ACT ON LEGISLATIVE DRAFTING AND EVALUATION OF LAW
B.E. 2562 (2019)

MAHA VAJIRALONGKORN BODINDRADEBAYAVARANGUN, REX.
Given on the 24th Day of May B.E. 2562;
Being the 4th Year of the Present Reign.

His Majesty King Maha Vajiralongkorn Bodindradebayavarangkun is graciously pleased to proclaim that:
Whereas it is expedient to have a law on legislative drafting and evaluation of law;
Be it, therefore, enacted by the King, by and with the advice and consent of the National Legislative Assembly serving as the National Assembly, as follows.

Section 1. This Act is called the “Act on Legislative Drafting and Evaluation of Law B.E. 2562”

Section 2. This Act shall come into force after 180 days from the date of its publication in the Government Gazette.¹

Section 3. In this Act:
“Rule” means the rule according to the administrative procedural law, the effects of which impose burdens on the people, or a refusal to comply resulting in punishment, restriction of rights, or impact on an individual’s status;
“Legislative drafting” means the drafting and deliberation in order to enact a new legislation, to repeal, reform, or amend an existing law;

¹ Translated by Mr. Narun Popattanachai, Krisdika Legal Counsel, Financial and Fiscal Law Division, Office of the Council of State. -Initial version- pending review and approval by the Office of the Council of State.


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“Impact assessment” means the assessment of any impacts, which may arise from a law;

“Evaluation of outcome” means the evaluation of the enforcement of a law and its rules, whether and to what extent the objective of that legislation has been achieved, whether or not it is worth the additional burdens imposed upon the State and the people, or whether and to what extent it caused other impacts, which result in injustice to the people;

“Government agency” means an agency that is part of the State, whether it be the government, state enterprise, public organisation, or in any other form, and whether it be an agency in the executive, legislative, or judicial branch, or an independent organisation, or the public prosecutor’s office;

“Stakeholder” means a person who has or may have rights or duties, or who bear or may bear the impact of a draft law, law, or rule; and has one of the following characteristics:

(1) a business operator, person, or group of persons, who has or may have rights or duties, or who bears or may bear the impact, including related organisations;

(2) a group of persons or community in the area, which bears or may bear the impact, including related organisations which have the objective to serve the interests of the aforementioned group of persons or community;

(3) a government agency, which has related missions or is responsible for the area, which bears or may bear the impact;

(4) a qualified person who has expertise in the said subject;

“Entity stakeholder” means an association or foundation that is established according to the Civil and Commercial Code, an assembly or juristic person which is called differently and established under a specific law which may bear the impact of the draft law;

“Central system” means the information technology system and its connected network, which are created in order to publicise the information relating to the legislative drafting and the evaluation of law including the accessibility to the provisions of the law by the people;

“Council of State” means the Council of State according to the law on the Council of State;

“Law Reform Commission” means Law Reform Commission according to the law on the Council of State;

“Office” means the Office of the Council of State.

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Section 4. The Prime Minister shall have charge and control of the execution of this Act and shall have the power to issue ministerial regulations for the execution of this act.

Such ministerial regulations shall come into force upon their publication in the Government Gazette.

Chapter 1
General Provisions

Section 5. A government agency shall have the laws to the extent of necessity and repeal or reform the laws that are no longer needed, or inconsistent with the present context, or hinder the livelihood or occupation without delay so that these laws will not be burdensome for the people.

The government agency shall ensure that people can conveniently access to the legislative texts and that people are able to easily comprehend and correctly act in compliant with the law.

Before every legislative drafting process begins, the government agency shall arrange a public consultation, analyse any potential impacts in a comprehensive and systematic manner, including publishing the result of the public consultation and the impact assessment, and take them into account in every step of the legislative drafting process.

In the legislative drafting process, a government agency shall adopt a permit system and the committee system to the extent of necessity, shall clearly prescribe the rules on the exercise of discretion by government officials, and the period of time for completing of each step prescribed in the law, including setting criminal penalties only for serious offenses.

The provisions in this Section shall be applied to the regulatory drafting process prescribed in the ministerial regulation mutatis mutandis.

Section 6. In enforcing a provision in a law that contains criminal sanction, administrative sanction, or other kind of enforcement that results in a detrimental impact upon the violator or disobedient, if the Court of Justice is of an opinion or agrees with the argument and the reasons put forth by a party who appears before the court that the provision is inconsistent with section 5 paragraph 1, yet it is not a constitutional issue which would fall under the jurisdiction of the Constitutional Court and the general meeting of the Supreme Court has not ruled on this particular

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issue, the Court shall submit the issue to the Chief Justice of the Supreme Court to propose to the general meeting of the Supreme Court for a ruling. In the meantime, the court may proceed with the case but postpone the judgment temporarily until there is a ruling from the general meeting of the Supreme Court. In the case that the general meeting of the Supreme Court Justices is of an opinion that the said provision is inconsistent with section 5 paragraph 1, the Court may either decide against imposing the criminal sanction or consider a lesser punishment than prescribed in the law. The ruling of the general meeting of the Supreme Court that the provision is inconsistent with Section 5 paragraph 1 shall be applied only to the cases that the Court of Justice have the jurisdiction to adjudicate. The government agency which has charge and control of the law shall undertake necessary steps to make the provision consistent with section 5 paragraph 1 without delay.

The provision in paragraph 1 shall be applied to the judicial proceeding of the Administrative Court *mutatis mutandis*. The power to make a ruling by the Chief Justice of the Supreme Court and the general meeting of the Supreme Court in paragraph 1 shall be vested in either the Chief Justice of the Administrative Court or the general meeting of the Supreme Administrative Court as the case may be.

The provision in paragraph 1 shall be applied to the judicial proceeding of the military court *mutatis mutandis*. The power to make a ruling by the Chief Justice of the Supreme Court and the general meeting of the Supreme Court in paragraph 1 shall be vested in either the Chief Justice of the Military Supreme Court or the general meeting of the Military Supreme Court as the case may be.

The implementation of provisions in paragraphs 1, 2, and 3 shall be in accordance with the rules of the general meeting of the Supreme Court, the rules of the Supreme Administrative Court, and the rules of the Supreme Military Court, as the case may be.

In this Section, the term “law” encompasses notifications or orders with similar effects or that were issued under the power of that law.

**Section 7.** When it is appropriate to do so, the Law Reform Commission may propose or give advice to the Council of Ministers regarding the enactment of ministerial regulations, the prescription of guidelines, or any other actions in compliance with this Act, including giving advice to government agencies regarding the compliance with this Act.

In the interests of undertaking according to sections 13, 14, and 16, the Law Reform Commission may prescribe guidelines for government agencies to follow.
When appropriate, the Law Reform Commission may write a report on the implementation of this Act and present it to the Council of Ministers for consideration.

Section 8. The fact that the government agency has complied with important provisions, but not every provision, of this Act does not mean that the draft legislation is invalidated.

In the case that the Law Reform Commission is of an opinion that an action of the government agency is not in compliance with or does not follow this Act, it may propose a corrective action plan for that government agency to follow. When the government agency has completed the corrective action plan, it shall be considered as having complied with this Act.

Section 9. In the case that a law specifically prescribes its own rules and procedure regarding the public consultation or the evaluation of law, the government agency in charge shall follow the relevant provisions of that law.

Section 10. In the case that this Act does not prescribe specific rules regarding any public notification or publication pertaining to this Act, the notification or publication through the information technology system of the government agency or other systems or means which are conveniently accessible to the public shall be deemed an action in compliance with this Act.

Section 11. The Electronic Government Agency (Public Organisation) is responsible for providing, maintaining, and developing a central database system according to the Office’s request for the following undertakings:

(1) conduct public hearing in support of legislative drafting and evaluation of law;

(2) disclose information on public consultation, impact assessment, and draft legislation, carried out by the government agency, including the draft legislations that the Council of Ministers proposed to the National Assembly;

(3) register stakeholders, whose opinions must be taken into account during legislative drafting and evaluation of law in (1);

(4) publish the list of laws and corresponding responsible state agencies for the purpose of evaluation of law, and disclose the results of evaluation of law conducted by these respective responsible government agencies; and,
(5) compile and publish the information on laws and subordinate rules for the purpose of creating the database in support of the undertakings in accordance with the provisions of Chapter 5 “Evaluation” and Chapter 6 “Accessibility of Law”;  
(6) offer a channel for receiving petitions or recommendations from related organisations or the public on whether or not to repeal, reform, or amend a law; and,  
(7) undertake other actions as prescribed by the Law Reform Commission.  
The central system in Paragraph 1 must at least be accessible for stakeholders and the public to express opinions, but must not have a feature that results in unnecessary disclosure of personal information.  
The Office shall be responsible for the management of the said central system.  
The government agency shall publish the necessary information, required to conduct public consultation, impact assessment, evaluation of law, on the central system, in accordance with the rules, procedure, and format jointly prescribed by the Electronic Government Agency and the Office.  

Chapter 2  
The necessity check, public consultation, and impact assessment  

Section 12. In the case that it is necessary to propose a draft legislation, the government agency shall demonstrate rationale and necessity for the draft legislation and analyse the information and evidence to show that it will not impose unnecessary burden upon the people; that it will be worth the burden upon the State and the people; and that there is no better measure or solution other than the proposed legislative measure.  

Section 13. A government agency shall conduct public consultation through the central system and, in addition, may use one or more of the following means as well:  
(1) public consultation through the government agency’s information technology system;  
(2) in-person meeting or workshop;  
(3) interview or focus group meeting;  
(4) questionnaire; and,  
(5) other means as the government agency sees fit.
Section 14. A government agency shall conduct public consultation based on the main ideas, principles, and important issues of the draft legislation. In addition, it must publish the means adopted, the time period open for consultation, as well as the relevant information, which shall include at least the followings:

(1) problem, cause(s) of the problem, and how the draft legislation can solve such a problem or is important to accomplish the related mission, including purposes of the draft legislation as well as the expected outcomes;

(2) explanations of the main ideas, principles, and important issues of the draft legislation presented in a simple, easily comprehensible language;

(3) persons who are or may be affected by the impacts or potential impacts of the legislation, whether it be the impacts on livelihood, occupation, or economic, social, environmental impacts or other important aspects; and,

(4) explanations of the rationale and necessity for introducing the permit system, committee system, or criminal punishment, including the rules or criteria on the exercise of discretion by government officials.

In the case that the government agency knows of the contact details of the stakeholders, it shall inform them of the actions taken according to paragraph 1 or may inform them of the publication in paragraph 1 via the central system or by direct notification as it sees fit.

Section 15. In the interests of public consultation, the Office shall take the registration of stakeholders via the central system. It may also add additional stakeholders to the list of stakeholders. It may also receive the list of stakeholders from the government agency in paragraph 2 to be added to the stakeholder list of the central system.

The government agency responsible for the implementation of law or the government agency which is planning to propose a draft legislation shall compile a list of stakeholders with details including their respective corresponding addresses and emails and inform the Office accordingly.

The registration and notification in paragraphs 1 and 2 respectively shall be carried out according to the guideline as prescribed by the Law Reform Commission.

Section 16. After conducting public consultation, the government agency shall incorporate the result of the consultation into the impact assessment and legislative drafting undertakings. The government agency ought to ensure that the result of the consultation includes important issues discussed, opinions or comments...
from all sides on those issues, and the decisions together with jurisdictions of those decisions whether or not to amend the rationale or principle(s) of the draft legislation.

Section 17. Regarding the impact assessment, the government agency shall do so in a comprehensive and systematic manner, taking the result of the consultation into account and produce an impact assessment report.

The impact assessment report in paragraph 1 shall be produced according to the guideline prescribed by the Law Reform Commission and approved by the Council of Ministers. Such guideline shall include at least the following components:

(1) reasons or explanations why the proposed legislation is necessary to carry out the stated mission;
(2) potential overlap(s) with other laws;
(3) potential restriction(s) on individual rights and liberty;
(4) burdens or hindrances of the proposed legislation to the people’s livelihood or occupation as a result of the proposed legislation;
(5) potential impacts on the economy, society, environment, and other important impacts;
(6) reasons to adopt the permit system, committee system, or criminal punishment, including the criteria on the exercise of discretion by government officials;
(7) responsible agency, the number of government officials, equipment, and budget required in the implementation of the law; and,
(8) remedial measures for the affected, if any.

Section 18. The government agency shall publish the summary report of the public consultation undertaken in accordance with section 16 and the impact assessment report in accordance with section 17 via the central system. If necessary, other means of publication may be used.

Section 19. In drafting a legislation that concerns national safety and security; that is not generally enforced upon the public; and, that is urgently needed in order to safeguard national interests regarding public safety, economic security, or disaster prevention; or that does not have any public impact, the fact that the responsible government agency has conducted a consultation meeting with other stakeholder government agencies is deemed to be in compliance with the public consultation requirements under this Chapter. To this end, the responsible government agency may or may not disclose the public consultation summary report or the impact assessment report as necessary.

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Section 20. The House of Representatives, the Senate, or a joint sitting of the National Assembly may pass a resolution or enact a set of rules on public consultation or impact assessment of draft legislation to be conducted prior to or during the parliamentary deliberation, as it sees fit.

Chapter 3
The substantive check of draft legislation

Section 21. A government agency must check and consider draft legislation according to the following criteria:

(1) must be congruent with the Constitution and in the case of draft primary law or legal code, it must not be inconsistent or incompatible with the organic acts;

(2) must not be inconsistent or incompatible with the national strategy plan and the national reform plan;

(3) must be consistent with the principles of good governance;

(4) repeal or amend any laws, which are no longer necessary, inconsistent with the current context, or obstruct the livelihood or occupation so that they do not create unnecessary burden for the public;

(5) refrain from using the permit system, except for when it is necessary to preserve the national or public interests, or for when there is an unavoidable necessity. In the case that it is necessary to adopt a permit system, the prescription of the time period or procedure for considering the permit applications must be cognisant of the principles and main ideas of the Government Permit Application Facilitation Act B.E. 2558;

(6) refrain from using the committee system, except for policy setting, supervision, regulation, or for other necessary situations. In the case that a committee system is used, it shall be stated unequivocally that any resolution reached by the committee shall bind the respective agencies of the ex officio committee members;

(7) any legislative provision empowering government officials to exercise discretion by issuing an administrative order or carrying out an administrative action shall be used only to the extent of necessity. In the case that such a provision is included, there shall be a set of rules on exercising discretion and the time period of exercising discretion shall also be included in the draft legislation;
(8) the following criteria shall be considered before setting criminal punishment for a wrongful act:

(a) the said act must gravely affect the national security, public safety, public order, or good morale, or have a public impact;
(b) there is no other measure that can be used to enforce the law efficiently and effectively to ensure compliance with the law;
(9) other criteria as prescribed by the Council of Ministers.

Section 22. A draft legislation that contains a criminal punishment, an administrative punishment, or other kind of enforcement that results in a negative impact upon the violator or disobedient, or containing a provision specifying that the permit application, permit granting, or the compliance of that law must be in accordance with the rules, procedures, or conditions, which will be subsequently prescribed, the said draft legislation must contain a provision prohibiting the enforcement of the aforementioned provisions in the way that cause a negative impact upon individuals until the government official is ready to be in compliant with the law or until the said rules, are enacted.

In the case that an act, except for an organic act, specifically requires the enactment of secondary instrument or any action to be taken by the State so that people can comply with the law or benefit from the said law, and there has been no enactment of the secondary instrument or no action taken by the State in over two years from the date the said law comes into force, and the provision in the law imposes a burden or has a negative impact upon the people, it shall stop having effect. But if the said provision benefits the people, it shall continue having effect despite the absence of enactment of secondary instrument or action taken by the State. The Council of Ministers may extend the aforementioned period of two years for a period not exceeding one additional year and the resolution must be made before the expiration of the original period of two years.

In applying the provision in paragraph 2 above to a case, if the Court of Justice or the Administrative Court is of an opinion that the provision in paragraph 2 above should be applied or agree with the argument and the reasons put forth by one of the parties who appear before the court that the provision in paragraph 2 above should be applied, the court shall send the opinion to the Chief Justice of the Supreme Court to be decided by the general meeting of the Supreme Court or to the Chief Justice of the Supreme Administrative Court to be decided by the general assembly of the Supreme Administrative Court judges, as the case may be. In the meantime, the
court may proceed with the case but postpone the judgment temporarily until there is a decision from the general meeting of the Supreme Court Justices or the General Assembly of Judges of the Supreme Administrative Court, as the case may be.

Should the general meeting of the Supreme Court or the general assembly of the Supreme Administrative Court judges decide that any legal provision shall stop having effect according to paragraph 2 above, it shall publish its decision in the Government Gazette.

A decision in which a provision should stop having effect according to paragraph 4 shall not have prejudice against the court judgement which is deemed final, except in a criminal case where the person who has been convicted of an offence according to the said provision shall be considered as a person who has never been convicted of the said offence and the remaining punishment shall cease. Nevertheless, such decision shall not create the right to seek any remedies or damages.

In applying any provision in an organic act, if the court is of an opinion that the said provision is consistent with the characteristics described in paragraph 2 above or agree with the argument and the reasons put forth by one of the parties who appear before the court that the said provision is consistent with the characteristics described in paragraph 2 above, the court shall proceed according to paragraph 3. Should the general meeting of the Supreme Court or the general assembly of the Supreme Administrative Court judges decide that the provision of the organic act in question is consistent with the characteristics mentioned in paragraph 2 above, the court may not apply the said provision. The court shall notify the National Anti-corruption Commission or the President of the National Assembly, as the case may be, to act according to their respective duties and powers that are relevant to address the deliberate action in violation of the provision of the law.

Paragraphs 3, 4, 5, and 6 shall be applied to the cases proceeded before the military court mutatis mutandis. The Chief Justice of the Military Supreme Court shall send the matter to the Chief Justice of the Supreme Court to administer to proceed further.

When a law prescribes a period of time before it shall come into force counting from the date of its publication in the Government Gazette, the government agency responsible for the enforcement of the said law has the duty to prepare the draft rules without delay. In the case that the draft rules must be submitted to the Council of Ministers, the government agency may submit the said draft rules to the Council of Ministers before the law comes into force. In that case, the Council of

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Ministers shall have the power to approve the principle despite the fact that the law has not yet come into force.

The undertakings according to paragraphs 3, 4, 6, and 7 shall be in accordance with the rules prescribed by the general meeting of the Supreme Court, the general assembly of the Supreme Administrative Court judges or the general meeting of the Military Supreme Court, as the case may be.

**Section 23.** In the case that a draft legislation directs the rule to be enacted prescribing the criteria of exercising discretion, the said rule must be prescribed the way that discretion is exercised according to the following criteria:

1. not incompatible or against the important principles enshrined in the Constitution;
2. consistent with the principle of good governance;
3. consistent and comply with the law on administrative procedure;
4. adhering to the principles of reasonableness and proportionality between the public interests on the one hand and the restriction of the right, liberty, and individual interests on the other hand;
5. adhering to the principle of equality and non-discrimination.

**Section 24.** In order for the transparency and accountability of the exercise of discretion by a government official, a government agency shall produce a guideline on the exercise of discretion by the government official according to the criteria prescribed in section 23 in a timely manner and make it publicly available.

The guideline on the exercise of discretion in paragraph 1 may not be used in the way that causes a negative impact on individuals until it has been made publicly available.

Paragraphs 1 and 2 shall not be enforced against the exercise of discretion in the administration of justice or the court procedure, the proceeding conducted by public prosecutor, and the works of officials in the process of inquiry, investigation, enforcement, and deposit of property.
Chapter 4
The review of the result of public consultation and impact assessment

Section 25. In proposing a draft legislation or the principle of draft legislation to the Council of Ministers, the government agency shall present the following documents to the Secretariat of the Cabinet:

1. Draft legislation or the principle and gist of the draft legislation;
2. Summary report of the public consultation;
3. The impact assessment report.

Section 26. In reviewing a draft legislation, the Council of State or the Office shall bring the documents in section 25 into consideration and proceed as follows:

1. examine the necessity of the draft legislation. If the draft legislation is deemed unnecessary, the Office shall send the opinion and advice back to the Secretariat of the Cabinet in order to present the matter to the Council of Ministers for a review as it sees fit;
2. in reviewing a draft legislation, comply with the rules in Section 5 and Chapter 3 on the substantive check of draft legislation;
3. in the case that it is deemed appropriate to conduct an additional public consultation or re-assess the impacts of the law, the Office may do so by itself or inform the relevant government agency to do so.

Section 27. In proposing a draft legislation to the Parliament, the Council of Ministers shall submit the documents in Sections 25 (2) and (3) and Section 26 (3) to the Parliament for consideration and publish the said documents in the central system.
Chapter 5
The evaluation of outcome

**Section 28.** In this chapter, the term “law” is defined such as to include the Emergency Decree, notification or order with a similar effect or issued under the power of that law.

**Section 29.** The provisions in this chapter shall not apply to the following laws:

1. the law that had been in effect for a specific time period and that period already passed;
2. the law that prescribes a certain course of action and such action has already been carried out, for instance, the law on the adoption of a legal code, the eminent domain law, the law on the transfer of title in an asset, the law on establishing a court of law, the law on establishing a new province, the law relating to coinage, the printing of bank notes, or royal decorations, the law on prescribing military or police ranking, the law on university degrees, the law prescribing the degree initials, and the law prescribing academic qualifications;
3. the laws on the restructure of ministry, sub-ministry, and department or establishing a government agency but only when doing so that does not have an impact on the people;
4. the law that prescribes the features of the academic qualification badge, sign, or uniform; for instance, the law prescribing an academic robe, the law prescribing a government sign, and the law prescribing a uniform;
5. Legal Codes
6. other laws as prescribed in the ministerial regulation.

**Section 30.** The evaluation of outcomes shall be carried out at the same time for both the primary law and the subordinate rules enacted according to that law, in order to achieve the following goals:

1. having the law to the extent of necessity, by revoking or amending the laws which are no longer necessary, anachronistic, or inconsistent with the current context, or hinder the livelihood and occupation to not become a burden for the people;
(2) developing the law consistent with the international principles and obligations;
(3) reducing redundancy and conflict among various pieces of law;
(4) reducing inequality and ensuring social fairness; and,
(5) increasing national competitiveness.

In the case that a government agency in charge of enforcing the rule is of the opinion that such a rule causes a burden for the people or the violation of the rule will result in a punishment or the loss of right or impact on the individual status in a significant manner, there shall be a separate evaluation of outcomes of that particular rule.

In the case that the Law Reform Commission finds a rule as identified in paragraph 2, it may inform the responsible government agency of that rule in order to carry out a separate evaluation of outcomes for the said rule within the prescribed time period.

Section 31. The evaluation of outcome must be carried out in consistent with the principles in Chapter 1 “general provisions” and Chapter 3 “the substantive check of draft legislation” and must be cognisant of the following matters:
(1) the proportionality between the benefits obtained from a successful implementation of the law and the burden incurred by the people and resources expended on the implementation of the law;
(2) the statistics regarding legal proceedings and criminal prosecutions;
(3) the consistency and implementation of international obligations under the international law;
(4) other matters as prescribed by the Council of Ministers.

Section 32. The government agency that is responsible for enforcing a law shall be responsible for carrying out the evaluation of outcomes of that law. In the case that a law has more than one responsible government agency, the person who has charge and control of the said law shall assign the responsible Government agency to carry out the evaluation of outcomes.

In the case that a law has more than one party in charge and control, the assignment of the government agency to carry out the evaluation of outcome shall be done by consultation.

In the case that a law has no person who has charge and control, the Prime Minister shall assign the government agency to be responsible for the evaluation of outcomes of the said law.
The person who has charge and control or the Prime Minister is responsible for supervising and follow up on the evaluation of outcomes by the government agency.

Section 33. The person who has charge and control or the Prime Minister shall publish a list of the laws and the government agencies responsible for the evaluation of outcomes in section 32 in the central system within ninety days from the date that that law first comes into effect.

Section 34. The evaluation of outcomes shall be carried out at least every five years during the period of enforcement of that law or in other recurring time period as prescribed in the Ministerial Regulation or when one of the following cases applies:

(1) receive a petition or recommendation letter from relevant organisations or from the people and the Minister who has charge and control opines that such a petition or recommendation letter is reasonable;
(2) receive a recommendation from the Law Reform Commission;
(3) other cases as prescribed in the Ministerial Regulation.

The evaluation of outcomes of an Emergency Decree shall be carried out within 2 years from the date of the enforcement. The Emergency Decree which has already been enforced before this Act comes into force shall be evaluated according to paragraph 1 of this Section.

Section 35. In conducting the evaluation of outcomes, a government agency shall do so in accordance with the guideline prescribed by the Law Reform Commission and approved by the Council of Ministers and that is made publicly available in the central system.

When the result of the evaluation of outcomes indicates that a law does not produce the outcomes according to the objectives of that law, or the costs incurred outweigh the benefits received by the State or the people, or produces other impacts that cause grave injustice to the people, the responsible government agency shall repeal, reform, or amend the law promptly.
Chapter 6
Accessibility to Law

Section 36. In the people’s interest of accessibility to the provisions of law, the responsible government agency shall make the following information publicly available in the central system:

(1) the statutes and rules, within the scope of responsibility, that are complete and up to date;
(2) the translation of the law in the ASEAN official language;
(3) the succinct explanation of the gist of the law in the way that the people can easily understand
(4) the goal, objective, and extent of the enforcement of the law;

The rules in (1) include royal decrees, ministerial regulations, rules, regulations, notifications, circulars, orders, judgments, court or committee decisions, interpretations of law, legal advices and opinions, or guidelines, including documents or orders which are called differently that have effects on the enforcement of the law or the compliance with the law by state agencies or the people as prescribed by the Law Reform Commission.

The publication of the information about judgments or court decisions relating to a law shall be the duty of the government agency responsible for the enforcement of the said law.

In the case that the publication of the information in paragraph 1 may endanger or harm national security and safety or national interest or endanger the life or safety of any person, the government agency may decide not to publish some part or all of the details as prescribed by the ministerial regulation.

A law that does not have a directly responsible government agency shall fall within the scope of responsibility of the Office to act according to paragraph 1.

The actions in compliance with this section shall be in accordance with the rule, procedure, and format jointly prescribed by the Electronic Government Agency and the Office.
Transitory Provisions

Section 37. The Royal Decree on Review of Law B.E. 2558 shall continue to be in effect so long as it is not in conflict with this Act. When the guideline on the evaluation of outcomes in chapter 5 comes into force, the said Royal Decree shall stop having an effect.

Section 38. In the case that this Act prescribes an action that must be done via the central system but the central system has not been in operation, the action done via the information technology system of the government agency should be considered as the action done via the central system.

Section 39. In the initial phase:
(1) the two-year time period in Section 22 paragraph 2 for the laws that have already been in effect on the day immediately preceding the date that this Act comes into force, shall start counting from the date that this Act comes into force.
(2) the ninety-day period in Section 33 for the laws that have already been in effect on the day immediately preceding the date that this Act comes into force, shall start counting from the date that this Act comes into force.

Section 40. Any rules or resolutions of the Council of Ministers relating to public consultation and impact assessment for the purpose of the legislative drafting, which were in effect on the day immediately preceding the date that this Act comes into force, shall continue to be in effect so long as they are not in conflict with this Act, and unless and until there are the ministerial regulations, rules, procedures, formats or guidelines issued under this Act.

Countersigned by
General Prayuth Chan-Ocha
Prime Minister
NOTE: The reason for promulgating this Act is whereas it is expedient to prescribe the rules on the drafting of legislation, the rules for examining the necessity of enacting legislation, for conducting a public consultation, analysing any impacts that may occur from the law in the drafting of legislative acts and disclosing the result of the hearing and the analysis to the public. Furthermore, it is expedite to prescribe the rules for examining the substance of the draft legislation on a permit system, committee system, and the use of discretion by government officials, and the period of time for completion of any step prescribed in the law, and the rules on setting the criminal penalties for an effective legislative drafting process that will not impose a burden to the people, including to prescribe the rules on the evaluation of outcomes of the law in order to develop law that is up to date and consistent with the changing context of the society and to ensure that the law becomes more accessible and eligible to people. This is to be in consistence with the principles enshrined in sections 77 and 258 (1) of the Constitution of the Kingdom of Thailand (B.E. 2560), which will enhance the efficiency of the legislative drafting process and thus improve the quality of the law in a systematic manner.