Pibulsongkram  
Prime Minister

---

<sup>7</sup> Section 10 bis was added by Deportation Act (No.3), B.E. 2521.