



NATIONALITY ACT (NO. 2)

B.E. 2535 1992)

BHUMIBOL ADULYADEJ, REX.

Given on the 9th day of February, B.E. 2535

Being the 47th Year of the Present Reign

His Majesty King Bhumibol Adulyadej has been graciously pleased to proclaim that

Whereas it is expedient to amend the law on nationality

BE IT THEREFORE ENACTED BY THE KING, by and with the advice and consent of the National Legislative Assembly in the capacity of the National Assembly, as follows :

Section 1 This Act shall be called the “Nationality Act (No. 2), B.E. 2535”

Section 2. This Act shall come into force on and from the day following the date of its publication in the Government Gazette.⁽¹⁾

Section 3. The Amouncement of the Revolutionary Part No. 337 dated the 13th December, B.E. 2515 shall be repealed.

Section 4. The provisions of Section 7 of the Nationality Act, B.E. 2508 shall be repealed and replaced by the followings :

“Section 7 The following persons acquire Thai nationality by birth

(1) Published in the Government Gazette Vol. 109, No. 13 dated February 25, B.E. 2535 (1992).

(1) A person born of a father or a mother of Thai nationality, whether within or outside the Thai Kingdom

(2) A person born within the Thai Kingdom except the person under Section 7 bis paragraph one

Section 5. The following provisions shall be inserted as Section 7 bis of the Nationality Act, B.E. 2508

“Section 7 bis. A person born within the Thai Kingdom of alien parents does not acquire Thai nationality if at the time of his birth, his lawful father or his father who did not marry his mother or his mother was

(1) the person having been given leniency for temporary residence in the Thai Kingdom as a special case ;

(2) the person having been permitted to stay temporarily in the Thai Kingdom

(3) the person having entered and resided in the Thai Kingdom without permission under the law on immigration.

In case the Minister deems it appropriate, he may consider and give an order for each particular case granting Thai nationality to any person under paragraph one, which is to be in conformity with the rules prescribed by the Cabinet.

The person who was born within the Thai Kingdom and has not acquired Thai nationality under paragraph one shall be deemed to have entered and resided in the Thai Kingdom without permission under the law on immigration, unless an order is given otherwise according to the law on that particular matter.

Section 6. The provisions of Section 14 paragraph one shall be repealed and replaced by the followings

“Section 14. A person of Thai nationality who was born of an alien father and may acquire the nationality of his father according to the law on nationality of his father, or a person who acquires Thai nationality under Section 12 paragraph two, is required to make a declaration of his intention to opt for only one nationality and to notify

his intention to the competent official within one year after his attaining the age of twenty years, according to such form and in the manner as prescribed in the Ministerial Regulations. If no notification is made within the said period of time, that person is deemed to renounce Thai nationality, unless the Minister shall give an order otherwise for each particular case.

Section 7. The provisions of Section 15 paragraph one of the Nationality Act, B.E. 2508 shall be repealed and replaced by the followings :

“Section 15. Except in the case under Section 14, a person who has Thai nationality and other nationality, or acquires Thai nationality by naturalization shall, if he desires to renounce Thai nationality, file an application with the competent official according to such form and in the manner as prescribed in the Ministerial Regulations.”

Section 8. The provisions of Section 18 of the Nationality Act, B.E. 2508 shall be repealed and replaced by the followings :

“Section 18. When there exist circumstances suitable for maintaining the security or interests of the State, the Minister is empowered to revoke Thai nationality of the person who acquires Thai nationality under Section 7 bis paragraph two.”

Section 9. The provisions of Section 21 of the Nationality Act, B.E. 2508 shall be repealed and replaced by the followings :

“Section 21. A person of Thai nationality who was born of an alien father and may acquire the nationality of his father according to the law on nationality of his father shall lose Thai nationality if he obtains an alien identification card according to the law on registration of aliens.”

Section 10. The provisions of Section 7 (1) of the nationality Act, B.E. 2508 as amended by this Act shall also apply to the person who was born before the date of enforcement of this Act.

Section 11. The provisions of Section 7 bis of the Nationality Act, B.E. 2508 as amended by this Act shall also apply to the person who was born before the

date of enforcement of this Act except the one who has acquired Thai nationality by virtue of the Minister's order given under the Announcement of the Revolutionary Party No. 337 dated 13th December, B.E. 2515 before the date of enforcement of this Act.

The person who was born within the Thai Kingdom before the date of enforcement of this Act but did not acquire Thai nationality under paragraph one, may acquire Thai nationality according to Section 7 bis, paragraph two of the Nationality Act, B.E. 2508 as amended by this Act. The Minister may in this case give an order to effect the acquisition of Thai nationality in general or as a special case.

Section 12 The Minister of Interior shall take charge and control of the execution of this Act.

Countersigned by

Anand Panyarachun

Prime Minister