

Let's get to know 'The Royal Decree on Review of Law, 2015'

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BLA : English Legal Journal

“**Reform**”, is the word we frequently hear from mass media. One of the Government’s objectives is to reform country’s out of date, overlapped or ineffective legislations by reviewing and repealing those laws.

“**The Law Reform Commission**”, which was authorised by council of state act B.E. 2522, is responsible in conducting research and reform Thailand’s laws. The Commission initiated the first draft of the Royal Decree on Review of Law, B.E. 2558 (2015) which recently came into force on 9th September 2015.

According to this Royal Decree, the Ministers in charge of each law shall be responsible for the review of that law. The essential elements of the Royal Decree on Review of Law, 2015 are as follows:

Obligation and Period of Review

1. The minister shall require all responsible organisations to make a list of all legislations that are under their responsibility and to inform the Law Reform Commission of those laws within one year from the date of the enactment of this law. (Section 13 paragraph 1)

2. The Minister in charge of each law has the power to review every five years following its enactment or the following circumstances:

- It is deemed appropriate to improve, revise or repeal the relevant law.
- Petitions or Recommendations has been made and approved of by the Minister.
- The Law Reform Commission makes recommendations toward responsible organisations.
- Such law has not been sufficiently active for more than three years after it came into force (Section 5)

3. Following 1., the Ministers shall inform the Commission of the year they intend to perform the review of the laws under their responsibilities.

a. For all laws which came into force on or before 9th September 2010, the period of review shall be no later than five years from this Royal Decree came into force.

b. For all other laws, the period of review shall be in five years since such laws came into force. (Section 13 paragraph 2)

The review process

The Ministers in charge of each law has the power to review those laws for reasons such as the following: a. The necessity of that law b. The changing of national or international social, economic, political, science or environment contexts. c. The reduction of administrative processes and the improvement to one-stop service (Section 9).

Law translation

The minister shall assign responsible organisations to translate all laws into English within 9th September 2017 and to publish via information technology system. (Section 13 paragraph 3) At the beginning, to achieve task may difficult to achieve because this is first time that agencies are required to review laws under their responsibility. More than that, to translate laws into English is necessary, but may need help from experts and may take a lot of time.

Nevertheless, if the measures under this law should prove to be successful, the number of Thailand’s legislations would reduce significantly. The remaining would be fair, practical and suitable with dynamic situations. This change would benefit the living standard of Thai people, foreign investment and ease of doing business in the private sector. Eventually, all of these values will directly contribute to our Thailand’s benefit.