

PERSON'S NAME ACT,

B.E. 2505 (1962)**

BHUMIBOL ADULYADEJ, REX;

Given on the 15th Day of November B.E. 2505;

Being the 17th Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim;

Whereas it is expedient to improve the law on person's name;

Be it, therefore, enacted by the King, by and with the advice and consent of the Constituent Assembly under the status of a Parliament, as follows:

Section 1. This Act is called the "Person's Name Act, B.E. 2505 (1962)"

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

Section 3. There following shall be repealed:

- (1) Surname Designation Act, B.E. 2456 (1913);
- (2) Surname Designation Emergency Decree, B.E. 2465 (1922);
- (3) Surname Designation Act (No. 2), B.E. 2481 (1938);
- (4) Person's Name Act, B.E. 2484 (1941).

*Translated by Siam City Law Offices Limited 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 to the Person's Name Act (No. 3) B.E. 2548 (2005)

¹ Published in the Government Gazette, Vol. 79, Part 104, Special Volume Page 5, dated 23 November B.E. 2505.

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All other legal provisions, rules and other regulations, which have already been prescribed by this Act or are inconsistent or in conflict with this Act, shall be superseded by this Act.

Section 4. In this Act,

“First Name” means the designated name of the person;

“Middle Name” means the next name to the First Name;

“Surname” means the family’s name;

“Registrar” means the local registrar, the *Changwat*’s registrar, or the central registrar which the Minister has appointed to act pursuant to this Act;

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

Section 5. The person holding Thai nationality shall have a First Name and a Surname, and may also have a Middle Name.

Section 6². The First Name shall not resemble or intended to be similar to the King’s title, the Queen’s title or the title conferred by the King and shall not have an offensive term or meaning.

The Middle Name shall have no prohibited characteristic according to the first paragraph and shall not resemble the other person’s Surname, except for the case which the spouse uses the Surname of the other party or the child uses the previous Surname of the mother or father as his or her Middle Name.

The spouse may use the Surname of the other party as the Middle Name upon receiving consent from the other party.

Section 7. The person who has been conferred with a title, or the person who has previously been conferred with a title but has adjourned from such title without

² Section 6 as amended by the Person’s Name Act (No. 3), B.E. 2548 (2005).

having been removed, may use such title conferred by the King as his or her First Name or Middle Name.

Section 8. The Surname shall

(1) not resemble or intended to be similar to the King's title, or the Queen's title;

(2) not resemble or intended to be similar to the title conferred by the King, except for his or her own, or the ascendant's, or the descendant's title which was conferred by the King;

(3) not repeat the Surname conferred by the King or the registered Surname;

(4) not contain an offensive term or meaning;

(5) not comprise of more than 10 alphabetical letters, except where the title conferred by the King is used as a Surname.

Section 9. The person holding Thai nationality who intends to register the Surname shall file an application to the local Registrar in the area where he or she has his or her name on the household registry according to the civil registration law.

Upon the consideration and opinion of the local Registrar that the applied Surname formation does not violate this Act, such matter shall be dispatched to the central Registrar accordingly. Upon having the central Registrar's permission, the local Registrar shall accept the registration of such Surname and issue a letter to certify the Surname registration to the applicant. In case where any registration office can link the data with the central registration office's data network pursuant to the Ministry of Interior's notification, the local Registrar shall proceed with such matter without having received the approval from the central Registrar.³

The conduct under this section shall be in accordance with the criteria and method prescribed in the Ministerial Regulations.

³ Section 9 second paragraph as amended by the Person's Name Act (No. 3), B.E. 2548 (2005).

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Section 10. The Surname which has been validly registered in accordance with the law prior to this Act's enforcement shall be deemed as registered under this Act.

Section 11. The person who registers the Surname formation shall allow any person holding Thai nationality to share his or her Surname's usage. This can be made by filing an application to the local Registrar in the area where he or she has his or her name on the household registry according to the civil registration law.

The permission under this section shall be valid only upon the local Registrar's issuance of a letter showing the permission to use such Surname to the person who will use such Surname.

In case where the person who registers the Surname formation has passed away, the most immediate, surviving descendant to such person who registers the Surname formation and still uses such Surname, has the right to allow pursuant to the first paragraph.⁴

Section 12⁵. The spouse has the right to use the Surname of either party as agreed or each party is entitled to use his or her previous Surname.

The agreement pursuant to the first paragraph can be made upon marriage or during marriage.

The agreement pursuant to the first paragraph can be subsequently amended by the spouse.

Section 13⁶. Upon the end of marriage by divorce or the Court's annulment judgment of the marriage, the party who uses the Surname of the other party shall return to using his or her previous Surname.

⁴ Section 11 third paragraph as amended by the Person's Name Act (No. 3), B.E. 2548 (2005).

⁵ Section 12 as amended by the Person's Name Act (No. 3), B.E. 2548 (2005).

⁶ Section 13 as amended by the Person's Name Act (No. 3), B.E. 2548 (2005).

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Upon the end of marriage by death, the surviving party who still uses the other party's Surname has the right to continue using such Surname. However, upon his or her new marriage, such person shall return to use his or her previous Surname.

Section 14⁷. (Repealed)

Section 15. Regarding the child's benefactor or the owner of the clinic, foster home, or the childcare facility, who intends to register the Surname of the child which is under its care or the child in such place holds a Thai nationality but it does not appear whether there is any shared or separate Surname, there shall be filing of an application to the Registrar in the area where the benefactor has his or her name on the household registry according to the civil registration law or where such establishment is located. Also, the provision of section 9 second paragraph and third paragraph shall apply *mutatis mutandis*.

Section 16. The person with the First Name or Middle Name who wishes to change the First Name or Middle Name may file an application to the Registrar in the area where he or she has his or her name on the household registry according to the civil registration law. Upon the Registrar's opinion that the requested First Name or Middle Name change is not in conflict with this Act, the Registrar shall allow and issue a certificate showing such name change.

Section 17. The person who already has a Surname and wishes to have a new Surname, may file an application to the local Registrar in the area where he or she has his or her name on the household registry according to the civil registration law. Also, the provision of section 9 second paragraph and third paragraph shall apply *mutatis mutandis*.

Section 18. In case the Registrar issues an order refusing to register the Surname, the Surname registration applicant has the right to appeal the order of the

⁷ Section 14 has been repealed by the Person's Name Act (No. 3), B.E. 2548 (2005).

Registrar to the Minister within thirty days from the order receipt date by filing the appeal to the local Registrar.

The Minister's decision shall be final.

Section 19. Any person who wishes to use his or her own title conferred by the King, or of the ascendant or the descendant, as a Surname, shall file an application to the local Registrar in the area where he or she has his or her name on the household registry according to the civil registration law. The local Registrar shall dispatch such matter to the central Registrar accordingly.

Upon the central Registrar's consideration in favour of such matter, such matter shall be proposed to the Minister for presenting to the King. Upon receiving the King's approval, the local Registrar shall register such Surname and issue a certificate showing such Surname registration to the applicant.

Section 20. The Minister of Interior shall have charge and control of the execution of this Act and shall have the power to appoint the Registrar and issue Ministerial Regulations for setting the fee rate which shall not exceed the rate prescribed by this Act and designate other matters for the execution of this Act.

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

Countersigned by

General S. Tanaratch

Prime Minister

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Fee rates⁸

(1)	Issuance of a certificate showing the First Name or Middle Name change	100 baht per copy
(2)	Issuance of a certificate showing the Surname formation registration	200 baht per copy
(3)	Issuance of a certificate showing the Surname change registration	
a.	Change of Surname due to marriage	
i.	First change after the marriage registration or change due to the end of marriage	Free of charge
ii.	Other subsequent changes	100 baht per copy
b.	Surname change due to other reasons	200 baht per copy
(4)	Issuance of a replacement certificate according to (1) (2) or (3)	50 baht per copy

⁸ The fee rates have been additionally amended by the Person's Name Act (No. 3), B.E. 2548 (2005).

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