Legal Status Manual

Foreword

Over forty years ago, lack of legal status – citizenship and birth registration – for highland people was identified as a major future concern for both highlanders and the Royal Thai Government. H.M. the King took early leadership in calling for the need for both cultural and environmental sensitivity in the development of the mountainous regions of Thailand. Research by Thai and foreign scholars has expanded our knowledge of highland cultures and societies, while improved communication and educational access have allowed highland people to better articulate their needs to the broader society.

Nevertheless, problems still remain. Research by UNESCO has shown that lack of legal status is the single greatest risk factor for a highland girl or woman in Thailand – not from across the border – to be trafficked or otherwise exploited. Therefore, the UNESCO Trafficking Project has maintained an on-going awareness for highland legal status issues that are major sources of structural vulnerability.

We are particularly pleased to be able to partner with FACE and the Royal Thai Government to address these problems. UNESCO was able to undertake the project, Promoting Human Rights for Highland Minorities through Citizenship and Birth Registration, because of the continued generous support of the British Embassy, Bangkok.

The present manual is a revision and expansion of “Manual for Capacity Building on Birth Registration and Citizenship in Thailand, previously published by UNESCO. This manual was commissioned by UNESCO and implemented by FACE. It was prepared by Mr. Venus Seesuk, a recognized expert in the field, and Chief of the Civil Registration and Nationality Subdivision, Registration Administration Bureau, Department of Provincial Administration (DOPA), Ministry of Interior (MOI). This current manual was prepared after the amendment of both the civil registration and Nationality acts in 2008. New issues, such as the MOI’s directives on birth registration and the suspension of citizenship, are included. It is hoped that the new updated manual can be useful to government officials, NGOs, and community leaders seeking to improve registration processes for highland people.

David A. Feingold, Ph.D.
International Coordinator for HIV/AIDS and Trafficking Projects
Office of the Regional Advisor for Culture
UNESCO Bangkok
Chapter 1

Using Civil Registration Laws to Rectify Statelessness

Introduction

“Personality begins with the full completion of birth as a living child and ends with death” is the definition the beginning of human personality as stated in the Civil Code. However, this said state of personality is not enough to allow a person to live within the borders of the state in which s/he was born as a denizen of the state entitled to receive rights, freedom, protection and care under the country’s laws. If a person does not receive documentation and Civil Registration, s/he falls into the condition of a stateless person, or a person without Civil Registration, an outlaw. State and private agencies do not recognize such a person as a human according to Thai law and refuse to carry out all proceedings requested by him/her, regardless of whether or not the request is a basic human right or basic need in life. This whole situation arises because of a lack of any government documents stating their legal personality. There is no way to prove who this person is, no way to prove what their citizenship is, and no way to prove their domicile, their country, or their status. A tangible example is vagrant children from communities along the railway line in Nakhorn Ratchaseema province. They have no personal identification, do not receive education or healthcare, have no political rights or any other rights that all Thai people have, even though these children speak no language other than Thai.

Falling into the condition of statelessness or having no civil status inevitably makes a person nationalityless and void of human rights as a matter of course. Citizenship is abstract; it can be claimed, but is intangible unless recorded in government documents. The first document that is used to record a person’s status according to Thai law is a birth certificate or birth registry. Additionally, house registrations and Civil Registration records are documents which indicate the status of a person by family units. It is not necessary for family members in the same house registration to have the same civil status, because legal personality, particularly citizenship and residency rights, are determined by the conditions of nationality law and immigration law. Take, for example, the Apisakulpaisan family. The parents’ citizenship was revoked by effect of NEC 337, and they later received citizenship by the general provisions of the Ministerial Proclamation dated September 17th, 2004. As for their children who were born before February 26th, 1992, they received Thai citizenship by birth. The youngest daughter is still without Thai citizenship and has status of being a person who illegally entered Thailand because she was born after February 26th, 1992, so did not receive Thai citizenship by effect of Article 7 bis., clause 1. Yuthana Famawan is another case. He was recorded in a birth registry and in a house registration as a Vietnamese citizen even though he was born in Thailand and received Thai citizenship by birth. At the same time, his mother belongs to the group of people whose citizenship was revoked or did not receive Thai citizenship by effect of NEC 337.
Using Civil Registration Laws to Rectify Statelessness

From the past until the present, Civil Registration laws have contained a mandate regarding birth records for people born within the Kingdom of Thailand to serve as a record of the denizens of the country. In addition to this, it is mandated to have a registry of address change for persons who wish to change their domicile. The village headman is assigned to keep a continuously updated registry of villagers. In the past, Civil Registration took the form of assigning responsibility for Civil Registration to individual provinces and districts. This responsibility included designating various regulations and templates, until the Civil Registration Act was promulgated in 1956. Civil Registration procedural guidelines were then centralized in the Ministry of Interior.

Ever since the Ministry of Interior, by way of DOPA, began using the 13-digit identification number system to manage population in 1983, Civil Registration documents have been mandated to distinguish between types of people. In particular, birth certificates, death certificates, change of domicile notifications and house registrations have distinct forms for Thai citizens and persons without Thai citizenship. In practice, the discretion of the officials with legal authority is greatly limited. A number of factors contribute to this, such as misgivings and concerns about security, the misunderstanding that a person who receives Civil Registration documentation will thereby receive Thai citizenship, as well as simply misunderstanding the law. The effect of this is that some groups of people in Thailand do not receive birth registration or Civil Registration, the end result being that these people become stateless persons. For example, the children of Burmese, Laotian and Cambodian labourers who were born in Thailand before their parents were registered in the Tor. Ror. 18/1 records. Other examples are minority groups that have lived in Thailand for a long period of time but were overlooked by the government survey in 1999, or rootless people who do not have any proof of their parentage or birthplace, to name some.

Producing Civil Registration documents for all people who live in Thailand first became clear when the Civil Registration Act 2008 (Second Edition) was promulgated; it was announced in the Government gazette on February 25th, 2008 and effective as of February 23rd, 2008. The main principle of this law is that every one must be registered in order to prove identity, and have a 13-digit identification number, regardless of that person’s status, and regardless of whether they have or do not have Thai citizenship, whether they were born in Thailand or a foreign country, or residing legally or illegally in Thailand. If a person exists in Thailand, s/he can request the registrar to issue a Civil Registration document. The requirements, conditions and procedures of issuing Civil Registration documents for a person depend on the nationality and residential status of the individual person. For example, Thai citizens, as a matter of course, receive birth registration and a birth certificate and their name is added to a Tor. Ror. 14 house registration. Persons without Thai citizenship receive birth registration, a birth certificate and their name is added to a Tor. Ror. 13 house registration if they are the child of an alien with a legal right to reside in Thailand according to immigration law, or to a Tor. Ror. 18 A if their parents are illegal aliens. Receiving Civil Registration does not grant

1 Translator’s note: English transliterations have been used for the titles of Civil Registration documents and other government-issued documents; e.g., Sor. Dor. and Tor. Ror. However, with English
legal residency rights to a person, because residency rights must be in accordance with nationality law (Ministerial Regulations regarding Article 7 bis. of the Nationality Act 1965 amended {Fourth Edition} 2008) and immigration law, including the Cabinet Resolution regarding determining personal status for persons without Thai citizenship who reside in Thailand. A clear example is children who were born in Thailand since February 26th, 1992 to alien fathers who have permanent residency permits and are named in a Tor. Ror. 14 house registration, and mothers who have temporary residency rights (bearing a passport); children who did not receive Thai citizenship according to Article 7 bis., clause one and are considered to have illegally entered the country according to Article 7 clause three. As far as Civil Registration is concerned, these children receive birth registration and a Tor. Ror. 3 birth certificate, receive a 13-digit identification number beginning with 7, and their names are added to a Tor. Ror. 13 house registration. This is in contrast with children who were born in the same time period as the first example, but whose parents are illegal aliens. These children do not receive Thai citizenship according to Article 7 bis., clause one and are considered to have illegally entered the country according to Article 7 clause three, the same as the first group, but for Civil Registration, they receive birth registration and a Tor. Ror. 031 birth certificate, a 13-digit identification number beginning with 0, and do not get their name added to a Tor. Ror. 13 house registration, but to Tor. Ror. 18 A records instead, even though the status of the two children do not differ according to nationality law. This problem calls for speedy resolution.

**Recording personal Status in Civil Registration Documents**

**Birth registration:** All children born in Thailand, whether born to Thai citizens or aliens, whether abandoned children, disadvantaged children or children of unknown parentage, should receive birth registration according to Civil Registration law. The cases can be classified thus:

1. **Children Born in a Health Care Facility**

   The mother or father of the child requests a Tor. Ror. 1/1 delivery certificate from the government or private hospital or health care facility where the child was born. Afterwards, they take a copy of their house registration or Civil Registration records, personal identification card, and the Tor. Ror. 1/1 delivery certificate and submit a request for birth registration with the registrar within 15 days of the birth. The request is to be filed at the district or municipality where the hospital or health care facility is located. The registrar will issue a Tor. Ror. 1 or Tor. Ror. 2 birth certificate for children with Thai citizenship and a Tor. Ror. 3 for children without Thai citizenship (children of persons with a type 6 identification number and aliens who have received temporary residency rights), or a Tor. Ror. 031 for children without Thai citizenship whose parents are illegal aliens.

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transliteration, the difference between the Thai letters ก and ข (which are consecutive letters of the alphabet) is ambiguous and the translator has chosen to use the letters A and B respectively.
2. Children Born Outside Healthcare Facilities (Born in the home and outside the home)

The mother, father or householder of the house in which the birth took place or a designated person may register the birth.

If the child was born in an area or village outside of a municipality, then the birth must be reported to the village headman of the village where the birth took place within 15 days of the birth and request a receipt of birth notification, front part (Tor. Ror. 1 Ton Na). This is to be submitted to the district registrar in order to register the birth and issue a birth certificate.

If the child was born in a municipality that has a village headman, follow the same procedure as for a child born outside of the municipality, but submit the request to the municipal registrar in order to register the birth and issue a birth certificate.

If the child was born in a municipality that does not have a village headman, report the birth to the municipal registrar. Bring along the parents’ Civil Registration records and identification cards, and it is advisable to bring along the birth assistant or witness as well, in order for the registrar to register the birth and issue a birth certificate.

3. Registering children whose birth was not registered and who have since moved to another domicile

The parents or legal guardian with whom the child resides may register the birth. The birth report is to be made to the registrar at the district or municipality wherein the parents or legal guardian are named in the house registration. They must show either the Tor. Ror. 1/1 delivery certificate from the health care facility or the results of a DNA test. At least two reliable witnesses who can attest to the child’s identity must also go along. When the registrar has received the birth registration a birth certificate may be issued. In this instance the one reporting the birth must pay a fee of 200 baht.

4. Those whose name is not in a house registration because of not registering birth

If the applicant has not yet sui juris, a parent, guardian or the householder is responsible to retroactively register the birth. However applicants who are sui juris (20 years old or younger than 20 years old but legally married) may report the birth themselves. The application may be submitted to the registrar at the district or municipality where the concerned person was born, or where the parents or guardian reside. For a retroactive birth registration, the registrar must compile evidence to submit to the district officer to prove the person’s birth status and citizenship first.

- If a Thai citizen, the registrar will issue a Tor. Ror. 2 for the applicant.

- If not a Thai citizen, but eligible to have their name in a house registration (Tor. Ror. 13), the registrar will issue a Tor. Ror. 3 for the applicant.

- If not a Thai citizen because of being born outside the Kingdom, or if birth status and citizenship cannot be proved, the registrar will issue registration records as a person with a 13-digit identification number beginning with 0.
5. Abandoned children, vagrant children, children of unknown parentage or rootless children

1) Newborn infants or innocent children aged approximately not more than 7 years who are abandoned: Whoever finds the child must report to the police, administrative officials (the district deputy), or officials from the Ministry of Social Development and Human Security in the locality where the child was found. Social Development and Human Security officials will report the birth at the registration bureau in the locality of the Social Development and Human Security agency. The registrar will compile evidence and submit it to the district officer to prove the child’s birth status and citizenship. If there is evidence that the child was born in Thailand, the registrar will issue a birth certificate and add the child’s name to a house registration, but if there is not evidence that the child was born in Thailand, the registrar will issue registration records as a person with a 13-digit identification number beginning with 0.

2. Vagrant children, orphans, children of unknown parentage or abandoned children who are not older than 18 years: If the child is in the care of a government orphanage, or a private orphanage that is listed by the Ministry of Interior, the head of the agency may report the birth at the registrar in the district where the agency is located. If s/he is not able to report the birth personally, they may appoint someone else to report the birth on their behalf. If there is evidence that the child was born in Thailand, the registrar will issue a birth certificate and add the child’s name to a house registration, but if there is not evidence that the child was born in Thailand, the registrar will issue registration records as a person with a 13-digit identification number beginning with 0.

6. Children born in a refugee camp or war refugee camp

The territory on which a refugee camp or war refugee camp is situated is the territory of the Kingdom of Thailand. When a child is born in a refugee camp or a war refugee camp, the birth is a birth within Thailand. The process for registering a birth then proceeds according to Article 18 of the Civil Registration Act 1991. The person responsible for reporting the birth is the householder of the house where the birth occurred, or the father or mother. However, because refugee camps are restricted areas that do not allow refugees to leave the area, previously the only birth certification for a child born in one of these camps was merely a Tor. Ror. 1/1 issued by the healthcare workers stationed in the camp. The district deputy, who is responsible as the camp commander signs the Tor. Ror. 1/1 to verify it. However, Civil Registration law does not deny birth registration and the issuing of birth certificates for any child born in Thailand. Additionally, for Civil Registration procedures in various districts, the district registrar (district officer) appoints all district deputies as assistants to the district registrar. A district deputy who has the responsibility of camp commander and has also been appointed as district registrar assistant naturally has the authority to receive a birth report and issue a birth certificate for children born in a refugee camp or war refugee camp. The birth certificate issued will be a Tor. Ror. 031 type and the 13-digit identification number will begin with 0, the same as for the children of illegal aliens.

Adding a name to house registration can be carried out through the birth registration process. When the birth certificate has been received, the registrar may add the child’s...
name to the house registration. Alternately, the process for requesting to add a name to
the house registration may be used. When the application is approved, the applicant’s
name will be added to the house registration. Both persons with Thai citizenship and
persons without Thai citizenship may apply for a house registration, but they must be
persons with permission to reside temporarily or permanently. Persons who have been
granted leniency for temporary residence in Kingdom as a special case for a period of
no more than 5 years and those who do not have a right to reside in Thailand can enter
the Civil Registration process through Civil Registration records, either Tor. Ror. 18 or
Tor. Ror. 18 A, depending on the case.

Issuing Civil Registration records is carried out only in the case of persons
who have been granted leniency for temporary residence in Kingdom as a special
case and aliens who have illegally entered the Kingdom, as well as their children born in
Thailand who do not receive Thai citizenship. It may be conducted through the birth
registration process, requesting to add a name to house registration, or through a
registration bureau survey.

As for the cases of various types of underprivileged children, whether abandoned
children, vagrant children or children of unknown parentage, they are all eligible to enter
the Civil Registration by requesting to add a name to house registration or by issuing
Civil Registration records, as per the following information.

1) The caregivers of newborn infants or abandoned children who are aged
approximately no more than 7 years may submit application at the registrar of the district
where the applicant is domiciled. If there is evidence that the child was born in Thailand,
the registrar will add the child’s name to a house registration, but will not issue a birth
certificate. If there is no evidence that the child was born in Thailand, the registrar will
issue registration records and designate a 13-digit identification number.

2) Private orphanages not listed by the Ministry of Interior that are caring for
children aged no more than 18 are not able to report the birth of a child in the orphanage.
The head of the agency may, however, submit application to add the child’s name to the
house registration of the orphanage at the district registrar where the applicant is
domiciled. If there is evidence that the child was born in Thailand, the registrar will add
the child’s name to a house registration, but will not issue a birth certificate. If there is no
evidence that the child was born in Thailand, the registrar will issue registration records
and designate a 13-digit identification number.

3) Vagrant children, parentless children who may be called “rootless children”,
regardless of whether or not they are in the care of an individual or agency, are able to
possess Civil Registration evidence because rootless children are a people group with
personal status and rights problems that must be rectified according to the Cabinet
Resolution on January 18th, 2005. They must be surveyed according to the regulations,
method and within the timeframe determined by DOPA. Those surveyed will be recorded
in Civil Registration records and receive a 13-digit identification number.
Summary

Under the Civil Registration Act (Second Edition) 2008, Thailand can proudly prove herself in the global arena of human rights, particularly concerning birth registration rights and the right for everyone in state territory to bear Civil Registration documents. This is in accordance with clause 7 of the Convention on Children’s rights and the International Covenant on Civil and Political Rights clause 24 sub clause 2. However, solving legal personality issues by using Civil Registration laws alone are not the final answer in the process of solving problems of legal personality and rights. Effort must be exerted to link results of following Civil Registration laws to Nationality laws and government policy regarding criteria and measures used to determine personal status according to the Strategy for Management of Legal Status and Rights, especially persons whose 13-digit personal identification number begins with 0, which came from surveying under a different strategy and proceeding by a new Civil Registration law. Both these groups should be considered for concurrently solving the problems of statelessness and a lack of human rights.
Chapter 2

Birth Registration

General Principles

The Civil Registration Act 1991 as amended (Second Edition) 2008 lays out the principles for registering the birth of all children who are born in the Kingdom of Thailand, whether children of Thai citizens, children of aliens who legally entered the kingdom or children of illegal aliens. When a birth occurs, the person responsible for reporting the birth, which may be a parent, a guardian or the householder of the house in which the child as born, as the case may be, must report the birth to the registrar at the district registration office or local registration office over the area where the child was born. The birth may also be reported to the registrar of another district, in which the child’s parent or legal guardian is named in a house registration. The registrar shall receive the birth report and issue a birth certificate for the reporter, based on all the attainable facts.

Birth registration can be divided into the following categories;
1. Registering a birth that occurred inside the home or outside the home
2. Registering birth in a different district
3. Late birth registration
4. Registering the birth of an underprivileged child

1. Reporting a birth that occurred inside the home or outside the home

Laws

Civil Registration Act 1991

Article 18: When a birth occurs, the birth must be registered as follows:

(1) For a birth inside the home, the householder or father or mother notifies the registrar over the area where the birth occurred in the house within fifteen days from the birth.

(2) For a birth outside the home, the father or mother notifies the registrar over the area where the birth occurred outside the house or at the registration office where it can be reported within fifteen days from the birth. If circumstances prevent the birth from being reported within the time limit, it may be reported late but no later than thirty days from the day of birth.

Reporting and recording under (1) and (2), as well as reporting the name of the newborn, shall be done in the manner prescribed in the regulations promulgated by the Director of Central Registration.
Ministerial Regulations on Civil Registration for Persons without Thai Citizenship and Fee Rates 2008

Clause 3: When a person without Thai citizenship is born or dies, a person under Article 18, Article 19, Article 19/1 or Article 21 of the Civil Registration Act (second edition) 2008 must report the birth or the death, as the case may be.

Method and Procedures

A. Birth inside the home (a structure with a house number, including private and government health care facilities)

Applicant: the father or mother or householder of the house in which the child was born, or a person designated by the father or mother or householder

Time frame of reporting: Within 15 days from the birth

Registration office: the district registration office or local registration office over the area where the child was born

Procedures:

1. The reporter must present this evidence to the registrar:
   (1) The reporter’s identification card and the parent’s identification cards (if any)
   (2) The parent’s house registration or profile registration (if any)
   (3) The householder’s house registration into which the child’s name will be added
   (4) A delivery certificate in the Tor. Ror. 1/1 format issued by the hospital or health care facility where the child was born (if the child was born there)
   (5) A receipt of notification in the Tor. Ror. 1 front part format (if the birth was reported to a deputy or village headman)
   (6) A letter of designation (if any)

2. The registrar
   (1) Examines the evidence shown by the reporter
   (2) Inspects the Civil Registration database to see whether or not the child’s name exists in a different house registration
   (3) Enter the profile in a Tor. Ror. 1 birth certificate for children with Thai citizenship, a Tor. Ror. 3 for children without Thai citizenship or a Tor. Ror. 031 for children of illegal aliens
   (4) Add the child’s name to a house registration and the householder’s house registration (Tor. Ror. 13 or Tor. Ror. 14) as the case may be or to the profile registration records (Tor. Ror. 38A) for children of illegal aliens
   (5) Give the birth certificate first part and return the evidence used to the reporter
3. In the case that the child who was born and received a Tor. Ror. 1 or To. Ror. 3 birth certificate is a local, the registrar can add the child’s name to a Tor. Ror. 13 or Tor. Ror. 14 house registration. If the parents do not have a house registration, then add the child’s name to the Central House registration of the registration office. If the child is from a different district, then add the child’s name to the central house registration (Tor. Ror. 13 or Tor. Ror. 14) of the registration office, as the case may be. Afterwards, the registrar proceeds to notify of a change of domicile to the locality where the parents or legal guardian of the child reside.

4. If the child received a Tor. Ror. 031 birth certificate, the registrar adds the child’s name to the Tor. Ror. 38 A profile registration records of the parents. But if the parents do not have profile registration, add the child’s name to the registration office’s profile registration record.

B. Birth outside the home such as at a rest stop for travelers, in a field shack, in a vehicle, and so on

Applicant: the father or mother or a person designated by the father or mother

Time frame of reporting: Within 15 days from the birth. If circumstances prevent the birth from being reported within the time limit, it may be reported late but no later than thirty days from the day of birth.

Registration office: the district registration office or local registration office over the area where the child was born or a registration office where it can be reported

Procedures:
1. The reporter must present this evidence to the registrar:
   (1) The reporter’s identification card and the parent’s identification cards (if any)
   (2) The parent’s house registration or profile registration (if any)
   (3) The householder’s house registration into which the child’s name will be added
   (4) A receipt of notification in the Tor. Ror. 1 front part format (if the birth was reported to a deputy or village headman)
   (5) A letter of designation (if any)
2. The registrar
   (1) Examines the evidence shown by the reporter
   (2) Inspects the Civil Registration database to see whether or not the child’s name exists in a different house registration
   (3) Enter the profile in a Tor. Ror. 1 birth certificate for children with Thai citizenship, a Tor. Ror. 3 for children without Thai citizenship or a Tor. Ror. 031 for children of illegal aliens
(4) Add the child’s name to a house registration and the householder’s house registration (Tor. Ror. 13 or Tor. Ror. 14) as the case may be or to the profile registration records (Tor. Ror. 38A) in the same way as for children born in a house.

(5) Give the birth certificate first part and return the evidence used to the reporter.

(6) In the case of reporting in a different district, advise the reporter on moving the child’s domicile to the same domicile as the child’s parent or legal guardian.

2. Reporting a Birth in a Different Registration office

Laws


Article 18 paragraph three: For facilitating public convenience, reporting under paragraph one may be submitted to the registrar in the other area. The procedure shall be in the manner prescribed in the Ministerial Regulations

Ministerial Regulation on the method and procedures of reporting a birth or death to a registrar in different district 2008

Clause 1: In the case that the person responsible for reporting a birth according to Article 18 (1) or (2) has not yet reported the birth and the person who was born currently resides in a district registrar or local registrar other than where the birth occurred, the father, mother, legal guardian or a person designated by one of these persons, as the case may be, may report the birth to the accepting registrar at the district registrar or local registrar over the area where the father, mother or legal guardian of the person who was born is named in a house registration.

When reporting a birth under paragraph one, the reporter must have a delivery certificate that was issued by the hospital or health care facility where the child was born to use as accompanying evidence, as well as no less than two witnesses who can attest to the identity of the child’s parents.

In lieu of a delivery certificate, the reporter may use the results of a scientific test, such as a DNA test which was conducted by a government agency or another reliable agency as evidence to prove the parent-child relationship.

Procedures and Method

Applicant: the father or mother or legal guardian of the child, or a person designated by the father or mother or guardian

Time frame of reporting: Within 15 days from the birth

Registration office: the district registration office or local registration office over the area where the child’s parents are named in a house registration
Procedures

1. The reporter: the father or mother or legal guardian of the child, or a person designated by the father or mother or guardian presents this evidence to the registrar:
   (1) The reporter’s identification card and the parent’s identification cards (if any)
   (2) The parent’s or guardian’s house registration
   (3) Either a delivery certificate in the Tor. Ror. 1/1 format issued by the hospital or health care facility where the child was born or results from a DNA test from a government agency or reliable institute proving the parent-child relationship
   (4) A letter of designation (if any)
   (5) At least 2 reliable witnesses

2. The registrar:
   (1) Examines the evidence shown by the applicant
   (2) Inspects the Civil Registration database to see whether or not the child’s name exists in a different house registration
   (3) Questions the reporter regarding why the child’s birth was not reported in at the registration office over the area where the child was born, the child’s history and the child’s current residence as well as that of the child’s parents or legal guardian/s.
   (4) Questions the witnesses as to the child’s history as well as that of the child’s parents
   (5) When it is established that the child was born in the Kingdom but has not yet received birth registration, and the child lives with his/her parents or guardian who is named in a district house registration, issue a birth certificate (Tor. Ror. 1 or Tor. Ror. 3 as the case may be)
   (6) Collect a 20 baht fee
   (7) Add the child’s name to a house registration and the householder’s house registration (Tor. Ror. 13 or Tor. Ror. 14, as the case may be)
   (8) Give the birth certificate first part and return the evidence used to the reporter

3. Late birth registration

Laws

Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551)

Article 19/3. A householder or parents of Thai citizenship who did not report the birth of a child under Article 18 may apply for the birth report in the manner prescribed in the regulations under the discretion of the Director of Central Registration and the provision under Article 19/2 shall be allowed to use for this case.
If a person under paragraph one is not sui juris in accordance with Thai law, the parents or the guardian shall report the birth instead. In the case of the parents of the child, the registrar shall proceed after receiving fine under Article 47 (2) and Article 51.

Article 19/2. Verification of birth or nationality of the child under Article 19 and Article 19/1 shall be in the manner prescribed in the Ministerial Regulations. If it is impossible to verify the birth status and citizenship of the child, the district or local registrar shall issue a profile registration and identification document for the child as evidence in the manner prescribed in the regulations under the discretion of the Director of the Central Registration Bureau.

Ministerial Regulations on the regulations and method and for verifying birth status and citizenship of abandoned or vagrant children, or children with no apparent parents or children who were abandoned by their parents

Clause 3: The district registrar or local registrar is to inspect the correctness of the documents and the comprehensiveness and completeness of the points from the witness interview, then compile the evidence along with an opinion and submit it to the District Officer over the registration office within sixty days from the day of receiving the birth report. The opinion must include the reasons for believing whether or not the child whose birth was reported was born in the Kingdom and whether the child has Thai citizenship or does not receive Thai citizenship or whether the child’s birth status and citizenship cannot be verified. The District Officer must consider the matter and notify the district registrar or local registrar of the decision within thirty days of receiving the opinion.

Clause 4: During the process of verifying the birth status and citizenship of a child whose birth is was registered under Clause 2, human rights, human security and national security must be taken into consideration, as well as the principles for receiving or not receiving Thai citizenship according to nationality laws. The district registrar, local registrar, and the District Officer must consider the factors related to the child’s immediate circumstances, and the practical possibility of finding documents directly concerning the child.

Clause 5: If the District Officer decides that it is impossible to verify the birth status and citizenship of the child, the district registrar or local registrar must be notified to issue profile registration and identification documents for the child according to the regulations issued by the director of the Central Registration Bureau under Article 19/2. The district registrar or local registrar must also inform the birth reporter of the District Officer’s opinion within seven days of receiving the District Officer’s opinion. The notification must include at least the reasoning behind the opinion, as well the important facts, relevant laws, and the points of consideration or supporting reasons behind the judgment. The birth reporter must also be informed of his/her right to appeal, the method of appealing, the period of time in which to appeal and the right to file a request with the district registrar or local registrar to once again verify the child’s birth status and citizenship.

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^2 Note: In the Thai version, Clause 5 was not cited in entirety.
Any appeal of the District Officer’s order must be made in writing and state the arguments and facts or cited laws.

**Procedures and Method**

**Applicant:**
(1) Father, mother or guardian (if the applicant is not yet sui juris)
(2) A person who has reached the age of majority may apply by his/her self

**Time frame of reporting:** From after the 15th day since the birth

**Registration office:**
(1) The district registration office or local registration office over the area where the child was born or
(2) The district registration office or local registration office where the applicant’s parents or legal guardian is named in a house registration (in the case of birth registration in another district)

**A. Late birth registration for Thai citizens**

**Procedures**

1. The reporter presents this evidence to the registrar:
   (1) The reporter’s identification card (in the case that the applicant is not reporting for his/her self)
   (2) The parent’s or guardian’s identification card or alien registration book (if any)
   (3) The parent’s or guardian’s house registration (Tor. Ror. 14) (If any)
   (4) Two 2-inch photographs of the child
   (5) A letter of designation (if any)
   (6) A delivery certificate in the Tor. Ror. 1/1 format (if the child was born in a health care facility and wishes to register the birth in a different district)
   (7) Results of a DNA test (if registering in a different district and there is no delivery certificate)

2. The registrar:
   (1) Examines the evidence shown by the applicant.
   (2) If the registrar accepting the birth report is not the registrar over the area where the child was born, the registrar must examine the delivery certificate (Tor. Ror. 1/1) or the DNA test results from the government agency or a reliable institute that shows the parent-child relationship, and the house registration that shows the parents’ or legal guardian’s names which must be a house registration in the area where the report is being made.
(3) Inspects the Civil Registration database to see whether or not the child’s birth was already reported and the child’s profile exists in a different house registration.

(4) Collect a fee if the birth report was made within 1 year from the end of the specified time period for birth registration (15 days or 30 days, depending on the situation)

(5) Issues a receipt of notification (Tor. Ror. 100) for the reporter

(6) If the child whose birth is being registered is aged from 7 years upwards, compile all information along with an opinion and forward to the District Officer within 60 days from the day of accepting the birth report in order to verify the birth status and citizenship of the child. Make a summary of the opinion and the reasons for believing that the child was or was not born in the Kingdom, and whether or not the child is entitled to Thai citizenship, or whether or not the child’s birth status citizenship can even be verified.

(7) If the child whose birth is being registered is aged no more than 7 years on the day of the birth report, the local registrar or district registrar verifies the child’s birth status and citizenship instead of the District Officer.

(8) If the results of birth status and citizenship verification show that the person whose birth is being reported was born in the Kingdom and is a Thai citizen, the registrar issues a Tor. Ror. 2 birth certificate for that person.

(9) Add the person’s name to a house registration (Tor. Ror. 14) or the central house registration (Tor. Ror. 14), depending on the case.

(10) If the results of birth status and citizenship verification show that the person whose birth is being reported was not born in the Kingdom and is not a Thai citizen, or the birth status and citizenship cannot be verified, the registrar issues a Tor. Ror. 38A profile registration as a 0-type person for that person, using the house number of the person’s parents or legal guardian.

(11) If the birth is being reported to the registrar of a district other than where the person was born, a 20 baht fee for reporting in a different area must be collected per issue.

**B. Late birth registration for aliens born in the Kingdom**

**Procedures**

1. The reporter presents this evidence to the registrar:

   (1) The reporter’s identification card

   (2) The parent’s or guardian’s identification card or alien registration book (if any)

   (3) The parent’s or guardian’s house registration (Tor. Ror. 14 or Tor. Ror. 13) (If any)

   (4) Two 2-inch photographs of the child
(5) A letter of designation (if any)

(6) A delivery certificate in the Tor. Ror. 1/1 format (if the child was born in a health care facility and wishes to register the birth in a different district)

(7) Results of a DNA test (if registering in a different district and there is no delivery certificate)

2. The registrar:

(1) Examines the evidence shown by the applicant.

(2) If the registrar accepting the birth report is not the registrar over the area where the child was born, the registrar must examine the delivery certificate (Tor. Ror. 1/1) or the DNA test results from the government agency or a reliable institute that shows the parent-child relationship, and the house registration that shows the parents’ or legal guardian’s names which must be a house registration in the area where the report is being made.

(3) Inspects the Civil Registration database to see whether or not the child’s birth was already reported and the child’s profile exists in a different house registration.

(4) Collect a fee if the birth report was made within 1 year from the end of the specified time period for birth registration (15 days or 30 days, depending on the situation)

(5) Issues a receipt of notification (Tor. Ror. 100) for the reporter

(6) If the child whose birth is being registered is aged from 7 years upwards, compile all information along with an opinion and forward to the District Officer within 60 days from the day of accepting the birth report in order to verify the birth status and citizenship of the child. Make a summary of the opinion and the reasons for believing that the child was or was not born in the Kingdom, and whether or not the child is entitled to Thai citizenship, or whether or not the child’s birth status citizenship can even be verified.

(7) If the child whose birth is being registered is aged no more than 7 years on the day of the birth report, the local registrar or district registrar verifies the child’s birth status and citizenship instead of the District Officer.

(8) If the results of birth status and citizenship verification show that the person whose birth is being reported was born in the Kingdom and is not a Thai citizen, the registrar issues a Tor. Ror. 3 birth certificate for the reporter.

(9) Add the person’s name to a house registration (Tor. Ror. 13) or the central house registration (Tor. Ror. 13), depending on the case.

(10) If the results of birth status and citizenship verification show that the person whose birth is being reported was not born in the Kingdom and is not a Thai citizen, or the birth status and citizenship cannot be verified, the registrar issues a Tor. Ror. 38A profile registration as a 0-type person for that person, using the house number of the person’s parents or legal guardian.
(11) If the birth is being reported to the registrar of a district other than where the person was born, a 20 baht fee for reporting in a different area must be collected per issue.

4. Birth registration for an underprivileged child

A. Registering the birth of a newborn infant or innocent child who was abandoned

Laws


Article 19: Any person finding an abandoned newborn infant or innocent child shall immediately refer the child to administrative officials, the police, or officials under the Ministry of Social Development and Human Security in the area of such an encounter.

A record of acceptance shall be made after the officials accept the child. If the child is accepted by administrative officials or the police, they shall refer the child the record to officials under the Ministry of Social Development and Human Security in that area. After the said officials have accepted the child or accepted the child from the police or administrative officials, they shall report the birth and the registrar shall issue a receipt of birth report in the manner prescribed in the regulations and forms prescribed by the Director of Central Registration.

Two certificates of acceptance of the child under paragraph one shall be made; one kept with the official accepting the child and one with the registrar accepting the birth report. Details about the person who found the child, the place and time of the encounter, physical conditions of the child, documents, and a profile of the child shall be recorded in as much detail as possible. If the nationality of the child is unknown, such a fact shall be recorded.

Ministerial Regulations on the regulations and method and for verifying birth status and citizenship of abandoned or vagrant children, or children with no apparent parents or children who were abandoned by their parents 2008

Clause 2: When a district registrar or local registrar receives notification of the birth of an abandoned newborn or innocent child, or a vagrant child or a child with no apparent parents or a child who was abandoned by its parents, as the case may be, the registrar is to issue a receipt of notification for the reporter using the template prescribed by the Director of the Central Registration Bureau, as well as requesting evidence from the reporter and questioning the relevant witnesses in order to verify the birth status and citizenship of the child whose birth is being reported, as follows:

(1) The accompanying evidence is:

(A) For a newborn infant or innocent child, a record of receiving the child into care made by the administrative official, police or an official of the Ministry of Social Development and Human Security who received the child into care.
(B) Evidence of receiving the child into care from the agency that received the child into care or foster care.

(C) Two 2-inch sized photographs of the child

(D) Civil Registration documents of the child’s guardian (if any)

(E) Other evidence relevant to the child; both documents and objects (if any); for example, a delivery certificate from the health care facility, a student registration record, letters, family photographs, and so forth.

(2) The witnesses are:

(A) The birth reporter

(B) The child requesting birth registration, if the child is seven years of age upwards

(C) The child’s ascendants or guardians (if any)

(D) A witness to the birth or a person who may give information related to the child’s birth status (if any)

(E) A person with whom the child has lived or worked (if any)

**Procedures and Method**

The child whose birth is being reported must aged from a newborn infant to 7 years old, except if the child is the mental and physical development of the child is comparable to a child younger than 7 years old.

**Applicant:** The official of the Ministry of Social Development and Human Security who received the child into care

**Time frame of reporting:** Within 15 days from accepting the child into care

**Registration office:** the district registration office or local registration office over the area where the agency under the Ministry of Social Development and Human Security is located.

**Procedures:**

1. The reporter presents this evidence to the registrar:

(1) The reporter’s identification card

(2) The house registration of the shelter or an institution by another name that received the child into care.

(3) The report of accepting the child issued by an administrative official or the police or an official of the Ministry of Social Development and Human Security who received the child from the person who found the child

(4) Evidence or receiving the child into care from the agency that received the child

(5) Two 2-inch photographs of the child
(6) Other relevant evidence, both documents or objects (if any)

2. The registrar:

(1) Examines the evidence shown by the applicant

(2) Inspects the Civil Registration database to see whether or not the child’s name exists in a different house registration

(3) Questions the witnesses as to the child’s history as well as that of the child’s parents

(4) Issues a receipt of notification (Tor. Ror. 100) for the reporter

(5) Inspects the completeness of the witness interview and compiles all information along with an opinion and forwards it to the District Officer within 60 days from the day of accepting the birth. Make a summary of the opinion and the reasons for believing that the child was or was not born in the Kingdom, and whether or not the child is entitled to Thai citizenship, or whether or not the child’s birth status citizenship can even be verified.

(6) The District Officer must consider the matter and inform the registrar of the result within 30 days.

(7) If the results of birth status and citizenship verification show that the person whose birth is being reported was born in the Kingdom and is a Thai citizen, the registrar issues a birth certificate (either Tor. Ror. 1 or Tor. Ror. 2, as appropriate to the situation) for the reporter and enters as many details about the child’s parents as are known.

(8) If the results of birth status and citizenship verification show that the person whose birth is being reported was born in the Kingdom and is not a Thai citizen, the registrar issues a Tor. Ror. 3 birth certificate for the reporter, and enters as many details about the child’s parents as are known.

(9) Add the child’s name to the Tor. Ror. 14 or Tor. Ror. 13 house registration of the shelter, as the case may be.

(10) If the results of birth status and citizenship verification show that the person whose birth is being reported was not born in the Kingdom and is not a Thai citizen, or the birth status and citizenship cannot be verified, the registrar issues a Tor. Ror. 38A profile registration as a 0-type person for that person, using the house number of the shelter.

B. Registering the birth of a vagrant child, a child with no apparent parents or a child who was abandoned by their parents

Laws


Article 19/1: If the birth of an abandoned newborn or innocent child, a vagrant child, or a child with no apparent parents or a child who was abandoned by its parents who are in the care of a state or private agency that is registered with the objective of
child aid and welfare according to Minister’s specifications has not yet been registered, and does not have a profile in a house registration, the agency head or a person designated by the head shall report the birth to the registrar over the area where the agency is located. The registrar shall issue a receipt of notification. This is to be done using the regulations and template prescribed by the Director of the Central Registration Bureau.

Ministerial Regulations on the regulations and method and for verifying birth status and citizenship of abandoned or vagrant children, or children with no apparent parents or children who were abandoned by their parents 2008

Clause 2: When a district registrar or local registrar receives notification of the birth of an abandoned newborn or innocent child, or a vagrant child or a child with no apparent parents or a child who was abandoned by its parents, as the case may be, the registrar is to issue a receipt of notification for the reporter using the template prescribed by the Director of the Central Registration Bureau, as well as requesting evidence from the reporter and questioning the relevant witnesses in order to verify the birth status and citizenship of the child whose birth is being reported, as follows:

(1) The accompanying evidence is:

(A)³ For a newborn infant or innocent child, a record of receiving the child into care made by the administrative official, police or an official of the Social Development and Human Security who received the child into care.

(B) Evidence of receiving the child into care from the agency that received the child into care or foster care.

(C) Two 2-inch sized photographs of the child

(D) Civil Registration documents of the child’s guardian (if any)

(E) Other evidence relevant to the child; both documents and objects (if any); for example, a delivery certificate from the health care facility, a student registration record, letters, family photographs, and so forth.

(2) The witnesses are:

(A) The birth reporter

(B) The child requesting birth registration, if the child is seven years of age upwards

(C) The child’s ascendants or guardians (if any)

(D) A witness to the birth or a person who may give information related to the child’s birth status (if any)

(E) A person with whom the child has lived or worked (if any)

³ Note: In the Thai version, (A) was replaced by the symbol for a ellipsis or omission (ฯลฯ)
Procedures and Method

The child’s whose birth is being reported must be in the care of an orphanage or shelter and must be aged no more than 18 years.

“Children with no apparent parents” means a children whose direct ascendant lineage cannot be verified, including orphans.

Applicant: The head of the government or private shelter that is caring for the child or a designated person. If it is a private shelter, it must be one that is listed by the Ministry of Interior.

Time frame of reporting: Not specified by law, but ideally within 15 days from accepting the child into care.

Registration office: the district registration office or local registration office over the area where the shelter or orphanage is located.

Procedures:
1. The reporter presents this evidence to the registrar:
   (1) The reporter’s identification card
   (2) The house registration of the shelter or orphanage that is caring for the child.
   (3) Evidence or receiving the child into care from the agency that is caring for the child
   (4) Two 2-inch photographs of the child
   (5) A letter of designation (if any)
   (6) Other relevant evidence, both documents or objects (if any)
2. The registrar:
   (1) Examines the evidence shown by the applicant
   (2) Inspects the Civil Registration database to see whether or not the child’s birth was reported and name exists in a different house registration
   (3) Questions the reporter and relevant persons as to the child’s history as well as that of the child’s parents
   (4) Issues a receipt of notification (Tor. Ror. 100) for the reporter
   (5) Inspects the completeness of the witness interview and compiles all information along with an opinion and forwards it to the District Officer within 60 days from the day of accepting the birth. Make a summary of the opinion and the reasons for believing that the child was or was not born in the Kingdom, and whether or not the child is entitled to Thai citizenship, or whether or not the child’s birth status citizenship can even be verified.
   (6) The District Officer must consider the matter and inform the registrar of the result within 30 days.
(7) If the results of birth status and citizenship verification show that the person whose birth is being reported was born in the Kingdom and is a Thai citizen, the registrar issues a birth certificate (either Tor. Ror. 1 or Tor. Ror. 2, as appropriate to the situation) for the reporter and enters as many details about the child’s parents as are known.

(8) If the results of birth status and citizenship verification show that the person whose birth is being reported was born in the Kingdom and is not a Thai citizen, the registrar issues a Tor. Ror. 3 birth certificate for the reporter, and enters as many details about the child’s parents as are known.

(9) Add the child’s name to the Tor. Ror. 14 or Tor. Ror. 13 house registration of the shelter, as the case may be.

(10) If the results of birth status and citizenship verification show that the person whose birth is being reported was not born in the Kingdom and is not a Thai citizen, or the birth status and citizenship cannot be verified, the registrar issues a Tor. Ror. 38A profile registration as a 0-type person for that person, using the house number of the shelter.

(11) If the child is in the care of an individual person or private shelter or orphanage that is not listed by the Ministry of Interior, the local registrar or district registrar shall cancel the request for birth registration and advise the reporter to file an application to add the name of a destitute child to a house registration.
Flowchart No. 1: Birth registration for children born in hospitals (Government and private Hospitals or Clinics)

Children born at health care facilities

1. HCF issues s delivery certificate (Tor. Ror. 1/1) for the father / mother of the child

2. Father / mother reports the birth to the Tambon Chief or village headman

Father / Mother brings the delivery certificate to the registrar

Tambon Chief or village headman issues receipt of the notification Tor.Ror.1 front part as evidence

Father / Mother brings the receipt to submit birth report to the registrar

The registrar issues a birth certificate for the reporter and adds the child’s name to the house registration or profile registration records

Tor. Ror. 1
Tor. Ror. 2
Tor. Ror. 3
Tor. Ror. 03
Tor. Ror. 031

Add name to
House registration Tor. Ror. 14
House registration Tor. Ror. 13
Profile registration Tor. Ror. 38
Profile registration Tor. Ror. 38A
Flowchart No. 2: Birth registration for children born outside of Health care facilities

Children born outside of HCF

1. Father / mother reports the birth to the Tambon Chief or village headman

2. Father / Mother reports the birth to the registrar

Tambon Chief or village headman issues receipt of the notification Tor.Ror.1 front part as evidence

Father / Mother brings the receipt to submit birth report to the registrar

The registrar issues a birth certificate for the reporter and adds the child’s name to the house registration or profile registration records

Tor. Ror. 1  Tor. Ror. 2  Tor. Ror. 3  Tor. Ror. 03  Tor. Ror. 031
Flowchart No. 3: Birth registration more than 15 days after the birth occurred

Children or persons whose birth was not registered and who are not named in Civil Registration records

Father/mother or guardian of child reports the birth (if children are minors)  
A person reporting for his/herself (having reached the age of majority)

The registrar over the area where the child or person was born

The registrar issues a Tor. Ror. 100 receipt for the reporter/examines the evidence/investigates and compiles evidence to submit to the District Officer to verify the child’s birth status and citizenship

The registrar issues a birth certificate (if the District Officer can verify the child’s citizenship)  
The registrar issues a profile registration (if the District Officer cannot verify the child’s citizenship)

Tor. Ror. 2  
Tor. Ror. 3  
Profile registration (Tor. Ror. 38A)
Add name to

Add name to

Flowchart No. 4: Birth registration for children born in a different district

Children or persons whose birth was not registered and who are residing in a different district from where they were born

Father / Mother or legal guardian of the child is the reporter

Registrar over the area where the father/mother/legal guardian are domiciled

The registrar issues a birth certificate for the reporter and adds the child’s name to a Tor. Ror. 13 or Tor. Ror. 14 house registration

Required evidence:
- Tor. Ror. 1/1 delivery certificate OR
- DNA testing results of the child requesting birth registration

Add name to

House registration
Tor. Ror. 1

House registration
Tor. Ror. 14

House registration
Tor. Ror. 13

Add name to

House registration
Tor. Ror. 14

House registration
Tor. Ror. 13
Flowchart No. 5: Registering the birth of a newborn infant or innocent child that was abandoned (aged no more than 7 years)

The person who found the newborn infant or innocent child takes the child to report to:

Administrative official or local police over the area where the child was found

The administrative official or police make a record of receiving the child, and takes the child along with the record to:

An official of the Ministry of Social Development and Human Security over the area where the child was found receives the child into care and makes a record of doing so. (Two records are to be made; one kept on file and the other submitted to the registrar.)

Report the birth to the registrar over the area where the official of the Ministry of Social Development and Human Security is working

The registrar issues a receipt of notification (Tor. Ror. 100) for the reporter/ examines the information/ compiles evidence to submit to the District Officer to verify the child’s birth status and citizenship

The registrar issues a birth certificate (if the child’s citizenship can be proven)  
The registrar prepares a profile registration record (if the District Officer cannot prove the child’s citizenship)
Flowchart No. 6: Reporting the birth of a children of unknown parentage or who was abandoned by their parents who are in the care of a private or government shelter under Article 19/1

Government shelters

Inspect the Civil Registration record of the child who is in the care of a shelter in any district or local registration office

In the case of finding a child whose birth was not reported and the child has no Civil Registration record

The head of the agency or a designated person reports the birth to the registrar over the area where the agency is located

The registrar issues a receipt of notification (Tor. Ror. 100) for the reporter/examines the database/inspects and compiles evidence to submit to the District Officer to verify the child’s birth status and citizenship
The registrar issues a birth certificate (if the child’s citizenship can be proven)

Tor. Ror. 2

Tor. Ror. 3

The registrar prepares a profile registration record (if the District Officer cannot prove the child’s citizenship)

Profile registration
Tor. Ror. 38 A

Add name to

House registration
Tor. Ror. 14

House registration
Tor. Ror. 13

Birth registration summary charts (3 pages of information in folder 2.1)
Summarization chart regarding issuing birth certificates and civil registration of persons not without Thai citizenship according to civil registration law

<table>
<thead>
<tr>
<th>Instance</th>
<th>Personal code of father</th>
<th>Personal code of mother</th>
<th>Personal code of child</th>
<th>Type of birth certificate</th>
<th>Registration to which name is added</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Registering the birth of children of aliens (within the specified time limit)</td>
<td>8 / 7 / 0 / 00 / none</td>
<td>8 / 7 / 0 / 00 / none</td>
<td>7</td>
<td>Tor. Ror. 3</td>
<td>Tor. Ror. 13 House registration of father</td>
</tr>
<tr>
<td></td>
<td>6 / 7</td>
<td>6 / 7</td>
<td>0 / 00 / none</td>
<td>Tor. Ror. 3</td>
<td>Tor. Ror. 13 House registration of mother</td>
</tr>
<tr>
<td></td>
<td>6 / 7</td>
<td>0 / 00 / none</td>
<td>7</td>
<td>Tor. Ror. 3</td>
<td>Tor. Ror. 13 House registration of father</td>
</tr>
<tr>
<td></td>
<td>0 / 00 / none</td>
<td>6 / 7</td>
<td>7</td>
<td>Tor. Ror. 3</td>
<td>Tor. Ror. 13 House registration of mother</td>
</tr>
<tr>
<td>Passport</td>
<td>Passport</td>
<td>7</td>
<td>Tor. Ror. 3</td>
<td>Tor. Ror. 13 Central Civil Registration Database</td>
<td></td>
</tr>
<tr>
<td>00 (not expired)</td>
<td>00 (not expired)</td>
<td>00</td>
<td>Tor. Ror. 03</td>
<td>Tor. Ror. 38 Civil Registration Record of father or mother</td>
<td></td>
</tr>
<tr>
<td>00 (not expired)</td>
<td>00 (expired)</td>
<td>00</td>
<td>Tor. Ror. 03</td>
<td>Tor. Ror. 38 Civil Registration Record of father</td>
<td></td>
</tr>
<tr>
<td>00 (expired)</td>
<td>00 (not expired)</td>
<td>00</td>
<td>Tor. Ror. 03</td>
<td>Tor. Ror. 38 Civil Registration Record of mother</td>
<td></td>
</tr>
<tr>
<td>00 (expired)</td>
<td>00 (expired)</td>
<td>0</td>
<td>Tor. Ror. 031</td>
<td>Central Tor. Ror. 38 Kor. (Identical to Civil Registration Database)</td>
<td></td>
</tr>
<tr>
<td>00 (expired) / none</td>
<td>0</td>
<td>0</td>
<td>Tor. Ror. 031</td>
<td>Tor. Ror. 38 Kor. of mother</td>
<td></td>
</tr>
</tbody>
</table>

**Remark:** Aliens holding a passport are comparable to aliens with the personal code 6. The word “expired” refers to the expiration of the period of clemency allowing residence in the Kingdom.
### Registering the birth of children of aliens (continued)

<table>
<thead>
<tr>
<th>Instance</th>
<th>Personal code of father</th>
<th>Personal code of mother</th>
<th>Personal code of child</th>
<th>Type of birth certificate</th>
<th>Registration to which name is added</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0</td>
<td>00 (expired) / none</td>
<td>0</td>
<td>Tor. Ror. 031</td>
<td>Tor. Ror. 38 Kor. of father</td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>Tor. Ror. 031</td>
<td>Tor. Ror. 38 Kor. of father or mother</td>
</tr>
<tr>
<td></td>
<td>None</td>
<td>None</td>
<td>0</td>
<td>Tor. Ror. 031</td>
<td>Central Tor. Ror. 38 Kor. (Identical to Civil Registration Database)</td>
</tr>
</tbody>
</table>

2. **Late birth registration**  
- The registrar must review the legal personality status of the mother and father to establish which type of Personal code the mother and father had at the time of the child’s birth. Subsequently, a birth certificate will be issued in accordance with the personal status of the mother and father at the time of the child’s birth, in the same manner as a birth registered on time.

The registrar must add the name of a child with late birth registration to correspond to the birth certificate that the child received, the same as in clause 1; however, the current legal status of the parents must be taken into consideration as well. For example, if when the child was born the parents did not have 13 digit identity numbers, but currently have already received the Civil Registration number of 0, the name of the child with late birth registration can be immediately added to the Tor. Ror. 38 Kor. of the mother.

**Remark:** The word “none” means there is no civil registration evidence and no 13-digit identification number.
<table>
<thead>
<tr>
<th>Instance</th>
<th>Personal code of father</th>
<th>Personal code of mother</th>
<th>Personal code of child</th>
<th>Type of birth certificate</th>
<th>Registration to which name is added</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Adding a name to Civil registration Tor. Ror. 38 Kor.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.1 Late birth registration according to section 57 or 58; registering the birth of an abandoned child according to section 59 and a vagrant child or parentless child according to section 59/1 and adding the name of a destitute child according to section 98 (in the case of being unable to prove the child’s birth status and citizenship)</td>
<td>Unknown</td>
<td>Unknown</td>
<td>0</td>
<td>Not to be issued</td>
<td>Tor. Ror. 38 Kor. According to house registration of the shelter or foster home.</td>
</tr>
<tr>
<td>3.2 An alien requesting a name addition to a house registration according to the Civil registration Bureau regulation section 105</td>
<td>0 / 00 / none</td>
<td>0 / 00 / none</td>
<td>0</td>
<td>Not to be issued</td>
<td>Tor. Ror. 38 Kor. According to the house registration of the house that requests name addition.</td>
</tr>
</tbody>
</table>
in the case of not being a person according to article 38, clause one.

(2009)
Birth registration case studies

Case study 1: Robert and Mary, British citizens, entered Thailand as tourists. While they were in the country, Mary went into labour and gave birth prematurely at Suan Dok Hospital in Chiang Mai. The attending physician issued a delivery certificate. In this case, is it necessary to report the birth to the registrar or not? If Robert wishes for his child to have a Thai birth certificate, is that possible?

Solution Guidelines: This is a case of a birth inside the home under Article 18 (1). (Hospitals fall under the definition of “house” according to the Civil Registration Act 1991.) The person responsible to report the birth is the householder (the director of Suan Dok Hospital), the father (Robert) or the mother (Mary). Clause 3 of the Ministerial Regulations on Civil Registration for Persons without Thai Citizenship and Fee Rates 2008 mandates that when a person without Thai citizenship is born, a person under Article 18 reports the birth. Therefore, even though both Robert and Mary are aliens who entered and stayed in Thailand on a temporary basis, and even though they reported the birth of their child to the British embassy according to British law, under the laws of Thailand, which is the country where Robert and Mary’s child was born, the stated person, in the capacity of the responsible person, must report the birth to the registrar at the district registration office or local registration office over the area where Suan Dok Hospital is located. Robert and Mary’s child will receive a Tor. Ror. 3 birth certificate and an identification number beginning with 7, and the child’s name will be added to the Tor. Ror. 13 central house registration of the registration office where the birth was reported.

Case study 2: Mrs. Boonsri was registered as a Cambodian labourer in 2005, with a personal identification number beginning with 00 as well as a Tor. Ror. 38/1 record. She and her husband, who is a Cambodian immigrant with no 13-digit identification number or Civil Registration records, have a son named Boontueng, born at Surin Provincial Hospital in 2002. When Mrs. Boonsri went to register for profile registration, she did not take Boontueng along to register as well as a dependant. In this case, can Boontueng’s birth be registered and can he receive a birth certificate or not? Where should his birth be registered? On one occasion, the register informed his mother that the birth report was unacceptable because the law does not make any allowances in this situation.

Solution Guidelines: The registrar’s refusal to accept the birth report of a child whose parents are illegal aliens, especially a child who was born before his/her parents registered as 00-type alien labourers, is in accordance with the Ministerial Regulation of 2005 that was issued under Civil Registration law that mandated for the registrar to only accept birth reports of aliens who have the right to reside in Thailand, whether on a temporary basis or as a special case. In the case of Boontueng, who was born in 2002, the time his parents were illegal aliens, the birth cannot be registered. However, the Civil Registration Act 1991 was amended by the Civil Registration Act (No. 2) 2008 and a new Ministerial regulation was issued, titled the Ministerial Regulations on Civil Registration
for Persons without Thai Citizenship and Fee Rates 2008. The principle of this law mandates registrars to register the birth of all children born in Thailand.

As for whether or not the births of children whose parents are from any groups of aliens, and who were born before this new Act was promulgated can be registered, the principles of law must be applied. Civil Registration law clearly mandates that when a birth occurs, the responsible person for must report the birth to the registrar within 15 days of the birth. This is a reasonable amount of time in which the responsible person is able to make the report. It is not imperative that a birth cannot be reported past the specified time, but the law penalizes those who do not report births within the specified amount of time. For example, the same principle applies to applying for an identity card: laws on national identity cards mandate that Thai persons who are aged 15 years must apply for an identity card within 60 days of reaching the stated age. It is not imperative that a person cannot apply for an identity card past the 60-day time limit, but applying after 60 days carries a penalty of a fine. The principles for reporting the birth of an alien past the specified time are laid out in Clause 58 of the Central Registration Bureau Directive on Civil Registration management 1992. The procedure is the same as for a Thai citizen. Therefore, the registrar may accept the birth report past the specified time and issue a birth certificate for the child of aliens, no matter what group of alien their parents are from. Mrs. Boonsri must report her son’s birth at the registration office over the area where Surin Hospital is located, according to Article 18 (1) and her son will receive a Tor. Ror. 031 birth certificate and a 0-type13-digit identification number.

Case study 3: Ms. Somlux Sa-ardee is named in a house registration in Mae Wong District Registration Office, Nakhornsawan Province. She works as an employee in a factory in Samutprakarn. She became pregnant by her boyfriend in the same factory, but he refused to acknowledge it as his child. After Ms. Somlux gave birth, at Samutprakarn Hospital, she took the child back to her father in Mae Wong District without registering the birth. How can Ms. Somlux’s child’s birth be registered- where should the birth be reported, and what should be entered for the child’s father’s name, and what surname will the child be given?

Solution Guidelines: Ms. Supalux gave birth at a hospital. The first documentation of the birth that was received is a delivery certificate in the Tor. Ror. 1/1 format, issued by the birth attendant at the Samutprakarn Hospital, as required by Article 23 of the Civil Registration Act 1991. However, this document is not a receipt of a birth report or a birth certificate, because the birth attendant, whether a doctor or an obstetricians nurse, is not a registrar. Therefore, the responsible person must report the birth according to Civil Registration law.

To report the birth of Ms. Somlux Sa-ardee’s child, which was a birth in a house, there are two procedural options. For the first, the director of Samutprakarn Hospital, in the capacity of the householder of the house where the child was born, may report the birth by submitting the Tor. Ror. 1/1 delivery certificate to the registrar at the local Samutprakarn registration office because it is the registration office over the area where the hospital is located. Normally the hospital would delegate an official to be responsible
for compiling the Tor. Ror. 1/1 delivery certificate and submitting it to the registrar in order to receive a birth certificate, or give the Tor. Ror. 1/1 delivery certificate to the parents of the child to report the child’s birth to the registrar themselves. This is in accordance with Article 18 (1) of the Civil Registration Act 1991. The second option is Ms. Supalux may report her child’s birth by reporting to the registrar at the Mae Wong registration office in Nakhornsawan, which is the area where the child is domiciled with her. She must have an important piece of evidence, which is the Tor. Ror. 1/1 delivery certificate from Samutprakarn Hospital, or the results of a DNA test on her and her child, as well as at least two witnesses. This is in accordance with Article 18 paragraph three of the Civil Registration Act (No. 2) 2008 and the Ministerial Regulations on the Method and Procedures of Reporting a Birth or Death to a Registrar in a Different District 2008. The registrar will inspect the Civil Registration database to see whether or not the child’s birth has already been registered in a different district. If the birth report is within 15 days of the birth, the child will receive a Tor. Ror. 1 birth certificate and identification number beginning with 1, as a Thai citizen because the child’s mother is a Thai citizen. But if the birth is reported later than 15 days from the birth, the child will receive a Tor. Ror. 2 birth certificate and an identity number beginning with 2 as a Thai citizen whose birth was reported late.

As for the entry for the child’s father’s name, start by searching the hospital records at Samutprakarn Hospital to see what name Ms. Supalux provided as her child’s father. Special care must be taken at this stage to ensure that Ms. Supalux is not pestered or unduly pressured in any way or for any reason to reveal the father’s name, if she is not ready or does not wish to do so. Such an action may lead to false information being provided, which will not only cause the child’s profile data to be incorrect, but may also result in the Civil Registration record being cancelled. So then, if Ms. Supalux does not wish to reveal the father’s name, enter the symbol “_____” into the blank for the father’s name. If at a later time the parents wish for the registrar to enter the father’s name into the birth certificate or house registration, or if there is other clear evidence about the matter, such as scientific test results or a court order, the registrar will be able to correct the entry.

Regarding the child’s surname, in a normal family situation where is no problem regarding the matter of admitting to being the father of a child born in a non-registered marriage, the child may use either the mother’s or the father’s surname, depending on the wishes or agreement of the couple. But in Ms. Supalux’s situation, the father does not accept responsibility and there is no proof of the father-child relationship, so the child must use the mother’s surname. This is according to Article 1546 of the Civil and Commercial Code, under which the child is considered to be the legal child of the mother only.

**Case study 4:** Chokechai (a given name) was abandoned by his mother nearby a dry goods shop in the Mahanark Market. A letter accompanied him, stating that he was born on the 10th of January 2009 to a destitute family with no means of caring for him. There was a plea for a kind patron to care for him, but it did not state the names of his parents or an address. Chokechai was sent to a child welfare official and taken into care
by Rajwithi Children’s home on February 14th, 2009. What must be done so that Chokechai can have a birth certificate and be named in a house registration?

**Solution Guidelines:** Chokechai’s situation is one of reporting the birth of an innocent child who was abandoned under Article 19 of the Civil Registration Act 1991 as amended by the Civil Registration Act (No. 2) 2008, which mandates that the person who found the abandoned child must take the child to the police or administrative officials or an official from the Ministry of Social Development and Human Security. The official who received the child into care shall make a report of the incident as evidence and the official from the Ministry of Social Development and Human Security who accepted the child shall report the birth. In this case, it is the responsibility of an official from Rajwithi Children’s Home to report the birth of Chokechai to the registrar over the area where the Home is located. The registrar must question to find out the facts and compile the evidence and submit it to the Khet Director in order to verify Chokechai’s birth status and citizenship as required by law.

As for the question of what type of birth certificate to issue for Chokechai, it depend on the Khet Director’s consideration on Chokechai’s birth status and citizenship according to the evidence and opinion provided by the registrar about whether Chokechai was born in Thailand and receives Thai citizenship or not. Based on the existing evidence, Chokechai’s birthplace and the identity of Chokechai’s parents as well as their citizenship are unknown. However, from the information from the day that Chokechai was born and the day and place where he was found, it can be deducted that Chokechai was born in Thailand, which entitles him to Thai citizenship under Article 7 (2) of the Nationality Act (second edition) 1992 because he does not meet the conditions of Article 7 bis. paragraph one. If the Khet Director approves, the registrar can accept the birth report and issue a Tor. Ror. 2 birth certificate for a Thai citizen with a personal identity number beginning with 2. If the Khet Director does not approve, and deems that it is not possible to verify the birth status and citizenship of the child, the registrar cannot accept the birth report and issue a birth certificate for Chokechai, but the registrar must prepare a Tor. Ror. 38 A profile registration and determine the personal identity number to begin with 0.

For the entry in Civil Registration records for parents’ names, and for Chokechai’s surname, the registrar skips the entries for the parents’ names, identification numbers and addresses in the birth certificate and house registration or Tor. Ror. 38 A profile registration, as the case may be. A surname may be given only if a Tor. Ror. 2 birth certificate can be issued. In that case, Chokechai is allowed to use a surname from the registry of given surnames, which will allow him to have a correct, complete name, both first name and surname.

**Case study 5:** Kwan (boy) and Riam (girl) are twins, born on October 14th, 2008. They have delivery certificates issued by a community hospital stating the father’s name as Maruay San-kla with no citizenship entered. The mother is entered as Ms. Kimlai Sae-Juang, also no citizenship entered. They hired Mrs. Sang to care for the children for about 3 months and then abandoned the children, never returning, and giving
no notice of where they moved to. What should be done in this case to ensure that both children receive birth certificates and have their names added to a house registration, and what citizenship do the children receive?

**Solution Guidelines:** In this case, it should be investigated to find out whether the birth of Kwan and Riam San-kla or Sae-Juang has already been registered or not, since both children were born at a hospital. It is possible that a hospital official already reported the birth under Article 18 (1) of the Civil Registration Act 1991. This can be accomplished by filing a request to inspect the Civil Registration database at any district registration office or local registration office. If no birth registration has taken place, then the next procedure is for Mrs. Sang to release the children into the care of the local police or administrative officials or an official from the Ministry of Social Development and Human Security so that they may be taken to an orphanage or shelter. Then the birth of both children may be registered according to Article 19 of the Civil Registration Act 1991 as amended (Second Edition) 2008 by reporting the birth to the district registration office or local registration office over the area where the orphanage or shelter is located, as in the case of Chokechai. But the consideration in this case is easier because the children have Tor. Ror. 1/1 delivery certificates that include the entries for their parents, which will be a great aid in searching for other necessary information about the children. Most importantly, it shows the birthplace which verifies that both children were born in Thailand, which will aid in considering the children’s citizenship.

When the registrar has received the birth report from the official from the Ministry of Social Development and Human Security, the next step is to inspect the evidence, question the witnesses, and then compile the evidence with an opinion and submit it to the District Officer in order to verify the children’s birth status and citizenship. Kwan and Riam will receive Thai citizenship because there is evidence that they were born in Thailand and the citizenship of their parents is unknown. For the entry for the parents’ profiles in the birth certificate and house registration, use the information as shown in the delivery certificates, even though the registrar did not find their profiles in the Civil Registration database. For their surname, use the surname “Sae-Juang” after their mother.

However, if Mrs. Sang does not wish to hand the children over to officials and wishes to raise the children herself instead, she cannot report the births of Kwan and Riam because she is not their mother and she is not the householder of the house in which they were born. But, she can submit a request to add the children’s name to a house registration as a case of destitute children who are in the care of an individual according to Clause 98 of the Central Registration Bureau Directive on Civil Registration management 1992.

**Case study 6:** Mrs. Tima was surveyed as a Burmese labourer in 2005 and has a Tor. Ror. 38/1 as evidence as well as a personal identification number beginning with 00, but she did not request permission to work. Mrs. Tima’s husband has been a Burmese illegal immigrant since 1997 but he was not surveyed by the Thai government. Together they have one son, named Mong-day, born at Ranong Hospital on August 23rd, 2008.
this case, can they register Mong-day’s birth and request a birth certificate or not, and what citizenship will he receive?

**Solution Guidelines:** Currently, Mrs. Tima must be considered an alien who is residing in Thailand in violation of immigration laws, just like her husband. This is because illegal labourers of Burmese, Cambodian and Laotian citizenship were granted temporary leniency by the government for 1 year at a time, and such persons must report to the registrar and request permission to work. Mrs. Tima did not follow these conditions. However, in this case, the birth of Mong-day, the son of Mrs. Tima, can be reported and he can receive a birth certificate according to the Civil Registration Act 1991 as amended (Second Edition) 2008. The first piece of evidence that will be received is the Tor. Ror. 1/1 delivery certificate, which the Ranong Hospital must issue according to Article 23 of the Civil Registration Act 1991. The second piece of documentation is the birth certificate, which the registrar accepting birth reports must issue for every child born in Thailand. Because Mong-day is the son of illegal aliens, he is considered to be an illegal alien until there is a Ministerial Regulation mandating otherwise, under Article 7 bis of the Nationality Act 1965 as amended (fourth edition) 2008. Therefore, the registrar must issue a birth certificate in the Tor. Ror. 031 format for Mong-day and designate his 13-digit identification number to begin with 0 and add his name to the Tor. Ror. 38 A profile registration records.

**Case study 7:** If a child’s parents do not have a house registration or identification cards, are they able to register their child’s birth or not, and if so, how?

**Solution Guidelines:** When considered under Civil Registration laws and the Central Registration Bureau Directive on Civil Registration Management 1992 regarding birth registration, there is no article or clause that mandates that parents who report a birth must be named in a house registration and must have identification cards. This is because the truth is that there are a great number of Thai people who do not have a profile in any Civil Registration documents. The registrar asks for a house registration and identification cards of the child’s parents for reasons of convenience in proving identity, entering profiles in documents and verifying the child’s citizenship. But if the parents do not have these documents, it does not mean that the birth cannot be reported. There merely needs to be reliable witnesses who are well acquainted with the parents, including a birth attendant or a person who witnessed the birth who can verify so to the registrar. This matter can be considered according to Article 19/3 of the Civil Registration Act 1991 as amended (Second Edition) 2008. For the matter of late birth registration, in summary, if the person wishing to report the birth is a minor, the parents or legal guardian reports the birth, but if the birth report is for the parents themselves, a fee must be collected before proceeding further.

**Case study 8:** Mr. A-tae Lorpa, a Thai Yai citizen, is named in a Tor. Ror. 13 house registration with a personal identification number beginning with 6. He reported
the birth of his child that was born to him by Mrs. Mali Ma-yueh, a highlander who was documented as a Thai citizen in Civil Registration according to the Central registration Bureau Directive 2000. She has a personal identification number beginning with 8. The registrar registered the birth and issued a Tor. Ror. 3 birth certificate for Mr. A-tae’s child and designated the personal identification number to begin with 7, and stated that the child does not have Thai citizenship. Was this action correct or not, and why?

**Solution Guidelines:** Because the question states neither the birth date of A-tae’s child, nor the date that Mrs. Mali Ma-yueh was registered as a Thai citizen in a house registration according to the Central registration Bureau Directive regarding registering legal status in Civil Registration records for highlanders 2000, it is not possible to say whether or not the registrar’s action was correct. This is because the time period of both incidents will affect the outcome of accepting the birth report and issuing birth certificates, which can be explained as follows.

1. If A-tae Lorpa’s child was born before Mali Ma-yueh, was documented as a Thai citizen in Civil Registration according to the Central Registration Bureau Directive 2000, the child would not receive Thai citizenship at the time of birth because the parents are aliens who received temporary permission to reside in Thailand. In these circumstances the registrar correctly issued a Tor. Ror. 3 birth certificate. When Mrs. Mali was later registered as a Thai citizen and received a personal identity number beginning with 8, and digits in the 5th and 6th places would be 84, signifying a person who received Thai citizenship by birth, her child would also receive citizenship by birth by virtue of her own Thai citizenship. The registrar must discard the child’s personal profile and identification number from the Tor. Ror. 13 house registration and add the child’s new personal profile and identification number to the Tor. Ror. 14 house registration. The new identification number will begin with 5. The former birth certificate will still be used because it reflects the facts at the time of the child’s birth, but the registrar shall make a note on the back of the birth certificate stating that the child received Thai citizenship under Article 7 (1) of the Nationality Act 1965 as amended (fourth edition) 2008, and the new identification number is 5 xxxx xxxx xx x. The registrar signs and dates the notice.

2. If A-tae Lorpa’s child was born after Mali Ma-yueh, was documented as a Thai citizen in Civil Registration according to the Central Registration Bureau Directive 2000, the child receives Thai citizenship according to Article 7 (1) of the Nationality Act because the mother is a Thai citizen. In these circumstances the registrar incorrectly issued a Tor. Ror. 3 birth certificate. The document issued was the incorrect type. The registrar must cancel this birth certificate and discard the child’s personal profile and identification number from the Tor. Ror. 13 house registration. The registrar must accept a new birth report and issue a new birth certificate in the Tor. Ror. 1 format (if the former Tor. Ror. 3 birth report was made within the time limit) and designate a new identification number beginning with 1, or issue a new birth certificate in the Tor. Ror. 2 format (if the former Tor. Ror. 3 birth report was late) and designate a new identification number beginning with 2 and add the child’s name to a Tor. Ror. 14 house registration.
Case study 9: Ms. Isla Ari, a Thai citizen, traveled to Malaysia and took a job in a rubber plantation and married a Malaysian man. They had two children together and neither birth was registered. Later on, Ms. Isla divorced her husband and brought her two children back to Thailand. She took the children to register birth at the registration office over the area where she and her family reside. Can the registrar issue birth certificates for the children? If not, how may they obtain civil registration documentation?

Solution Guidelines: Article 28 of the Civil Registration Act 1991 mandates for the Thai embassy official or consulate that the Ministry of Foreign Affairs appointed as the registrar responsible for preparing the birth registry of Thai people born overseas and allows for the birth registry evidence to be used as a birth certificate. If the child’s birth was registered according to the laws of the country in which the child was born, a Thai translation of the evidence of birth issued by that country that has been notarized by the Ministry of Foreign Affairs may also be used as a birth certificate. Additionally, Article 18 of the same Act mandates the principle for birth registration that the child’s birth must be reported to the registrar over the area where the child was born. On this principle, Ms. Isla Ari, who gave birth in a foreign country, cannot register the births of her children in Thailand because it is not the area where the children were born, even though both children receive Thai citizenship under Article 7 (1) of the Nationality Act 1965 as amended (fourth edition) 2008. to provide the children with Civil Registration records, Ms. Isla may submit a request to add her children’s names to a house registration in accordance with Clause 108 of the Central Registration Bureau Directive on Civil Registration management 1992. This request may be filed at the district registration office or local registration office where she is currently domiciled. This all depends on the evidence proving that Ms. Isla is a Thai citizen, such as a house registration or identification card, and so on, as well as evidence that Ms. Isla Ari is the mother of the children, such as witnesses to the birth or results of a DNA test, and so on. In this case it is not necessary to verify citizenship under Article 57 of the Immigration Act 1979.
Chapter 3

Delivery Certificates

General Principles

The first piece of verification as a legal personality that a human being is entitled to receive after birth is a delivery certificate, which is a crucial document that shows the birthplace and condition of that person’s existence in the status of a denizen of the state. This document is certified by Civil Registration laws. Owing to a person’s inability to choose to be born in a healthcare facility, at home or outside of a residence or to be born in a remote area where there might not be anyone to witness the birth, if general birth assistants were required to issue a delivery certificate, it would result in this document being unreliable. Consequently, the Central Registration Bureau decreed that only children born in a healthcare facility will receive a delivery certificate issued by the doctor, nurse, or health worker who assisted the birth. However, Civil Registration laws do not neglect to solve the problem of people born in Thailand who need to use evidence proving their genuine link by birth to Thailand. It is possible for someone in this situation to request a delivery certificate.

Civil Registration laws regulate delivery certificates into two divisions; the first division is a delivery certificate issued under Article 23 of the Civil Registration Act 1991 (B.E. 2534), which mandates that the birth assistant is responsible to issue a delivery certificate as evidence for the person responsible to report the birth. The delivery certificate in this instance is called Tor. Ror. 1/1. It is required to use with children born in both government and private hospitals or healthcare facilities. It may be issued for all children, regardless of whether or not the child has Thai citizenship.

The second division is a delivery certificate issued under Article 20/1 of the Civil Registration Act 1991 amended (Second Edition) 2008 (B.E. 2551), which stipulates that the issuing of evidence for applicants who need to use evidence of being born in Thailand in order to obtain Thai citizenship or be naturalized, or in any other necessary situation is under the discretion of the district registrar or local registrar. The delivery certificate in this instance is called Tor. Ror. 20/1. Law mandates that the Director of Central Registration shall determine the manner and conditions of requesting the said delivery certificate, which will be discussed further.

Requesting delivery certificates

Laws


Article 20/1: In the case of a Cabinet Resolution granting Thai nationality or naturalization to a person or a people group, or in the case of any other necessary situation requiring the birth document of a person or persons, they shall apply for such a document in the manner prescribed in the regulations and conditions under the discretion of the Director of Central Registration.
Article 23: Whenever a birth or a death takes place, the birth assistant or health care provider must issue a delivery certificate or certification of death according to the template prescribed by the Director of Central Registration for the person responsible for reporting according to Article 18 or Article 21.

Central Registration Bureau Proclamation regarding the regulations, conditions and method of requesting delivery certificates according to Article 20/1 of the Civil Registration Act 1991 as amended by the Civil Registration Act (Second Edition) 2008 (B.E. 2551) dated 23 August, 2008.

Procedures and method of requesting delivery certificates

A. Requesting a Tor. Ror. 1/1 delivery certificate

Tor. Ror. 1/1 is a delivery certificate template that was drawn up pursuant to Article 23 of the Civil Registration Act 1991 (B.E. 2534) for both government and private health care facilities to issue for all children born in these facilities, regardless of whether the children born there are the children of Thai nationals or are any category of alien residing in Thailand either legally or illegally, and regardless of whether the child born is a Thai citizen or does not receive Thai citizenship. The birth assistant, either a doctor or health care personnel, must issue a delivery certificate in the Tor. Ror. 1/1 format for the person responsible to file a birth report, that is, the father or mother of the child, to use as evidence in reporting the birth to the registrar. It is not necessary to submit any request for this document, except in the event that the delivery certificate was lost or destroyed and the relevant person needs to use this document. They may then submit a request for a copy of the delivery certificate at the hospital or health care facility where the child was born. On the other hand, if the person has already reported the birth and already has a birth certificate, then there is no need for further use of the delivery certificate. Anyhow, the Ministry of Public Health has included the Tor. Ror. 1/1 delivery certificate template in the pink-coloured health record booklet that is given to every woman who gives birth at a health care facility. This document can also be used as evidence.

This delivery certificate is not a birth certificate, and not a document issued by the registrar receiving notification of birth. Therefore, the person legally responsible for reporting the birth is either the father or mother or the householder, who is the hospital director or chief of the health care facility where the child was born. S/he must take the Tor. Ror. 1/1 delivery certificate as evidence to report the birth to the registrar, who will receive notification and issue a birth certificate. The entry blanks in the Tor. Ror. 1/1 are to be filled with the facts stated by the woman who gave birth. The entry for “child number …” means the birth order of the child who was born in relation to other children born to the same parents. As for the entry about the child’s father, only record the details given. If the woman who gave birth does not wish to reveal details about the child’s father, leave the entry blank and leave it to the registrar receiving notification to investigate when receiving birth notification.
B. Requesting a Tor. Ror. 20/1 delivery certificate

Tor. Ror. 20/1 is a delivery certificate template that was drawn up pursuant to the Civil Registration Act (Second Edition) 2008 (B.E. 2551) in order to serve as Civil Registration evidence showing the birthplace of a particular category of person. It is distinct from the Tor. Ror. 1/1 in that the Tor. Ror. 20/1 is issued for a person who had their name entered into a house registration or Civil Registration records without going through the birth registration process, or a person who once had a birth certificate but the document was lost or damaged and it is impossible to copy it or extract a copy from the birth registry. In the past, administrative officials solved the problem for people who wished to use birth certification evidence by issuing a certificate of birthplace.

Qualifications of a person who may request a delivery certificate:
1. Was born in Thailand but did not report the birth; or
2. Had already filed a birth report but does not have a birth certificate, or the birth certificate has been lost and the relevant registrar is unable to extract a copy of the birth certificate or birth registry.

The person filing a request:
1. Those older than 15 years of age may file their own request.
2. If the applicant is younger than 15 years of age, the parents or guardian must file on their behalf.

The registrar at which to file: The district or local registrar in the district where the person was born, or where that person is named in the house registration, or currently resides.

Procedure
1. The applicant presents this evidence to the registrar:
   (1) The applicant’s identification card (if any) and parents’ identification cards (if any)
   (2) Either a house registration (Tor. Ror. 14 or Tor. Ror. 13) or Civil registration records (Tor. Ror. 18, Tor. Ror. 18/1, Tor. Ror. A or Tor. Ror. 18 B) that contains the applicant’s name and personal record.
   (3) Documentary evidence showing this person was born in Thailand (if any), for example, delivery certificate (Tor. Ror. 1/1), evidence of draft registration (Sor. Dor. 9), education records, alien registration book, and so forth.
   (4) Two full-face photographs, sized 2 inches
   (5) Other evidence (if any), such as a name change document.
2. The registrar
   (1) Examines the applicant’s evidence
   (2) Issues a receipt for the applicant. This may be done by photocopying the application form.
(3) Inspect and compare the personal record of the applicant with the Civil Registration database to see whether or not there is a record that matches the evidence submitted.

(4) Interview relevant witnesses, that is, the applicant for a delivery certificate, his/her parents or the guardian who has raised the applicant (if any), and trustworthy witnesses who can confirm the place of birth and the history/background of the applicant.

(5) If the applicant was born in a district under a registration bureau other than the one where the request is being made, and the applicant is unable to bring along documentary evidence or witnesses for the investigation, then the registrar may request cooperation from the relevant registration bureau to carry out the investigation and inspection instead.

(6) When the registrar has deemed that the evidence is sufficient to believe that the applicant was born in Thailand, the registrar prepares a delivery certificate according to the Tor. Ror. 20/1 template and give 1 copy to the applicant. The other copy is to be kept as evidence at the registration office.

(7) No fee is collected.

Delivery certificate case studies

Case 1: Mr. Chai Hoisang was registered as an immigrant of Thai ethnic descent from Koh Kong, born in Cambodia in 1956. He is domiciled in Koh Chang, Trad Province. He applied for delivery certificates for his two sons, Chao Hoisang, born in 1988 in Koh Chang district, Trad Province. His birth was not reported, and he has no Civil Registration documents. Mr. Chai’s second son is Sai Hoisang, born in 1991 at Trang Provincial Hospital. He is named in a Tor. Ror. 13 house registration and his national identification number begins with the number 7. Mr. Chai stated that it is necessary to use this as evidence to apply for Thai citizenship according to article 7 bis. Is the registrar able to carry out the request or not, and if so, how?

Solution: Article 20/1 of the Civil Registration Act 1991 amended (second edition) 2008 was instituted for the purpose of solving the problem for persons without Thai citizenship who are eligible to request Thai citizenship according to clause two of Article 7 bis. or to request nationalization by Article 12 and Article 12/1 of the Nationality Act 1965 amended (fourth edition) 2008, but are missing verification that they were born in Thailand. Thai citizens who need to use birth verification under Civil Registration laws are also included. The director of the Central Registration Bureau is to determine the regulations and conditions for requesting delivery certification according to this article. Therefore, the question to consider in this case is whether or not this request for a delivery certificate is in accordance with the Central Registration Bureau Proclamation dated 23 August 2008.

After preliminary consideration, it appears possible to issue a delivery certificate in the case of Mr. Chao Hoisang, whose birth occurred in Thailand but was not registered. However, the regulations and conditions of the Central Registration Bureau Proclamation state that an applicant for a delivery certificate must have either house registration records (Tor. Ror. 14 or Tor. Ror. 13) or Civil Registration records (Tor.
In the next case, Mr. Sai Hoisang was born in Thailand and is named in a Tor. Ror. 13 house registration. He has an identification number beginning with 7, which means his birth was registered and he received a Tor. Ror. 3 birth certificate. Mr. Sai has then no need of a Tor. Ror. 20/1 delivery certificate, because he can use his birth certificate, which is superior anyway, unless his birth certificate gets lost or damaged and the registrar cannot investigate and extract a copy of the birth certificate or birth records. In those circumstances the registrar may issue a delivery certificate according to Tor. Ror. 20/1 for him.

Case 2: Mr. Jiang Songkwae was born in 1947, and is named in the Tor. Ror. 13 house registration of the local municipality registration bureau. He submitted an application for a delivery certificate to the local registrar where he is registered and stated that he was born in Pom Prap Sattru Phai District of Pra Nakhon Province. He had a copy of birth records extracted from the Pom Prap Sattru Phai District birth registry in 1972. The registrar did not comply, and told Mr. Jiang to contact the Pom Prap Sattru Phai District. What are the procedural guidelines in this instance?

Solution: The regulations and conditions of requesting a delivery certificate under Article 20/1 of the Civil Registration Act 1991 amended (second edition) 2008 are determined by the Central Registration Bureau Proclamation regarding regulations, conditions and method of requesting delivery certificates according to Article 20/1 of the Civil Registration Act 1991 as amended by the Civil Registration Act (Second Edition) 2008 (B.E. 2551) dated 23 August, 2008. The applicant for a delivery certificate must have been born in Thailand but did not did not report the birth or must already have filed a birth report but does not have a birth certificate, or the birth certificate has been lost and the relevant registrar is unable to extract a copy of the birth certificate or birth registry. If the applicant is younger than 15 years old the parents or guardian must apply on their behalf. As for the registrar at which to proceed with this matter, the regulations state that the applicant for a delivery certificate may submit application at the district registrar or local registrar in the district where the person was born, or where that person is named in the house registration, or currently resides.

In Mr. Jiang Songkwae’s case, the local municipality registrar must accept the application and proceed according to the guidelines mandated by the Central Registration Bureau Proclamation dated 23 August 2008. The registrar is allowed to first send a request for the Pom Prap Sattru Phai District to investigate the birth registry as per the details provided by Mr. Jiang. The registrar’s refusal to carry out Mr. Jiang’s request was therefore wrong.

Case 3: Must persons who have a Tor. Ror. 1/1 delivery certificate from a hospital also request a Tor. Ror. 20/1 delivery certificate or not, and why?

Solution: Tor. Ror. 1/1 delivery certificates are documents issued by birth assistants at a hospital or health care facility to verify a child’s birth. This leads to the process of reporting birth and issuing a birth certificate. The Tor. Ror. 20/1 delivery
certificate, on the other hand, is a document issued by the registrar for a person who already has their name and personal record listed in Civil Registration documents, but is missing evidence proving a genuine link by birth to Thailand. Consequently, a person who already has a Tor. Ror. 1/1 delivery certificate and whose birth is already registered, has no further need to request a Tor. Ror. 20/1 delivery certificate, because it is possible and better to use a birth certificate or birth records. Conversely, a person who needs to use Civil Registration evidence showing a genuine link by birth to Thailand, and has a Tor. Ror. 1/1 delivery certificate but did not register the birth, and does not have a birth certificate, should request a Tor. Ror. 20/1 delivery certificate.

Case 4: Ms. Mueda contacted the registrar to report the birth of her son, Kampra, and showed a Tor. Ror. 1/1 delivery certificate that was issued by the district hospital. When questioned by the registrar regarding the details of Kampra’s father, Ms. Mueda stated that the entry appearing in the Tor. Ror. 1/1 is not actually the child’s father. As to whom the father actually is, Ms. Mueda herself was unsure, owing to personal reasons, but it was necessary to name the child’s father for the hospital officials because if she did not, she would not receive the delivery certificate. In this instance, how should the registrar enter the details of the child’s father in the birth certificate? Can the details in the Tor. Ror. 1/1 be corrected, and if so, who can do so?

Solution: Civil Registration documents are government documents prepared by officials with a legal obligation to do so. When data is incorrectly entered by an official or facts are mistaken by the informant with no dishonest intent, the document can be corrected as a matter of course. On the other hand, if the error or inaccurate data in a document result from a deliberate false report or from corruption, the document cannot be used as evidence and the registrar may not correct it. For this reason, the Central Registration Bureau, DOPA, sent a formal request to the Ministry of Public Health, asking them to clarify to all health care facilities under their jurisdiction that when making a Tor. Ror. 1/1 delivery certificate, only record the known facts, especially in regards to the father of the child. If the woman giving birth does not know or does not wish to reveal this detail, the entry is to be left blank. This is to prevent inaccurate information from being recorded by an official. In Ms. Mueda’s case, if the registrar’s questioning reveals that Kamphra’s father as listed in the hospital’s Tor. Ror. 1/1 delivery certificate is incorrect, the information recorded in the birth certificate does not have to match it. If the facts of Kamphra’s father are revealed, the registrar may record those facts, or if these facts are not revealed, the registrar may then leave a blank. After the registrar has received the birth report and issued a birth certificate for Kamphra, he must notify the hospital that issued the delivery certificate about the facts of Kamphra’s father in order for the hospital to correct the record. The registrar does not have the authority to correct the Tor. Ror. 1/1.
Chapter 4

House Registration and Adding a Personal Profile to a House Registration

General principles

According to Civil Registration law, “house” means a building or edifice used as a place of residence and having a householder. This definition includes rafts and boats that are regularly moored and used as a place of residence, and a site or mobile vehicle that is used as a regular residence. “House registration” means a register of a house that shows the house number, the location of the house and a list of all house inhabitants.

A house registration is an important document that is used as verification in carrying out various matters between a private person and a government agency or private agencies, or between private individuals, whether requests for services, exercising rights, or executing Juristic acts. This is because a house registration is a document issued by government agencies to verify a person’s details (name, surname, date of birth, personal identification number, citizenship, parents’ names, parents’ citizenship, etc.) and the status of residence rights in Thailand of the person the listed in the house registration. It also shows the domicile of the person.

Before DOPA began using the 13-digit Identification number system to manage the country’s population, there was only one form of Civil Registration used to list both Thai nationals and aliens. In 1983 house registrations were divided into Tor. Ror. 14 and 13, Tor. Ror. 14 being for Thai citizens and aliens with permanent residency (bearing an alien registration book), and Tor. Ror. 13 for persons without Thai citizenship who have temporary residence rights (bearing a passport) and aliens who entered the country in violation of immigration laws. This is in accordance with Central registration Bureau, DOPA Guidelines on Issuing Civil Registration in Operational Districts 1985 and Article 38 of the Civil Registration Act 1991. However, in practice, the latter group of aliens is a minority that has already been surveyed by the government and received registration records, and subsequently was entered into Tor. Ror. 13 house registrations. This group mainly consists of smaller groups who were granted leniency by Cabinet Resolution to reside in the Kingdom as a special case, including the children of minority groups who were born in Thailand.

The principles of making a distinction between house registrations based on the status of one’s right to reside in Thailand are clearly laid out in the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551). Article 38 concerns preparing house registrations for people with the permanent right to reside in Thailand (Tor. Ror. 14), and Article 18 paragraph one is concerned with preparing house registrations for persons without Thai citizenship who have a temporary right to reside in Thailand or have been granted leniency to reside as a special case, but proceedings must follow the guidelines prescribed by the Minister of Interior. Groups of aliens other than those specified by the Minister of Interior and those without any right to reside in Thailand may not have a house registration issued for them but will receive a profile registration record instead.
A person’s personal status may be recorded in Civil Registration documents through the process of birth registration, by requesting to add a name to a house registration or by surveying to issue registration records, depending on the situation. All persons residing in Thailand who have not passed through the birth registration process may request to have their name entered into a house registration, irrespective of citizenship. Nevertheless, recording a person in a house registration or Civil Registration records depends on their residential status in Thailand; whether or not they have a legal right to reside and the nature of their residence rights. The district registrar and the local registrar are responsible for proceeding according to the method mandated by law.

Laws


Article 29: It shall be presumed that a person lives in and is domiciled at the residence where s/he is named in the house registration.

Article 36: The district or local registrar shall issue a household registration for every house of both persons with Thai nationality and without Thai nationality having a domicile within the Thai Kingdom.

Issuing house registrations shall lie in the manner prescribed in the regulations under the discretion of the Director of Central Registration.

Article 37: Adding names and personal profiles to a house registration or the Central House Registration shall lie in the manner prescribed in the regulations under the discretion of the Director of Central Registration.

Article 38: The district or local registrar shall issue a household registration for persons without Thai nationality having been permitted to stay temporarily and those having been giving leniency for temporary residence in the Thai Kingdom as a special case in accordance with law on immigration and the declaration of the Cabinet and their children born within the Thai Kingdom. In a case of permission for temporary residence coming to an end, the registrar shall immediately dispose of such persons.

The Director of Central Registration shall make profile registrations for persons without Thai nationality besides those under paragraph one in accordance with the declaration of the Cabinet.

Registrations under paragraph one and two shall lie in the manner prescribed in the regulations under the discretion of the Director of Central Registration.

A. Thai citizens requesting to add a name are categorized as:

1. Persons who missed the 1924 Civil Registration survey
2. Persons requesting to add a name by using a birth certificate, notification of change of domicile, or former form of house registration.
3. A Thai national returning from overseas on a foreign passport
4. A Thai national born overseas with birth certification
5. A Thai national returning from overseas on a Certificate of Identity and who also has Thai documents

6. A Thai national born overseas requesting to add their name but unable to return to Thailand due to circumstances

7. A person claiming to be a Thai citizen requests to add name but has no government documents as evidence

8. Adding the name of a destitute child who is in the care of a person or private agency not under the Ministerial Proclamation.

9. Adding the name of a person who was listed as “deceased” or “discarded” in a house registration

10. Requesting to add a name by a person who received Thai citizenship by request, by naturalization or by restoration

11. Requesting to add a name of a person who received Thai nationality by birth because of being unable to prove any other citizenship

**Procedures**

1. The case of having missed the Civil Registration survey 1924 must be a person born before June 1st, 1924.

**Location of submitting application:** District registrar or local registrar in which the person has residence.

** Applicant:** The householder or person requesting name addition

**Accompanying evidence:**

(1) House registration (Tor. Ror. 14) of the house requesting name addition

(2) The applicant’s identification card (if any)

(3) Other registration evidence showing details of the person requesting to be added (if any), such as a census list, marriage registration, etc.

(4) Government-issued documents (if any), such as education certificates, military records

(5) Reliable witnesses who are able to guarantee and verify the person’s identification

**Registrar:**

(1) Examines the evidence shown by the applicant

(2) Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration

(3) Interviews the applicant, the householder, and trustworthy witnesses to reveal the facts and the history/background of the applicant. In the householder’s interview, the
householder must also give consent to add the applicant’s name into the house registration.

(4) Compiles the evidence along with an opinion and submit to the District Officer for consideration

(5) If the District Officer approves the request, the registrar must add the applicant’s name to the house registration (Tor. Ror. 14). The person’s 13-digit identification number will begin with 5, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.

(6) Give the householder’s house registration as well as the evidence to the applicant and recommend applicants aged from 15 years up to apply for an identification card.

(7) If the District Officer does not approve the request, ask the applicant if s/he wishes for the registrar to make a registration record as evidence first or not. If so, have the registrar make a registration record (Tor. Ror. 38 A) and determine the identification number to be 0-type. But if not, inform the applicant of the order within 3 days of the day that the order was given, so that the applicant can make an objection or appeal within 15 days.

2. In the case of adding a name by using a birth certificate, change of domicile notification or former form of house registration that did not have a National Identification number

Location of submitting application:

(1) In the case of adding a name by the old form of birth certificate, submit the request at the registration office that issued that birth certificate.

(2) In the case of adding a name by the old form of change of domicile notification, submit the request at the registration office that the applicant wishes to enter.

(3) In case of adding a name by the old form of house registration, submit the request at the last registration office where the name was in the house registration.

Applicant: The householder or person requesting name addition

Accompanying evidence:

(1) House registration (Tor. Ror. 14) of the house requesting name addition

(2) The applicant’s identification card (if any)

(3) Civil Registration evidence that shows the profile of the applicant, such as a birth certificate, a notification of change of domicile or the old form of house registration, as the case may be

(4) Government-issued documents (if any), such as education certificates, military records
(5) Reliable witnesses who are able to guarantee and verify the person’s identification

Registrar:

(1) Examines the evidence shown by the applicant

(2) Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration

(3) In the case of using a notification of change of domicile, enquire at the registrar that issued the notification to see whether or not the person requesting to add their name indeed previously had their name in the registration office that issued the notification or not.

(4) Interview the applicant, the householder, and trustworthy witnesses to reveal the facts if the applicant is the same person whose name and profile appears in the shown documents. When the registrar has approved the request, the registrar is to add the person’s name to the house registration (Tor. Ror. 14). The person’s 13-digit identification number will begin with 5, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.

(5) Hand over the householder’s house registration as well as the evidence to the applicant and recommend submitting a request to make an identification card for applicants aged from 15 years up.

(6) If the applicant does not live in the area of the registration office that s/he is requesting to add their name, or at the house number of the former house registration that was used as evidence in requesting to add the name that was discarded, or has changed the house owner, the registrar must add the name to the central house registration, and if the applicant wishes to move elsewhere, proceed according to the regulations on notifying about change of domicile.

(7) If the District Officer does not approve the request, ask the applicant if s/he wishes for the registrar to make a registration record as evidence first or not. If so, have the registrar make a registration record (Tor. Ror. 38 A) and designate the Identification number to be 0-type. But if not, inform the applicant of the order within 3 days of the day that the order was given, so that the applicant can make an objection or appeal within 15 days.

3. A Thai national returning from overseas or born overseas and returning to Thailand without evidence showing that they are a person with Thai citizenship

Location of submitting application: District registrar or local registrar in which the person has residence.

Applicant: The householder or person requesting name addition

Accompanying evidence:

(1) House registration (Tor. Ror. 14) of the house requesting name addition
(2) The applicant’s identification card (if any)

(3) Evidence showing the person’s profile (if any), such as a passport or birth certification, or the like

(4) Reliable witnesses who are able to guarantee and verify the person’s identification

Registrar:

(1) Examines the evidence shown by the applicant

(2) Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration

(3) Make arrangements to send the applicant to the Immigration Department with Jurisdiction over the area that the applicant entered the country in order to verify the person’s citizenship.

(4) If an answer is received from the Immigration Department that the applicant is a Thai citizen, interview the applicant, the householder, and trustworthy witnesses to reveal the facts and the history/background of the applicant. In the householder’s interview, the householder must also give consent to add the applicant’s name into the house registration.

(5) If the District Officer approves the request, the registrar must add the applicant’s name to the house registration (Tor. Ror. 14). The person’s 13-digit identification number will begin with 5, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.

(6) Hand over the householder’s house registration as well as the evidence to the applicant and recommend submitting a request to make an Identification card for applicants aged from 15 years up.

(7) If the District Officer does not approve the request, ask the applicant if s/he wishes for the registrar to make a registration record as evidence first or not. If so, have the registrar make a registration record (Tor. Ror. 38 A) and determine the Identification number to be 0-type. But if not, inform the applicant of the order within 3 days of the day that the order was given, so that the applicant can make an objection or appeal within 15 days.

4. A Thai national born overseas with birth certification

Location of submitting application: District registrar or local registrar in which the person has residence.

Applicant: The householder or person requesting name addition, except for a minor, in which case the parents or legal guardian must submit the request.

Accompanying evidence:

(1) House registration (Tor. Ror. 14) of the house requesting name addition
(2) The applicant’s identification card (if any)

(3) Birth certification of the applicant, meaning birth registration records (birth certificate) issued by the Thai Embassy or Consulate overseas, or evidence issued by an agency in the country where the person was born, which must be translated and certified as a correct translation by the Ministry of Foreign Affairs. If the birth certification does not show the parents’ citizenship, additional registration evidence showing the parent’s Thai citizenship must be submitted in order to confirm the acquisition of Thai citizenship by the applicant.

(4) The applicant’s passport

(5) Reliable witnesses who are able to guarantee and verify the person’s identification

Registrar:

(1) Examines the validity of evidence shown by the applicant

(2) Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration

(3) Interviews the applicant, the householder, and trustworthy witnesses to reveal the facts and the history/background of the applicant. In the householder’s interview, the householder must also give consent to add the applicant’s name into the house registration.

(4) If the registrar approves the request, the registrar must add the applicant’s name to the house registration (Tor. Ror. 14). The person’s 13-digit identification number will begin with 5, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.

(5) Record the approval and the person’s 13-digit identification number in the birth certificate or delivery certificate.

(6) Hand over the householder’s house registration as well as the evidence to the applicant and recommend submitting a request to make an Identification card for applicants aged from 15 years up.

5. Adding the name of a Thai national returning from overseas on a foreign passport or Certificate of Identity issued by the Thai Embassy or Consulate and possessing government documents that state the bearer’s nationality as Thai

Location of submitting application: District registrar or local registrar in which the person has residence.

Applicant: The householder or person requesting name addition

Accompanying evidence:

(1) House registration (Tor. Ror. 14) of the house requesting name addition

(2) The applicant’s identification card (if any)
(3) Evidence showing details of the person requesting to be added; this could be a foreign passport or a Certificate of Identity (C.I.D.) issued by the Thai Embassy or Consulate, as well as government documents stating that the person has Thai citizenship (if any), such as education records, military records, and so forth.

(4) Reliable witnesses who are able to guarantee and verify the person’s identification

Registrar:

(1) Examines the validity of evidence shown by the applicant

(2) Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration

(3) In the case that the applicant has government documents stating their citizenship as Thai, arrange an inquiry with the government agency/ies that issued the documents as to the validity of the documents shown by the applicant. If a notification is received that the documents are valid, interview the applicant, the householder, and trustworthy witnesses to reveal the facts and the history/background of the applicant, particularly name and surname, date of birth, place of birth, residence in Thailand before going overseas, exercise of voting rights, and parent’s profiles.

(4) If the District Officer approves the request, the registrar must add the applicant’s name to the house registration (Tor. Ror. 14). The person’s 13-digit identification number will begin with 5, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.

(5) Hand over the householder’s house registration as well as the evidence to the applicant and recommend submitting a request to make an identification card for applicants aged from 15 years up.

(6) In the case that the applicant does not have government documents stating their citizenship as Thai, or if notification was received from the government agency that issued the documents stating informing that the said documents are invalid or unable to investigate, the registrar is to make refer the applicant to the Immigration Department to verify their citizenship.

6. A Thai national born overseas requesting to add name but unable to return to Thailand due to necessary circumstances

Location of submitting application: District registrar or local registrar in which the applicant’s parents, family members, relatives or guardian has residence.

Applicant:

(1) The grantee of authority from the father, mother or legal guardian of the applicant for a name addition into Civil Registration (in the case that the applicant is not yet Sui Juris) or
(2) The grantee of authority from the applicant for the name addition (in the case that the applicant is Sui Juris)

Remark: The grantee of authority must be a family member, relative or legal guardian of the applicant.

Accompanying evidence:

(1) House registration (Tor. Ror. 14) of the house requesting name addition

(2) The applicant’s identification card (if any)

(3) Birth certificate issued by the Thai Embassy or Consulate overseas, or delivery certificate issued by a foreign agency, which must be translated into Thai and certified as a correct translation by the Ministry of Foreign Affairs.

(4) Power of attorney or written authority from the parents or legal guardian, or from applicant for a Civil Registration profile that is already Sui Juris, as the case may be. This should be conducted through the Thai Embassy or Consulate.

(5) Government-issued documents (if any), such as education certificates or military records

(6) Reliable witnesses who are able to guarantee and verify the person’s identification

Registrar:

(1) Examines the evidence shown by the applicant, as well as the qualifications and address according to the house registration of the grantee of authority, to verify that the grantee of authority is domiciled in the registration district of application.

(2) Inspect the Civil Registration database to see whether or not the applicant’s name exists in a different house registration

(3) Interview the applicant, the householder, and trustworthy witnesses to reveal the facts and the history/background of the applicant, as well as consent to add the applicant’s name into the house registration and enquire as to the circumstances making it impossible to travel back to Thailand.

(4) When the registrar has granted approval, record the approval on the back of the birth certificate or delivery certificate documents, as the case may be, and designate the person’s identification number to be type 5.

(5) Add the applicant’s name to the Registration Bureau’s temporary house registration (Tor. Ror. 14) for persons who have traveled overseas, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.

(6) Return the evidence used in the notification to the person making the report

7. A person claiming to be a Thai citizen requests to add their name but has no government documents as evidence
Location of submitting application: District registrar or local registrar in which the person has residence.

Applicant: The householder or person requesting name addition

Accompanying evidence:

(1) House registration (Tor. Ror. 14) of the house requesting name addition
(2) The applicant’s identification card (if any)
(3) Government-issued documents (if any), such as education certificates or military records
(4) Other evidence that shows the profile of or can identify the person requesting to be added (if any).
(5) Reliable witnesses who are able to guarantee and verify the person’s identification

Registrar:

(1) Examines the evidence shown by the applicant
(2) Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration
(3) Interviews the applicant, the householder, and trustworthy witnesses to reveal the facts and the history/background of the applicant. In the householder’s interview, the householder must also give consent to add the applicant’s name into the house registration.
(4) Compile the evidence along with an opinion and submit to the District Officer or Khet Director for consideration (for applicants aged 7 years upwards)
(5) If the District Officer or District registrar or local registrar approves the request, the registrar must add the applicant’s name to the house registration (Tor. Ror. 14). The person’s 13-digit identification number will begin with 5, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.
(6) Hand over the householder’s house registration as well as the evidence to the applicant and recommend submitting a request to make an Identification card for applicants aged from 15 years up.
(7) If the District Officer does not approve the request, ask the applicant if s/he wishes for the registrar to make a registration record as evidence first or not. If so, have the registrar make a registration record (Tor. Ror. 38 A) and designate the Identification number as type 0. But if not, inform the applicant of the order within 3 days of the day that the order was given, so that the applicant can make an objection or appeal within 15 days.
8. Adding the name of a destitute child who is in the care of a person or private agency not under the Ministerial Proclamation according to Article 19/1 of the Civil Registration Act

Location of submitting application: District registrar or local registrar in which the person has residence.

Applicant: The caregiver or head of care giving agency

Accompanying evidence:
(1) House registration (Tor. Ror. 14) of the house requesting name addition
(2) The applicant’s identification card (if any)
(3) Evidence of receiving the child into foster care (if any)
(4) Evidence about the child that is requesting to be added (if any) such as education records, letters, photographs, and so on
(5) Reliable witnesses who are able to guarantee and verify the person’s identification

Registrar:
(1) Examines the evidence shown by the applicant
(2) Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration
(3) Interviews the applicant, the householder, and trustworthy witnesses to reveal the facts and the history/background of the applicant. In the householder’s interview, the householder must also give consent to add the applicant’s name into the house registration.
(4) Compiles the evidence along with an opinion and submit to the District Officer for consideration
(5) If the District Officer approves the request, the registrar must add the applicant’s name to the house registration (Tor. Ror. 14). The person’s 13-digit identification number will begin with 5, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.
(6) Hand over the householder’s house registration as well as the evidence to the applicant and recommend submitting a request to make an identification card for applicants aged from 15 years up.
(7) If the District Officer does not approve the request, ask the applicant if s/he wishes for the registrar to make a registration record as evidence first or not. If so, have the registrar make a registration record (Tor. Ror. 38 A) and designate a 0-type the Identification number. But if not, inform the applicant of the order within 3 days of the day that the order was given, so that the applicant can make an objection or appeal within 15 days.
9. Adding the name of someone who was listed as “deceased or discarded” in a house registration that contains their identification number because of reporting the death of the wrong person or mistaking the facts

**Location of submitting application:** District registrar or local registrar in which the person previously was named in a house registration before being discarded.

**Applicant:** The householder or person requesting name addition

**Accompanying evidence:**

1. House registration (Tor. Ror. 14) of the house requesting name addition
2. The applicant’s identification card (if any)
3. House registration that contains the record of the death or discarded record of the applicant
4. Death certificate (in the case of a person discarded by death) or notification of change of domicile
5. Government-issued documents (if any), such as education certificates or military records
6. Reliable witnesses who are able to guarantee and verify the person’s identification

**Registrar:**

1. Examines the evidence shown by the applicant
2. Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration
3. Interview the applicant, the householder, and trustworthy witnesses to reveal the facts and the history/background of the applicant, and enquire as to the reason that a death was reported or why a request was made to discard the record of the applicant, to check if there was a dishonest notification made.
4. Compile the evidence along with an opinion and submit to the District Officer for consideration
5. After the **District Officer approves the request**, the registrar must report to the Central Registration Bureau as an individual case to correct the Civil Registration database first. When notification from the Central Registration Bureau has been received, then adjust the householder’s house registration (Tor. Ror. 14). Insert a remark into the space for correcting records stating “entry number… rescinded the death or discarded record … in compliance with request number… dated …” and the registrar must enter a signature and date.
6. Hand over the householder’s house registration as well as the evidence to the applicant and recommend submitting a request to make an Identification card for applicants aged from 15 years up.
(7) In the case of discarding a record because of a false death by using a death certificate, the registrar must rescind the death certificate according to the specified regulations.

10. Requesting to add a name by a person who received Thai citizenship by virtue of Article 7 bis., by naturalization or naturalization by marriage to a Thai husband or by restoration of Thai citizenship

Location of submitting application: District registrar or local registrar in which the person has residence.

Applicant: The householder, parents or person requesting to be added

Accompanying evidence:
(1) House registration (Tor. Ror. 14) of the house requesting name addition
(2) The applicant’s identification card (if any)
(3) Government-issued documents that state the person is a Thai citizen (if any), such as nationalization papers, Ministerial Proclamation, copy of court order or ruling, and such
(4) Other relevant documents, (if any) such as identity card for persons without Thai citizenship, house registration or registration records, residency certificate or alien registration book, education records, and so on
(5) Reliable witnesses who are able to guarantee and verify the person’s identification

10.1 An applicant who is named and has a profile in a house registration (Tor. Ror. 14) and became a Thai citizen by naturalization

Registrar
(1) Request evidence from the applicant and examine the validity thereof
(2) Interview the applicant and the householder to obtain the facts and history/background of the applicant, as well as details about the applicant’s parents.
(3) When the registrar has granted approval, correct the applicant’s citizenship and identification number in the house registration (Tor. Ror. 14). The person’s new identification number will be designated as type 8, but if the person already has a type 8 identification number, then only correct the citizenship record in the house registration.
(4) Hand over the householder’s house registration (Tor. Ror. 14) as well as return the applicant’s evidence and recommend submitting a request to make an Identification card for applicants aged from 15 years up.

10.2 An applicant who is named in a house registration (Tor. Ror. 14) and received Thai citizenship by virtue of Article 7 bis., or naturalization by marriage to a Thai husband or by restoration of Thai citizenship
Registrar

(1) Request evidence from the applicant and examine the validity thereof

(2) Interview the applicant, the householder, to obtain facts and history/background of the applicant, as well as details about the applicant’s parents.

(3) When the registrar grants approval, discard the person’s name from the house registration (Tor. Ror. 13) or central registration (Tor. Ror. 13), as the case may be, and stamp the word “discarded” on the page with that person’s record and in the blank for moving out, state “request number… dated…” along with a signature and date.

(4) Proceed to add the name and record to the house registration (Tor. Ror. 14) or central house registration (Tor. Ror. 14). The person’s 13-digit identification number will begin with 8, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.

(5) Hand over the householder’s house registration (Tor. Ror. 14) as well as returning the evidence to the applicant and recommend submitting a request to make an Identification card for applicants aged from 15 years up.

11. Requesting to add a name of a person who received Thai nationality by birth according to nationality laws because of being unable to verify any other citizenship

Location of submitting application: District registrar or local registrar in which the person has residence.

Applicant: The householder, parents or person requesting name addition

Accompanying evidence:

(1) House registration (Tor. Ror. 14) of the house requesting name addition

(2) The applicant’s identification card (if any)

(3) Civil Registration evidence containing the record of the applicant (if any) such as census records, marriage certificate, or legitimation documents, and the like

(4) Civil Registration documents (if any) such as house registration (Tor. Ror. 13) or profile registration records (Tor. Ror. 38/1 or Tor. Ror. 38 B)

(5) Government-issued documents (if any), such as education records, military records, the residency certificate or alien registration book of parents (in the case where the applicant’s parents are aliens)

(6) Reliable witnesses who are able to guarantee and verify the person’s identification

Registrar:

(1) Request evidence from the applicant and examine the validity thereof
(2) Interview the householder, parents (if any), applicant and trustworthy witnesses to reveal the facts and history/background of the applicant and parents, particularly facts regarding birthplace and citizenship

(3) When the district registrar or local registrar grants approval, proceed to add the person’s name to the house registration and householder’s house registration (Tor. Ror. 14). The person’s 13-digit identification number will begin with 5, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.

(4) Hand over the householder’s house registration (Tor. Ror. 14) as well as returning the evidence to the applicant and recommend submitting a request to make an Identification card for applicants aged from 15 years up.

B. Persons without Thai citizenship who wish to add their name are categorized as

1. An applicant holding an alien registration book who once had their names in a house registration
2. An applicant who has been granted permanent residency rights
3. An applicant who was granted leniency to reside as a special case
4. An applicant who received temporary residency rights

Laws

1. Ministerial Directive Stipulating Civil Registration for Persons without Thai citizenship and Fee Rates 2008 (B.E. 2551)

Clause 2: In this Ministerial Regulation, “persons without Thai citizenship” refers to

(1) Aliens who have received permission to reside in the Kingdom according to Immigration laws and also possess a residency permit or an alien registration book in accordance with immigration laws or Civil Registration laws, as the case may be; as well as their children who were born in Thailand and did not receive Thai citizenship by birth according to nationality laws.

(2) Aliens who were granted leniency for temporary residence in Kingdom as a special case from the Minister of Interior under immigration laws; as well as their children who were born in Thailand and did not receive Thai citizenship by birth under nationality laws.

(3) Aliens who have received permission to reside in the Kingdom according to Immigration laws on a temporary basis as well as their children who were born in Thailand and did not receive Thai citizenship by birth according to nationality laws.

(4) Aliens who entered the Kingdom without receiving permission according to Immigration laws as well as their children who were born in Thailand and did not receive Thai citizenship by birth according to nationality laws.
Clause 4: The following persons without Thai citizenship are allowed to proceed with adding names and profiles in a house registration …⁴ and issuing profile registration records.

(1) Persons without Thai citizenship according to clause 2 (1)

(2) Persons without Thai citizenship according to clause 2 (2) for whom the Minister of Interior has announced a regulation commanding the district registrar or local registrar to issue a house registration pursuant to Article 38 paragraph one.

Clause 5: The following persons without Thai citizenship are allowed to proceed with examining, enquiring or adjusting Civil Registration records and the issuing of profile registration records:

(1) Persons without Thai citizenship according to clause 2 (2) that are apart from clause 4 (2)

(2) Persons without Thai citizenship according to clause 2 (4) for whom the Minister of Interior has announced a regulation commanding the district registrar or local registrar to issue profile registration records pursuant to Article 38 paragraph two.

Clause 6: If a person without Thai citizenship according to clause 2 (3) wishes to proceed with Civil Registration pursuant to clause 4, the request may be submitted to the registrar to carry out proceedings.

2. Ministerial Proclamation regarding Issuing House Registration and Profile Registration Records for persons without Thai citizenship according to Article 38 of the Civil Registration Act 1991 as amended by the Civil Registration Act (second edition) 2008 dated 18 September 2008

Clause 1: Persons without Thai citizenship who may request the district registrar or the local registrar to issue a house registration or add their personal profile to a house registration (Tor. Ror. 13) according to Article 38 paragraph one are:

(1) A person without Thai citizenship because of renunciation, revocation or loss of Thai citizenship through nationality laws who has not yet received an alien registration book according to alien registration laws.

(2) A person without Thai citizenship who has received permission to reside in the Kingdom on a temporary basis

(3) A person without Thai citizenship who was granted leniency for temporary residence in Kingdom as a special case under immigration laws, the condition being that it is impossible to return them to their country of origin or there is a cabinet resolution allowing residential status in the Kingdom according to immigration laws or nationality laws.

(4) The children of the persons without Thai citizenship specified in (1), (2) or (3) who were born in the Kingdom and did not receive Thai citizenship.

⁴ Translator’s note: The ellipsis “…” appeared in the original text.
Clause 2: Persons without Thai citizenship who may request for the director of the Central Registration Bureau issue profile registration records according to Article 38 paragraph two are:

1. A person without Thai citizenship who was granted leniency for temporary residence in Kingdom as a special case under immigration laws with a clearly defined period of leniency of less than five years, or without a cabinet resolution allowing residential status in the Kingdom according to immigration laws or nationality laws, including this person’s children born in the kingdom who did not receive Thai citizenship.

2. A person without Thai citizenship from any groups apart from the groups specified in clause one and (1) of this clause.

Procedures

1. An applicant without Thai citizenship holding an alien registration book who once had their name in a house registration

Location of submitting application: District registrar or local registrar in which the person has residence.

Applicant: The householder or person requesting name addition

Accompanying evidence:

1. House registration (Tor. Ror. 14) of the house requesting name addition
2. The householder’s identification card (if any)
3. Permanent residency certificate or alien registration book of the applicant, or letter of guarantee from a government agency affirming that the bearer has received permanent residency rights
4. A copy of the house registration that the alien once had his/her name in (if any)
5. House registration (Tor. Ror. 13) or registration profile records (if any)
6. Reliable witnesses who are able to guarantee and verify the person’s identification

Registrar:

1. Examines the evidence shown by the applicant
2. Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration
3. Interview the applicant and the householder to reveal the facts and the history/background of the applicant. In the householder’s interview, the householder must also give consent to add the applicant’s name into the house registration.
4. Compile the evidence along with an opinion and submit to the District Officer for consideration
(5) If the District Officer approves the request, the registrar must add the applicant’s name to the house registration (Tor. Ror. 14), matching the record shown in the Residency certificate or alien registration book. The person’s 13-digit identification number will begin with 8, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.

(6) Hand over the householder’s house registration as well as the evidence to the applicant and recommend submitting a request to make an identification card for persons without Thai citizenship for those aged from 5 years up.

2. A person without Thai citizenship who has been granted permanent residency rights requesting to add their name to a house registration (Tor. Ror. 14)

**Location of submitting application:** District registrar or local registrar in which the person has residence.

**Applicant:** The householder, parents or person requesting name addition

**Accompanying evidence:**

(1) House registration (Tor. Ror. 14) of the house requesting name addition
(2) The householder’s identification card (if any)
(3) Permanent residency certificate or alien registration book of the applicant, or letter of guarantee from a government agency affirming that the bearer has received permanent residency rights
(4) House registration (Tor. Ror. 13), profile registration records or an identity card for persons without Thai citizenship (if any)
(5) Reliable witnesses which in this case is the householder

**Registrar:**

(1) Examines the evidence shown by the applicant
(2) Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration
(3) Interview the applicant and the householder to reveal the facts and history/background of the applicant. In the householder’s interview, the householder must also give consent to add the applicant’s name into the house registration.
(4) When the District registrar or local registrar approves the request, the registrar must add the applicant’s name to the house registration (Tor. Ror. 14), matching the record shown in the Residency certificate or alien registration book. The person’s 13-digit identification number will begin with 8, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.
(5) Hand over the householder’s house registration (Tor. Ror. 14) as well as the evidence to the applicant and recommend submitting a request to make an identification card for persons without Thai citizenship for those aged from 5 years up.
3. An applicant without Thai citizenship who was granted leniency to reside as a special case according to immigration law or nationality law including their children who were born in the Kingdom but did not receive Thai citizenship

**Location of submitting application:** District registrar or local registrar in which the person has residence.

**Applicant:** The householder, parents or person requesting to add name

**Accompanying evidence:**

1. House registration of the house requesting name addition
2. The householder’s identification card (if any)
3. House registration, profile registration records and identification cards of parents and applicant (if any)
4. Other government-issued evidence (if any) such as work permit, education records, and such
5. Reliable witnesses who are able to guarantee and verify the person’s identification

**Registrar:**

1. Examines the evidence shown by the applicant
2. Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration
3. Interview the applicant and witnesses to reveal the facts and the history/background, birthplace and status of residency in Thailand of the applicant. In the householder’s interview, the householder must also give consent to add the applicant’s name into the house registration.
4. Examine the applicant’s qualifications to determine whether they have been granted leniency to reside as a special case or not, whether or not they are a group unable to return to their country of origin, or whether or not they are a group that was granted leniency to reside in the Kingdom as a special case for no less than 5 years (mainly groups that the government has a policy to grant legal status.)
5. Compile the evidence along with an opinion and submit to the District Officer for consideration
6. When the District Officer approves the request, the registrar must add the applicant’s name to the house registration (Tor. Ror. 13) matching the record in the survey records (if any). The person’s 13-digit identification number will begin with 6, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.
7. Hand over the householder’s house registration as well as the evidence to the applicant and recommend submitting a request to make an identification card for persons without Thai citizenship for those aged from 5 years up.
(8) In the case that the District Officer informs that the applicant does not meet the criteria to be issued a house registration (Tor. Ror. 13) set by the Minister of Interior, the district registrar or local registrar must prepare a profile registration record for persons without Civil Registration status (Tor. Ror. 38 B) for the applicant. The personal identification number will begin with 0.

4. The case of requesting to add their name to a house registration by an alien who entered Thailand on a passport whose time period of permission to reside in Thailand has not yet ended

**Location of submitting application:** District registrar or local registrar in which the person has residence.

**Applicant:** The householder or person requesting name addition

**Accompanying evidence:**

1. House registration (Tor. Ror. 14 or Tor. Ror. 13) of the house requesting name addition
2. Householder’s identification card (if any)
3. The applicant’s Passport along with a Thai translation certified by a reliable institute or agency
4. Reliable witness who in this case is the householder

**Registrar:**

1. Examines the validity of evidence shown by the applicant
2. Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration
3. Interview the applicant and the householder to reveal the facts and the history/background of the applicant as well as the necessity of adding their name. In the householder’s interview, the householder must also give consent to add the applicant’s name into the house registration.
4. When the District registrar or local registrar approves the request, the registrar must add the applicant’s name to the house registration (Tor. Ror. 13) matching the applicant’s passport. The person’s 13-digit identification number will begin with 6, and a remark will be filled in the entry for “moving into the house” stating “in compliance with request number… dated …”, then signed and dated.
5. Hand over the householder’s house registration as well as the evidence to the applicant. It is not necessary to recommend submitting a request to make an identification card for persons without Thai citizenship, because the person in this instance does not fall under the law that mandates identification cards.
Chapter 5

Establishing Civil Registration Records for persons without Thai citizenship

General Principles

The Civil Registration Act (Second Edition) 2008 clearly lays out principles for establishing Civil Registration records for people residing in Thailand. This appears in two amended articles; Article 19/2 and Article 18 second paragraph. The explanation can be divided into two parts according to the way that a person entered the Civil Registration process.

The first part concerns establishing a Civil Registration record for someone who entered the Civil Registration process by reporting a birth but was not able to verify birth status and citizenship and therefore was not able to register the birth. The registrar will then issue a profile registration record and determine a 13-digit identification number for the person. This situation will occur with the birth registration of various groups of underprivileged children, for example, young abandoned children, vagrant children, children without any known parents or children who were abandoned by their parents. It can also occur with late birth registrations, particularly with elderly persons who do not have documentary evidence or witnesses who can attest to their birth.

The second part regards establishing a profile registration record for people who entered the Civil Registration process by recording a personal profile or adding their names. These are groups of persons without Thai citizenship for whom the Minister has determined that there must be profile registration records issued in place of house registrations. This situation will occur among aliens with the status of receiving short-term leniency to reside in the kingdom or do not have any residency rights in Thailand. For example, illegal aliens from Burma, Laos and Cambodia or aliens who entered Thailand in violation of immigration laws.

Moreover, it can conceivably happen that a Thai person would receive Civil Registration Records instead of a name addition in a household registration (Tor. Ror. 14). This could happen to a person who claims to be a Thai citizen but there is not sufficient evidence to prove his/her identity. Mainly they are people who have been overlooked by the Civil Registration process for a long time. Nevertheless, if the person who was put into a Civil Registration record finds evidence to prove their true identity at a later time, the registrar is able to correct their status to match the facts.

Establishing Civil Registration Records

Laws


Article 19/2: Verification of birth or nationality of the child under Article 19 and Article 19/1 shall be in the manner prescribed in the Ministerial Regulations. In the event that it is impossible to verify birth and nationality of the child, the district or local registrar shall issue a profile registration and identification document for the child as
evidence in the manner prescribed in the regulations determined by the Director of Central Registration.

Article 18 second paragraph: The Director of the Central Registration Bureau shall issue profile registration records for persons without Thai citizenship other than those stipulated in paragraph one according as the Minister mandates.

Article 18 third paragraph: Reporting and recording under paragraphs one and two shall be done to in the manner prescribed in the regulations determined by the Director of Central Registration.

Ministerial Regulations on the Method and Procedure for Verifying Birth Status and Citizenship of Abandoned or Vagrant Children, or Children with no Apparent Parents or Children who were Abandoned by Their Parents 2008

Clause 5: If the District Officer deems that it is impossible to verify the birth status and citizenship of a child, s/he shall inform the district registrar or local registrar to issue a profile registration record and identification documents for the child as evidence… 5

Ministerial Regulation for Persons without Thai Citizenship Regarding Civil Registration and Fee Rates 2008 (B.E. 2551)

Clause 5: The following persons without Thai citizenship are to proceed with Civil Registration inspections or adjustments, **profile registration records**, and notification of change of address.

(1) Persons without Thai citizenship under Clause 2 (2) apart from those under Clause 4 (2) (meaning aliens who received leniency to reside in the Kingdom as a special case, groups for which the Minister of Interior has not ordered the registrar to issue Tor. Ror. 13 house registration, including the children of these groups who were born in Thailand but did not receive Thai citizenship by birth.)

(2) Persons without Thai citizenship under Clause 2 (4) for whom the Minister of Interior has not announced an order for the director of the Central Registration Bureau to issue profile registration records in accordance with Article 38 paragraph two (meaning aliens who illegally entered the Kingdom and the children of these groups who were born in Thailand but did not receive Thai citizenship by birth.)

MOI Proclamation Regarding the Issuing of Household Registration and Civil Registration Records for Persons without Thai Citizenship under Article 38 of the Civil Registration Act B.E. 2534, amended by the Civil Registration Act (Second Edition) B.E. 2551, promulgated on September 18th, 2008.

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5 Translator’s note: ellipsis present in original text.
Clause 2: Persons without Thai citizenship for whom the director of the Central Registration Bureau must issue profile registration records in accordance with Article 38 paragraph two are:

(1) Persons without Thai citizenship who received leniency to reside in the Kingdom as a special case according to immigration laws with a clearly defined limit to the term of leniency less than five years or for whom there is no cabinet resolution to grant residency status in the Kingdom according to immigration or nationality laws, including the children of these groups who were born in Thailand but did not receive Thai citizenship.

(2) Other categories of persons without Thai citizenship apart from those under Clause 1 and (1) of this clause who reside in Thailand (persons according to Clause 1 mean persons who once had Thai citizenship but lost citizenship by effect of law, aliens bearing a passport or visa and persons without Thai citizenship who received leniency to reside in the Kingdom as a special case by being unable to be send back to their country of origin or for whom there is a cabinet resolution to grant legal status and the children of these groups who were born in Thailand but did not receive Thai citizenship.)

Central Registration Bureau Directive on Issuing Profile Registration for Aliens Who Received Permission to Reside in the Kingdom as a Special Case 2004 (B.E. 2547)

Clause 4: Provincial registrars and the Bangkok registrar are to proceed with issuing profile registration for aliens (referring to aliens of Burmese, Cambodian and Laotian nationality who entered the kingdom in violation of immigration laws and are in the process of being sent out of the kingdom, for whom the Minister of Interior granted permission to reside in the Kingdom as a special case by Cabinet resolution) who reside in the jurisdiction of the provincial registration office or of the Bangkok registration office, as the case may be. It is to be according to the Tor. Ror. 38 template with the identification numbers determined as specified in Clause 6, divided by the jurisdiction of the district registration office and local registration office where the aliens reside, then send the alien profile registration records to the relevant district registration office and local registration office for safekeeping.

In the case of an alien requesting a profile registration record at the district registration office or local registration office where the applicant is domiciled, the district registrar or local registrar is to investigate the facts to see if the applicant has already been registered or not. If not, then issue profile registration in the Tor. Ror. 38 format and determine an identity number according to Clause 6.

Clause 6: Identification numbers for aliens consist of 13 digits divided into 4 parts, as follows:

Part 1: Consists of 2 number places; two zeros
Part 2: Consists of 4 number places, signifying the registration office code
Part 3: Consists of 6 number places, signifying the order of an individual in each registration office
Part 4: Consists of 1 number place, signifying the inspection number of each identification number set

Central Registration Bureau Directives on Surveying and Issuing Registration Records for Persons without Civil Registration Status 2005 (B.E. 2548)

Clause 4: The district registrar and the local registrar are to conduct a survey and issue registration records for Persons without Civil Registration Status who are domiciled or live under the jurisdiction of the district registration office and local registration office at the time of the survey. The registration is to be in the Tor. Ror. 28 A format and the data and records stored in computer system of the registration office.

Clause 5: To fill out the profile registration records (Tor. Ror. 38 A), the registrar is to carefully record the details given. For whatever information is unknown, the word “unknown” is to be entered in the record, but at least, there must be a given name, surname (if any) address, personal identification number and birth date.

Et cetera

Clause 6 paragraph two: Identification numbers for persons without Civil Registration status consist of 13 digits as determined by the director of the Central Registration Bureau at the end of this Regulation.

(The Director of the Central Registration Bureau determined identification numbers for persons without Civil Registration status to consist of 13 digits divided into 5 parts {x xxxx xxxx xx x} as follows:

Part 1 consists of 1 number place; one zero

Part 2 consists of four number places, signifying the code of the registration office that conducted the survey and issued profile registration records for persons without Civil Registration status.

Part 3 and part 4 together consist of seven number places, signifying the order of an individual in each registration office. The first two numbers of part 3 are specified to begin with the number 89.

Part 5 consists of 1 number place, signifying the inspection number of each identification number set. )

Procedures

A. Issuing profile registration for people who entered the Civil Registration system through recording a personal profile or adding their names is divided into two cases, as follows:

(1) Issuing profile registration records as a result of government policy on internal security and peace, which is carried out on a time-by-time basis depending on the target

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6 Translator’s note: in the original (Thai) document this number appeared as 4. However the translator believes this was a misprint (๔ instead of ๕) and has made this correction in the English text.
group. This may be based on a Cabinet Resolution or a resolution reached in an Internal Security Unit meeting. Examples of such groups are: Vietnamese immigrants, independent Chinese, Thai Lue, former Chinese Communists Guerrillas of Malaya, displaced Burmese nationals of Thai ethnicity, migrants of Thai ethnicity from Kong Island, Cambodia, illegal migrants from Cambodia, Hmong tribal members from Krabok Cave, Lao immigrants, Highlanders, Moken people, illegal labourers, and persons with no Civil Registration status. Registration for people in these groups begins with a survey of each target group, using the specified survey form. Afterwards, profile registration records are made and 13-digit identification numbers are designated for those surveyed, as well as creating a database in the population records.

The people groups who have received profile registration as a result of surveys that are shown in the Civil Registration system can be roughly divided into 3 groups, as follows:

**Group 1:** Minority groups who have resided in Thailand for a long period of time, whether owing to political reasons, tribal migration routes, fleeing from war in the country of origin, or returning to Thailand by groups of Thai ethnicity. For example, highland community tribes or new hill tribes, former soldiers of the Kuomintang, independent Chinese, illegal Burmese immigrants, Nepalese migrants, and displaced people of Thai ethnicity, to name some. The last survey to take place was under the Miyasawa Project in 1999. Profile registration records in this case were issued by the family, and the 13-digit identification numbers were 6-type (the identification numbers began with 6) and the names were added to Tor. Ror. 13 house registrations. Because it is impossible to send these groups back to their home countries, the government has a policy to grant them the status of having permission to reside in Thailand as a special case, then improve their status to be legal migrants (having residency) or they will be granted citizenship as a special case. There is no Central Registration Bureau regarding specific guidelines for issuing profile registrations for these groups, but it will largely proceed according to letters of command.

**Group 2:** This group consists of illegal immigrants of three nationalities; Burmese, Laotian and Cambodian. The policy on managing illegal labourers was begun in earnest in 2005. It was stipulated that illegal labourers of these 3 nationalities who desired work permits must be surveyed and obtain profile registration by the local or district registrar before taking this Civil Registration documentation to apply for a work permit. In this procedure, the other target group besides the labourers is their dependants. Alien labourers are particularly different from the minority groups in the first groups in regards to status. Therefore, permission for them to reside in Thailand is granted on a year-by-year basis and must be congruent with the conditions stipulated in the MOI Announcement issued under the authority granted by Article 17 of the 1979 Immigration Act. For example, after reporting for a profile registration, the labourer must apply for a work permit at the Labour department or provincial Labour Office; residence must be at the same area as stated in the profile registration; the labourer must not be charged with a criminal offence (except for offences resulting from negligence or misdemeanours), to name some. Any breach of the conditions will result in the status of lenient permission to reside the country being legally rescinded. Since residency status in Thailand and policy towards illegal labour are uncertain, profile registration for people in this groups has a
special procedural guidelines, the Central Registration Bureau directive on Profile Registration for Aliens who Received Leniency to Reside in the Kingdom as a Special Case 2004. The template for profile registration is specified as the Tor. Ror. 38 format and the 13-digit identification number is to be 00-type, which means that the first two numbers are two zeros. There is no policy to grant people in this group legal status and the trend is to send them back to their country of origin. Citizenship verification has already been conducted for Laotian and Cambodian labourers. For this reason, people in this group do not get their names added to the Tor. Ror. 13 house registration.

**Group 3:** Persons without Civil Registration status are a group under the Strategy for Management of Legal Status and Rights of People Residing in Thailand, in accordance with the Cabinet Resolution on January 18th, 2005. This strategy distinguishes between 6 groups of people with status problems: (1) minority groups who have lived in Thailand for a long period of time but missed the survey; (2) children who are enrolled in educational institutions; (3) rootless people; (4) people who have rendered service to the country; (5) alien labourers who cannot be sent back to their country of origin; and (6) other aliens apart from groups (1) – (5). It was stipulated for a survey to be conducted and the MOI to determine the appropriate legal status. The people under this strategy differ in their citizenship; some are aliens without Thai citizenship, but some clearly have Thai citizenship or did not receive Thai citizenship, and are stateless people, such as underprivileged children and rootless people. Therefore, profile registration for people in this group has special procedural guidelines, the Central Registration Bureau Directive on Profile Registration for Persons without Legal Status 2005. The template for profile registration is specified as the Tor. Ror. 38 A format and the 13-digit identification number is to be 0-type, which means that the first number is a zero. The numbers in the sixth and seventh place are to be 8 and 9. The procedures stipulate for there to be a hosting agency for conducting the survey of the target groups. For example, both government and private schools and educational institutes are responsible for surveying currently enrolled students who do not have Civil Registration status. Agencies under the Ministry of Social Development and Human Security, the Department of Juvenile Observation and Protection and the Department of Corrections are responsible for surveying rootless people without Civil Registration status under their care, and district registration offices and local registration offices are responsible for surveying minority groups who were overlooked by the survey. The 80 template is used for surveying. Afterwards, the survey forms are to be sent to the district registration office or local registration office that has jurisdiction over the area for the issuing of Tor. Ror. 38 A profile registration. When people in this group have received verification of their true legal status, or their status has been determined by cabinet resolution, their status will be changed in the Civil Registration documents. A new national identification number will be issued and their named added to either a Tor. Ror. 13 or Tor. Ror. 14 house registration, depending on their residency status in Thailand.

(2) Issuing profile registration records as a result of requesting to add a name to a house registration, in the case that the registrar cannot add the name as requested because the applicant’s evidence or witnesses are not sufficiently clear to prove the applicant’s citizenship. For example, the cases of a request to be added to the house registration by a person who claims to be Thai but does not possess government documents as specified by the Central Registration Bureau Directive on Profile Registration for Persons without
Legal Status 2005\textsuperscript{7} Clause 97. In this case the registrar will initially issue profile registration as a 0-type person until the applicant produces additional credible facts to prove Thai citizenship. This is in accordance with the Honorary Celebrations for the Event of the Royal birthday on December 5\textsuperscript{th}, 2007 to grant legal status to Thai people. Or, in the case that an alien requests to add his/her name to a house registration but after consideration the registrar concludes that the applicant is not an alien in one of the groups for which the Minister of Interior has announced for the registrar to issue a Tor. Ror. 13 house registration, or in the case of an alien in a group for whom the Minister of Interior announced for the Director of the Central Registration Bureau to issue profile registration. For example, an alien who is an illegal immigrant files a request for the registrar to issue profile registration which falls under the new Civil Registration laws, the guidelines for which are determined in the Central Registration Bureau Directive on Civil Registration 1992 amended (5\textsuperscript{th} edition) 2008, Clause 105. The registrar must issue profile registration according to the Tor. Ror. 38 A template, the same as for people without Civil Registration status under the Strategy. The 13-digit identification number must be 0-type but as a general group, which means that the first number is a 0 and the numbers in the sixth and seventh place begin from 00.

**B. Issuing profile registration records for persons who entered the Civil Registration system by reporting a birth** is divided into 2 cases:

(1) Reporting the birth of an abandoned child, a vagrant child, a child with no apparent parents or a child who was abandoned by his/her parents and submitting a late birth report. Article 19/2 of the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551) stipulates that the birth status and citizenship of a child whose birth is reported must be verified. The District Officer must conduct this verification. For those who do not possess documents or witnesses who can verify that their birth status, as to whether or not they were born in Thailand, or if there is reason to believe that they were born outside Thailand and do not receive Thai citizenship, the registrar is to issue a Tor. Ror. 38 A profile registration in the same manner as for those who do not have Civil Registration status. The 13-digit identification number will be determined as 0-type, general group, which means that the first number is a 0 and the numbers in the sixth and seventh place begin from 00. This is in accordance with the Central Registration Bureau Directive on Civil Registration 1992 amended (5\textsuperscript{th} edition) 2008, Clause 57 (for late birth registration) and Clause 59 (reporting the birth of an innocent child) and Clause 59/1 (reporting the birth of a vagrant child, child with no apparent parents, and so on).

(2) Registering the birth of a child born to aliens, in the case that at the time of birth, the parents had one of the following statuses:

(2.1) both parents are 0-type persons

(2.2) both parents are 00-type whose status of leniency to reside in the Kingdom has ended

\textsuperscript{7} Translator’s note: in the Thai text, the name of the Central Registration Bureau Directive is left ambiguous (using an abbreviated form), but this particular directive appears to be correct, as it is the last one referred to.
(2.3) both parents are aliens who illegally entered Thailand and do not have 13-digit identification numbers

(2.4) either the father or the mother is a 0-type person, and the remaining parent is a 00-type person whose status of leniency to reside in the Kingdom has ended

(2.5) either the father or the mother is a 0-type person, and the remaining parent is an alien who illegally entered Thailand and does not have a 13-digit identification number

Children with these characteristics fall under Article 7 paragraph one and paragraph three of the Nationality Act B.E. 1965 (2508) as amended by the Act B.E. (second edition) 1992 (B.E. 2535) and (fourth edition) 2008 (B.E. 2551). The competent registrar must accept the birth report and issue a Tor. Ror. 031 birth certificate, with a 0-type 13-digit identification number, general category. After the registrar issues the birth certificate, the child’s name may be added to either the Tor. Ror. 38 A profile registration records or the Central Registration Bureau’s profile registration records (in the case where the child’s parents do not have 13-digit identification numbers.) This is in accordance with the new Civil Registration laws and the Ministerial Directive Stipulating Civil Registration for Persons without Thai citizenship and Fee Rates 2008 (B.E. 2551), Clause 3.

The applicant:

1. In the case of issuing a profile registration by adding a name, the applicant for the name addition must personally submit the application.

2. In the case of issuing a profile registration by reporting a birth, the applicant may be the father or mother of the child who was born or the householder of the house in which the birth took place, or a person designated by one of these persons (in the case of Article 18), officials from the Ministry of Social Development and Human Security who have taken in innocent children (in the case of Article 19) and the head of shelters for vagrant children, children with no apparent parents or children abandoned by their parents or a designated person (in the case of Article 19/1).

The Registration office at which to apply:

1. The district registration office or local registration office in which the applicant for name addition or profile registration is currently domiciled.

2. The district registration office or local registration office in which the child was born or where the shelter for disadvantaged children is located.

Case Studies

First Case: Miss Sirima was born in Thailand but her birth was not registered. Her mother was Thai Yai and her father was unknown. Later, her mother passed away and Sirima went to live her aunt and was registered as an alien worker with Burmese citizenship in 2004, and received a 00-type 13-digit identification number and Tor. Ror. 38/1 profile registration records. Later, there was a survey for school children without
Civil Registration status. The teacher conducting the survey informed that when the people covered by this survey graduate with a bachelor’s degree, they will receive Thai citizenship. Miss Sirima wishes to be surveyed so she can have an opportunity to receive Thai citizenship. How can this take place?

**Solution guidelines:** From the problem, we see that Sirima is not a labourer with Burmese, Laotian or Cambodian citizenship because her mother was Thai Yai. The inclusion of Sirima on profile registration as a 00-type person was therefore incorrect according to the facts. If the relevant persons are able to produce convincing evidence that Sirima is not in the group of Burmese labourers as she was registered in the profile registration records, the registrar will be able to rescind her profile registration record. To make a Civil Registration record for Sirima, the procedure is as follows:

1. Sirima may request to be surveyed to obtain a profile registration record as a minority group member who was overlooked by the previous survey, if she was born before the survey of highlander villages and people under the Miyasawa Project in 1999, or as a student in an educational institute.

2. Sirima was born in Thailand, so she can report her birth, but this depends on the facts of whether or not she can knows and can trace her birthplace to a healthcare facility or outside a healthcare facility, so that the competent official can report the birth, which would be the householder of the house in which Sirima was born, because her mother is deceased and her father is unknown. What type of birth certificate and 13-digit identification number will be issued for Sirima depends on what her mother’s birth status was, i.e., born inside or outside Thailand, and whether or not her mother had Civil Registration evidence. If the facts of her mother’s birth status cannot be discovered, Sirima will receive a Tor. Ror. 031 birth certificate and a 13-digit identification number beginning with 0 and her name will be added to the Tor. Ror. 38 A profile registration record.

**Second case:** Mr. Saptu is a Displaced Burmese National of Thai Ethnicity who migrated from Marid Province in Myanmar. He entered Thailand in 1992 and was never surveyed by any government agency. What would be the process and method of issuing Civil Registration for Mr. Saptu?

**Solution guidelines:** Mr. Saptu’s situation fits into the first group under the Strategy for Management of Legal Status and Rights of People in Thailand, which is minority group members who were overlooked by the survey. The district registrar or the local registrar is responsible for issuing profile registration records for this group. Mr. Saptu can request to be surveyed to obtain a profile registration record as a person without Civil Registration status who is a minority group member overlooked by the previous survey. He will receive a 13-digit identification number beginning with 0, group 89 and his name will be added to the Tor. Ror. 38 A profile registration record. Alternately, Mr. Saptu can choose to file a request to add his name at the registration office where he lives, according to the Central Registration Bureau Directive on Civil Registration 1992 amended (5th edition) 2008, Clause 105.
Third case: Mr. Santi was born at Mae Sot Hospital in 1994. He has a Tor. Ror. 1/1 delivery certificate that states his parents as being Burmese, but his birth was not registered and his parents abandoned him. Mr. Santi was surveyed and received a profile registration record as a 0-type person, in the group of rootless people in 2007. Afterwards, he made contact with his father and found out that his father is named San and is a Thai citizen. His father parted from his mother and was unable to make contact with her. Mr. Santi wants to have his name in a house registration and have Thai citizenship. Is this possible, and how?

Solution Guidelines: Mr. Santi correctly received registration as a 0-type person because the information on the delivery certificate from the Mae Sod hospital, which is the only piece of evidence that Mr. Santi has, cannot verify whether or not Mr. Santi’s parents had the right to reside in Thailand, and with what status. Later, when information surfaced that his father is a Thai citizen, Mr. Santi has the opportunity to receive Civil Registration documents that state his true status, even though his mother’s identity and status is unknown. He must prepare the proper evidence to prove his status to the registrar of the area where he is domiciled, especially evidence that Mr. Santi is Mr. San’s son and Mr. San is a Thai citizen. If the fact can be confirmed that Mr. Santi’s real father was a Thai citizen at the time of his birth, Mr. Santi, who has a delivery certificate from Mae Sod hospital, will definitely receive Thai citizenship by birth and is entitled to request to add his name to a Tor. Ror. 14 house registration as a Thai citizen. This is in accordance with the Central Registration Bureau Directive on Civil Registration 1992, Clause 103. However, if Mr. San received Thai citizenship after Mr. Santi was born, and if before Mr. San became a Thai citizen, he was a minority group member that did not have Thai citizenship, with his name in a Tor. Ror. 13 house registration, Mr. Santi will not receive Thai citizenship under Article 7 bis. and may request to add his name to a Tor. Ror. 13 house registration as son of a person born in Thailand who is the son of a person without Thai citizenship who received leniency to reside in the country as a special case according to the Central Registration Bureau Directive on Civil Registration 1992, Clause 105, and may request Thai citizenship under Article 7 bis. paragraph two of the Nationality Act B.E. 1965 (B.E. 2508) and the amended edition. The registrar can discard Mr. Santi’s record from the Tor. Ror. 38 A profile registration records by following Clause 14 of the Central Registration Bureau Directive on Surveying and Issuing Registration Records for Persons without Civil Registration Status 2005 (B.E. 2547).
Chart 7: Adding a name to a house registration or profile registration records

The child or person whose birth was not registered and does not appear in any Civil Registration documents

- A parent, legal guardian or householder makes the report (if the child is not yet Sui juris)
- A person requesting to add their name makes the report themselves (a person who is Sui Juris)

The registrar of the locality where the child or person currently resides

The registrar issues a receipt of application for the applicant/ checks the database/ checks the documents and interviews the witnesses

- The registrar issues an order (when it is in the authority of the registrar to do so)
- Compile the evidence and submit to the district officer (when in the District Officer’s authority)

The District Officer issues an order and informs the registrar

Name addition allowed
- Tor. Ror. 14 house registration

Name addition not allowed
- Tor. Ror. 13 house registration
- Profile registration record Tor. Ror. 38 A
Name Addition Case Studies

Case 1: Mrs. Sai-Arun Sangnimit submitted application to add the names of her 3 children that were born to her and her Burmese husband. She stated that all 3, Mr. Surat, Ms. Wanida and Mr. Akepol respectively, were born in Burma; the first in 1989, the second in 1991, and the third in 1993. Mrs. Sai-Arun had a copy of the old type of house registration that does not have 13-digit identification numbers and an expired black-and-white identification card. Her children, on the other hand, had no documentation whatsoever. Can the registrar add their names to the house registration or not, and if so, how?

Solution Guidelines:

With considered under nationality laws, Mr. Surat and Ms. Wanida were born in the period of time that the 1965 Nationality Act was effective. Article 7 (2) of this Act stipulated that those born outside the Kingdom from a mother with Thai citizenship but there is no legitimate father or the father does not have citizenship will receive Thai citizenship by birth. Both Mr. Surat and Ms. Wanida have a mother with Thai citizenship and a Burmese father, so both receive Thai citizenship by birth according to Article 7 (2). Mr. Akepol, however, was born in the period of time that the 1992 Nationality Act (second edition) was effective. Article 7 (1) of the Nationality Act 1965 which was amended by this Act stipulates that those born to a Thai mother or father receive Thai citizenship by birth, regardless of whether they were born inside or outside the Kingdom of Thailand. Mr. Akepol has a Thai mother; therefore he receives Thai citizenship by birth according to Article 7 (1). As these are the facts of the matter, the registrar may add the names of all three persons to the house registration (Tor. Ror. 14) with the status of Thai citizens by following the guidelines in the Central Registration Bureau Regulations on Civil Registration 1992, clause 103. The evidence used by the applicant to prove that Mr. Surat, Ms. Wanida and Mr. Akapon are indeed the children of Mrs. Sai-Arun Sangnimit must be taken into consideration. Apart from interviewing witnesses who can attest to the birth and the parent-child relationship (which may be difficult as this is a case of birth outside the Kingdom) a DNA test may be conducted, and if the mother-child relationship is genuine, then verification by a witness’s testimony may not be necessary.

Case 2: In continuance with case 1, Mr. Surat, the oldest son of Mrs. Sai-Arun Sangnimit, has an unregistered marriage with a Burmese national wife. They have 1 child together, named Anisa, born in Burma in 2007. Can the registrar add Anisa’s name to the house registration (Tor. Ror. 14) or not, and how?

Solution Guidelines:

In Anisa’s case, even though she is the daughter of Mr. Surat, who is a Thai citizen by birth, she does not receive Thai citizenship because her mother is Burmese, her parent’s marriage was not registered and she was born outside the country. This is in accordance with Dika no. 560/2543, which ruled that “father” according to Article 7 (1) of the Nationality Act 1965 means the legitimate father of a child. Therefore, the registrar may not add Anisa’s name to the house registration (Tor. Ror. 14), but he may prepare a profile registration record (Tor. Ror. 38 A) and designate a 13-digit identification
number beginning with 0, in accordance with clause 105 paragraph two of the Central Registration Bureau’s Regulations on Civil Registration 1992. However, according to the additional principles of the Nationality Act 2008, children of illegitimate fathers (de facto fathers) receive Thai citizenship by birth. Retroactive effects are granted for children born before this act was effective. It is required to verify the father-child relationship according to the method and regulations prescribed in the Ministerial Regulations. After the Ministry of Interior has issued the stated regulations, Mr. Surat can file a request to prove that he is the father of Anisa, which will supply Anisa with Thai citizenship by birth through her father, and the registrar may add her name to the house registration (Tor. Ror. 14) with the status of a Thai citizen.

Case 3: Mrs. Boonma Sawangjaeng submitted a birth report request for Somruethai. She stated that the child was born on August 15th, 2001, and does not know who the child’s parents are. They brought Somruethai to Mrs. Boonma and hired her to look after the child about 3 months, then abandoned her. Mrs. Boonma looked after and cared for the child as her own and she desires for Somruethai to attend school, but the child has no birth certificate and is not named in a house registration. Can the registrar comply with the request to report birth, or how should s/he proceed so that Somruethai can have her name in a house registration?

Solution Guidelines:

According to the regulations on reporting birth laid out in Article 18 of the Civil Registration Act 1991, the mother or father reports the birth to the registrar in the area where the child was born. (In this instance, the word “householder” refers to the householder of the house where the child was born.) In this case Mrs. Boonma is not the householder according to Article 18 and she is not the mother of Somruethai. Moreover, it is not clear where Somruethai was born. Consequently Mrs. Boonma cannot report Somruethai’s birth. There is a way to ensure that Somruethai has a personal Civil Registration record, however; her name can be added to a house registration under the condition of a destitute or abandoned child in the care of an individual according to the Central registration Bureau’s Regulations on Civil Registration 1992, clause 98. The considerations are:

1. Somruethai’s citizenship: Because she was born in 2001, which was the period of when the Nationality Act 1992 (second edition) was effective, her citizenship will determined based on Article 7 and Article 7 bis. of the Nationality Act 1965 as amended(second edition) 1992. Because the facts of Somruethai’s parents and their citizenship are not clear, it is impossible to conclude whether she is a Thai citizen according to Article 7 (1) or does not receive Thai citizenship according to Article 7 bis. paragraph one. The fact that must be established is whether or not the child was born in Thailand. If it is credible that Somruethai was born in Thailand, she is a Thai citizen according to Article 7 (2). The registrar can add her name to the house registration (Tor. Ror. 14) as a Thai citizen. If the facts about her parents surface at a later time, and the result is that the child does not receive Thai citizenship, the registrar may correct the citizenship entry to match the facts that occurred.

2. The child’s surname: If the identity of Somruethai’s parents cannot be traced, she cannot use the surname of Mrs. Boonma, her caregiver and benefactor. This is
because an individual’s use of a surname must be in accordance with the relevant laws: the Civil and Commercial Code, which stipulates that a child has the right to carry his/her parent’s surname and the Surname Act 1962 and the amended edition, which stipulate that the owner of a surname may give consent for others to carry their surname as well. Therefore, if Mrs. Boonma is not the owner of the surname “Sawangaeng”, she may not authorize or consent for Somruethai to use this surname. The registrar must omit (not make an record) in the entry for Somruethai’s surname in the house registration. If Mrs. Boonma registers to legally adopt Somreuthai, Somruethai will have the right to use her mother’s surname as a matter of course.

Case 4: Mong Hongsa is a vagrant child who has been taken in by a children’s shelter. From the background investigation it was revealed that Mong was born in Thailand circa 1993 in Mae Sod district, Tak province. His parents were Burmese citizens who entered and resided in Thailand and cut sugarcane for a living. Mong was separated from his family when he was approximately 10 years old. How can the children’s shelter proceed to supply Mong Hongsa with Civil Registration documents?

Solution Guidelines:

Even though the facts reveal that Mong Hongsa was born in Thailand, he does not receive Thai citizenship because his parents are aliens who entered Thailand in violation of immigration laws. Moreover, Mong himself is considered to have illegally entered Thailand, according to Article 7 bis. paragraph one and paragraph three of the Nationality Act 1965 as amended (second edition) 1992. As to how the children’s shelter may proceed to supply Mong with Civil Registration documents, and what type of Civil Registration documents he will receive, depend on the facts of the matter:

1. Was the shelter that took Mong Hongsa into care a government or private shelter? If it was a government shelter, it is possible to submit a request for retroactive birth registration for Mong according to Article 19/1 of the Civil Registration Act 1991 amended (second edition) 2008, but if it was a private shelter, it must be investigated to find out whether or not it is a shelter listed by the Ministry of Interior according Article 19/1. If it is, then a request to report birth can be submitted. If it is not, the shelter may proceed in two ways: submit a request to add a name to the house registration or survey rootless children according to the Strategy for Management of Legal Status and Rights.

2. Because Mong Hongsa is the son of illegal aliens, he cannot add his name and profile to a house registration (Tor. Ror. 13). In the case of reporting birth, the registrar must issue a Tor. Ror. 031 birth certificate which provides a 13-digit identification number beginning with 0, and add the name to a profile registration record (Tor. Ror. 38 A) by using the house number of the shelter. In the case of adding a name, the registrar must prepare a profile registration record (Tor. Ror. 38 A) and designate a 0-type identification number without issuing a birth certificate.

Case 5: Mrs. Somrak Senlee, a Thai citizen, submitted application for adding the name of Miss Khodeeyoh Senlee, who is her daughter with her Malaysian husband to a house registration. Miss Khodeeyoh was born in Malaysia in 1993, and has birth certification issued by a Malaysian agency, but does not have a passport. When questioned, Mrs. Somrak stated that she parted ways with her husband and brought her daughter back to Thailand without passing through an immigration checkpoint. In this
case can the registrar comply with the request or not, or should Miss Khodeeyoh be reported to the immigration authorities and prove her citizenship first?

**Solution Guidelines:**

Ms. Khodeeyoh Senlee was born in 1993 as a child of a Thai citizen mother and an alien father. Even though she was not born in Thailand, she receives Thai citizenship by birth as a matter of course according to Article 7 (1) of the Nationality Act 1965 amended (second edition) 1992. Being unable to prove otherwise or not bearing a passport is not a reason that a person loses Thai citizenship. Therefore, the registrar is not obligated to send the person to verify citizenship. In this case of adding a name to a house registration, the registrar must inform Mrs. Somrak (the mother) that she must translate Khodeeyoh’s birth verification issued by the Malaysian agency into Thai and request for the Ministry of Foreign Affairs to certify the translation as being correct. Afterwards, she must bring this certified translation as well as her own house registration and national identification card or passport and present to the registrar. When the registrar has considered the matter and is convinced that Khodeeyoh is the child of Mrs. Somrak, a Thai citizen, the registrar will add her name to the house registration (Tor. Ror. 14). The registrar will designate a 13-digit identification number beginning with 5 for Khodeeyoh, and record the permission to add her name and identification number on the back of the Thai translation of Khodeeyoh’s birth verification in accordance with clause 96 of the Central Registration Directive on issuing Civil Registration 1992. Additionally, Khodeeyoh is allowed to use the Thai translation of her birth verification in lieu of a birth certificate according to Article 28 of the Civil Registration Act 1992.

Case 6: Mr. Yuthana Nyuen was born in 1990 and is named in a Vietnamese immigrant registry and a Tor. Ror. 13 house registration with citizenship specified as Vietnamese, and his 13-digit identification number begins with a 6. His father’s name is Fahm, born in 1967, and his mother is named Wan, born in 1969, both Vietnamese citizens. Mr. Yuthana submitted application to be added to Tor. Ror. 14, claiming Thai citizenship because his parents were born in Thailand. How must the registrar proceed, and according to what guidelines and regulations?

**Solution Guidelines:**

In order to consider Yuthana’s citizenship, two relevant nationality laws must be studied: the Nationality Act 1965 and Revolutionary Proclamation No. 337, which were the laws in effect at the time of Yuthana’s birth. The important point is to see if Mr. Fahm and Mrs. Wan fall under Revolutionary Proclamation No. 337 or not, that is to say whether or not they were granted leniency for temporary residence in Kingdom as a special case or entered and resided in Thailand in violation of immigration laws. If the facts are revealed that Mr. Fahm and Mrs. Wan are second-generation Vietnamese immigrants born in Thailand before December 14th, 1972, then both his parents are among those whose citizenship was revoked by effect of Revolutionary Proclamation No. 337, and do not fall under the abovementioned conditions of Revolutionary Proclamation No. 337 clause 1. It can therefore be concluded that at the time of his birth, Yuthana was not the child of alien parents who entered Thailand without permission. Yuthana does not fall under the conditions of Revolutionary Proclamation No. 337 clause 2, which means that Yuthana Nyuen has Thai citizen by birth according to Article
7 (3) of the Nationality Act 1965. Later, the Nationality Act (second edition) 1992 was promulgated and amended the Nationality Act 1965 by adding Article 7 bis., which does not grant Thai citizenship by birth under the jus soli principle to the children of certain categories of aliens. In addition, this article considers those born in Thailand who did not receive Thai citizenship to be illegal aliens, with a retroactive effect to those born before this Act was promulgated. An additional point of consideration is, are Yuthana’s parents considered to be illegal aliens according to Article 7 bis.? The Supreme Court issued a ruling that persons falling under the conditions of Article 7 bis. are considered to be illegal aliens from the day that the Nationality Act (second edition) 1992 was promulgated, that is to say from February 26th, 1992 onwards. Yuthana Nyuen was born in 1990 and so is not affected by Article 7 bis. It can then be concluded that Yuthana is a Thai citizen by birth. The registrar must discard Yuthana’s profile details and his 13-digit identification number that begins with 7 from the Tor. Ror. 13 house registration, and then add his name to a Tor. Ror. 14 house registration. A new 13-digit identification number beginning with 5 must be designated for Yuthana and his Thai citizenship recorded in accordance with clause 102 of the Civil Registration Bureau Regulations on Issuing Civil Registration 1992.

Case 7: Mr. Jormee is an Akha tribesperson born in 1967. He submitted request to be added to the Tor. Ror. 14 house registration, claiming that he was born in Thailand. His parents are Akha tribesmen, who were born and have been residing in Thailand for a long time, but have no birth verification or any documents whatsoever because they never received a government survey. His father was born in 1947 and his mother in 1951. His father has passed away. How should the registrar proceed, and according to what regulations?

Solution Guidelines:

In Mr. Jormee’s case, if he has residence in one of the 20 provinces that contain highlands people, such as Chiang Rai, Chiang Mai, Kanchanburi or Petchburi, he can proceed according to Civil Registration Bureau Regulation on Recording Personal Status in Civil Registration for Highlanders 2000 or clause 97 of the Civil Registration Bureau Regulations on issuing Civil Registration 1992. But if his residence is outside of the aforementioned areas, then he must proceed according to clause 97 of the Civil Registration Bureau Regulations on issuing Civil Registration 1992, which is the case of requesting to add a name to a house registration by persons claiming to be Thai who do not posses any government-issued documents. At any rate, both these regulations do not differ from each other in meaning and effect. The decision in this issue depends on the various witnesses and evidence that can verify whether Jormee’s family (his parents and he) are indigenous tribesmen or Thai people who were overlooked by the survey. It might be necessary to use historical information concerning the tribe as well. If the results of the examination of evidence and witnesses (if any) such as village leaders or elders or people who know Jormee’s family very well are credible that Jormee and his parents were born in Thailand and reside in Thailand, the District Officer can allow his name to be added to the house registration. This is done under the assumption under the principles of the nationality laws that were in use when he was born; that is, those born in Thailand before December 14th, 1972 (born before the day that Revolutionary Proclamation No. 337 was promulgated) are Thai citizens unless it can be proved otherwise. However, if the
evidence is not sufficient to prove that Jormee was born in Thailand and is not an indiginoes tribal person, the registrar may issue a profile registration record (Tor. Ror. 38 B) for Jormee, as a person with a 13-digit identification number beginning with 0 for the time being. If in the future Jormee is able to search out additional evidence that makes it clear that he has Thai citizenship, the registrar must make a correction by discarding the 0-type record from the profile registration record and add his name to a Tor. Ror. 14 house registration as a Thai citizen, and designate a 5-type personal identification number.
Chapter 6

Death Registration

General Principles

The death registry is another form of Civil Registration for which the registrar can receive notification of death and issue verification of death for everyone who dies in Thailand. The general principles do not greatly differ from birth registration. In regards to death registration, the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551) mandates that deaths in a health care facility, deaths at home, deaths outside the home, deaths from a known cause or unnatural deaths must be reported to the district registrar or the registrar with authority over the locality where the death took place or where the corpse was found, within the timeframe specified by law. This is regardless of whether the deceased was named in Civil Registration documents or not, or whether the deceased was a Thai citizen or a person without Thai citizenship residing in Thailand under any status. The person responsible to report the death is the householder, the person who accompanied the deceased or the person who found the corpse, or a person designated by any of the aforementioned persons. If the death occurred in either a private or government hospital or health care facility, the person who was the caregiver before death must issue a certification of death in the Tor. Ror. 4/1 format to use as evidence when reporting the death and requesting a death certificate. If the death was caused by an unnatural cause or from a dangerous contagious disease, the lawfully responsible official must conduct an autopsy and issue an opinion before the registrar can issue a death certificate.

Death reports are categorized as:

1. Reporting a death that took place inside the home or outside the home
2. Reporting a death that took place in a different registration district
3. Reporting a death past the specified time period
4. Reporting an unnatural death

A. Reporting the death of a Thai citizen

1. Reporting a death that took place inside the home or outside the home

Laws


Article 21: When a death takes place, the death must be reported thus:

(1) A death that took place in the home must be reported to the registrar of the locality where the death took place by the householder within 24 hours of the death. If there is no householder, the person who discovered the corpse must report the death within 24 hours of discovering the corpse.
(2) A death that took place outside the home must be reported to the registrar of the locality where the death took place or the corpse was found, or of the locality where it should be reported by the person who accompanied the deceased or the person who discovered the corpse, as the case may be within 24 hours of the death or finding the corpse. In this instance the death may be reported to administrative officials or to the police.

Article 23: When a death or a birth takes place, the birth assistant or health care assistant must issue a delivery certificate or a death verification document according to the template determined by the director of the Central registration Bureau for the persons responsible to report according to Article 18 or Article 21.

**Procedure**

* The persons responsible for reporting the death are:

1. In the case that the death occurred in a house, (including health care facilities) the householder of the house where the death occurred. If there is no householder, the person who found the corpse is responsible to report the death.

2. In the case of a death outside the home, the person who accompanied the deceased or the person who found the corpse.

* The time period for reporting a death:

1. A death inside the home must be reported within 24 hours of the death or of finding the corpse, as the case may be.

2. A death outside the home must be reported within 24 hours of the death or of finding the corpse, except in areas where transportation is not convenient. The director of the Central registration Bureau may extent the period of reporting a death, but the period may not exceed 7 days from the death or finding the corpse.

* The registrar at which to report the death

1. The district registrar or local registrar over the area where the death occurred or the corpse was found

2. If the area where the death occurred is unknown or circumstances prevent reporting the death in the area where the death occurred, (in the case of a death outside the home) make the report at the district registrar or local registrar over the area where the corpse was found or where it should be reported, as the case may be.

Death report procedural steps:

* In the case of a death in the home or outside the home under the district registrar

1. The reporter shows this evidence to the registrar:

   1. The reporter’s identification card
   2. The deceased’s identification card (if any)
(3) Death verification in the Tor. Ror. 4/1 format (if the death occurred at a hospital or health care facility)

(4) Receipt of notification of death in the Tor. Ror. 4 Ton Na format (if the Subdistrict Chief or village headman was notified)

(5) The autopsy report from the police or forensic agency (in the case of an unnatural death or death from unknown causes)

(6) The householder’s House Registration that contains the name and profile of the deceased (if any)

2. The registrar

(1) Examines the evidence submitted by the reporter

(2) Enquire as to the intended method of disposing of the corpse; whether by embalming, burial, cremation or by destroying the body, as well as the location of doing so, and enter this information into the receipt of notification or death certificate.

(3) Issues a death certificate (Tor. Ror. 4)

(4) Discard the deceased’s profile from the house registration records as well as from the householder’s house registration by stamping the word “deceased” in front of the profile details in red ink.

(5) Give the first part of the death certificate to the reporter and return the evidence used

* Reporting the death of someone from a different registration district which took place inside the home or outside the home

1. The reporter shows this evidence to the registrar:

(1) The reporter’s identification card

(2) The deceased’s identification card (if any)

(3) The House Registration that contains the name and profile of the deceased (if any)

(4) Death verification in the Tor. Ror. 4/1 format (if the death occurred at a health care facility)

(5) Receipt of notification of death in the Tor. Ror. 4 Ton Na format (if the Subdistrict chief or village headman was notified)

(6) The autopsy report from the police or forensic agency (in the case of an unnatural death or death from unknown causes)

2. The registrar

(1) Examines the evidence submitted by the reporter

(2) Examines the deceased’s profile in the Civil Registration database

(3) Proceed in the same manner as for a death in the registration district, but make an entry in the death certificate stating, “a person form a different district”
(4) Send the second part of the death certificate to the district registration office or the local registration office where the deceased is named in a house registration.

3. The registration office where the deceased is named in a house registration:

   (1) In the case where the householder brings the first part of the death certificate and the householder’s house registration along to request that the deceased’s name be discarded from the house registration, the registrar is to examine the profile of the deceased in the death certificate, the householder’s house registration, and the Civil Registration database. If the information is correct and matches, then the registrar may discard the record as requested.

   (2) In the case that the second part of the death certificate was received from the registration office of origin, the registrar is to examine the profile of the deceased in the death certificate and the Civil Registration database. If the information is correct and matches, then the registrar is to discard the profile from the Civil Registration database, and inform the householder to bring the house registration to proceed with correcting the profile.

   (3) If the deceased is named in the Central house registration, discard the profile from the Central house registration.

* Receiving notification of a death when the deceased’s identity is unknown

   1. The reporter shows this evidence to the registrar:

      (1) The reporter’s identification card

      (2) Documents pertaining to the deceased (if any)

   2. The registrar

      (1) Question the reporter regarding the circumstances of the death and the scene of the event, the physical characteristics of the deceased, and the relationship between the reporter and the deceased

      (2) Enquire as to the intended method of disposing of the corpse; whether by embalming, burial, cremation or by destroying the body, as well as the location of doing so, and enter this information into the receipt of notification or death certificate.

      (3) Issue a receipt of notification of death in the Tor. Ror. 4 Ton Na format for the reporter. Wait on issuing a death certificate until the deceased’s identity has been established.

* Receiving notification when it is believed that a death has occurred but no corpse was found

   1. The reporter shows this evidence to the registrar:

      (1) The reporter’s identification card

      (2) The house registration containing the deceased’s name (if any)

      (3) Other evidence pertaining to the deceased (if any)

   2. The registrar
(1) Enquires as to the reason for believing that the death of an individual has occurred, and the relationship between the reporter and the deceased

(2) Issues a receipt of notification of death in the Tor. Ror. 4 Ton Na format for the reporter.

(3) If the person reported as deceased is named in the house registration of the registration office, discard the profile from the house registration and Civil Registration database according to the Tor. Ror. 97 format, and enter a remark stating that, “notification of death received but the corpse has not yet been found”

(4) If the deceased is named in a house registration of a different registration office, the registrar must inform that registration office in writing to discard the person’s profile as well

2. Reporting a death that took place in a different registration district

Laws

Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551)

Article 21: When a death occurs, the death must be reported thus:

(1) For a death in the home, the householder reports to the registrar of the locality where the death occurred…

(2) For a death outside the home, the person who accompanied the deceased or the person who found the corpse reports to the registrar of the locality where the death occurred or where the corpse was found...

Article 21 paragraph 4: The provision under paragraph three of Article 18 shall be allowed to use for birth reporting under paragraph one.

(The provision under paragraph three of Article 18 states, “For facilitating the convenience of the people, reporting under paragraph one may be submitted to the registrar in the other areas. The procedure shall be in the manner prescribed in the Ministerial Regulations.”)

Ministerial Regulations regarding requirements and procedures for reporting a death to the registrar in an area other than where the death occurred 2008:

Clause 2: In the case that the person responsible for reporting a death according to Article 21 (1) or (2) has not yet reported the death but has moved the corpse to a district registrar or local registrar other than where the death occurred or the corpse was found, the householder of the house where the death occurred, the person who accompanied the deceased at the time of death or the person who found the corpse, or a person designated by any of the aforementioned persons, as the case may be, may report the death to the accepting registrar at the district registrar or local registrar over the area where the corpse is located or the area where the corpse will be cremated, buried or destroyed.

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8 Translator’s note: the ellipsis in (1) and (2) was present in the original text.
When reporting a death under paragraph one, the reporter must have a document verifying the death that was issued by the hospital or health care facility where the death occurred to use as accompanying evidence, as well as no less than two witnesses who can attest to the identity of the deceased.

In the case of not having verification of death, the reporter may use the results from a scientific examination, such as a DNA test from a reliable government or private agency as evidence in reporting the death instead.

**Procedure**

* The persons responsible for reporting the death are: the householder of the house where the death occurred, the person who accompanied the deceased at the time of death, the person who found the corpse or the designee of the stated persons.

* The time period for reporting a death:

  (1) A death inside the home must be reported within 24 hours of the death or of finding the corpse, as the case may be.

  (2) A death outside the home must be reported within 24 hours of the death or of finding the corpse, except in areas where transportation is not convenient. The director of the Central registration Bureau may extent the period of reporting a death, but the period may not exceed 7 days from the death or finding the corpse.

* The registrar at which to report the death: the district registrar or local registrar over the area where the death occurred or where the corpse was embalmed, buried, cremated or destroyed.

  Reporting steps:

  1. The reporter shows this evidence to the registrar:

     (1) The reporter’s identification card

     (2) The deceased’s identification card (if any)

     (3) The householder’s House Registration that contains the name and profile of the deceased (if any)

     (4) Either death verification in the Tor. Ror. 4/1 format from the hospital or health care facility where the deceased was cared for before death, or the results of a DNA test proving the identity of the deceased

     (5) Other evidence (if any) such as a photograph of the deceased’s funeral

     (6) Two reliable witnesses who can confirm the identity of the deceased

  2. The registrar

     (1) Examines the evidence submitted by the reporter

     (2) Examines the deceased’s profile in the Civil Registration database
(3) Compare changes (in the case of reporting within 1 year from the day after the date of the death)

(4) Question the reporter as to the cause of death, the reason for not reporting the death in the area where the death occurred or the corpse was found, the background and domicile of the deceased, the relationship between the deceased and the reporter and the location of disposal of the corpse.

(5) Question the witnesses as to the facts of the deceased’s background and domicile, as well as the deceased’s parents

(6) Issue a death certificate (Tor. Ror. 4) according to the evidence submitted by the reporter and the result’s of the registrar’s questioning

(7) If the person reported as deceased is named in the house registration or central house registration of the registration office where the death is being reported, discard the profile from the householder’s house registration and Civil Registration database, but if the deceased is named in the house registration or central house registration of a different registration office, the registrar must send the second part of the death certificate to the relevant registration office to proceed with discarding the deceased’s profile.

(8) Give the death certificate to the reporter and return the reporter’s evidence

(9) Collect a fee of 20 baht per copy

3. Reporting a death past the specified time period

Reporting a death past the specified time period or a late death report means that the person responsible for reporting filed the death report or reported finding a corpse to the registrar later than the time specified by law. For example, a person died at a health care facility and the deceased’s relatives received a certification of death document from the health care facility but did not report the death to the registrar within 24 hours from the time of death. At a later time, after disposal of the corpse, the death was reported to the registrar. This is considered a late death report or reporting a death past the specified time period.

Procedure
* The persons responsible for reporting the death are:

(1) In the case that the death occurred in a house, the householder of the house where the death occurred, (including health care facilities). If there is no householder, the person who found the corpse is responsible to report the death.

(2) In the case of a death outside the home, the person who accompanied the deceased or the person who found the corpse.

(3) A person authorized by the persons under (1) or (2)

* Timeframe of reporting
Reporting a death within 1 year from the day after the date of the death or of finding the corpse is within the statute of limitations. The reporter must pay a fine according to Article 47(2) of the Civil Registration Act 1991.

* The registrar at which to report the death

1. The district registrar or local registrar over the area where the death occurred or the corpse was found
2. If the area where the death occurred is unknown or circumstances prevent reporting the death in the area where the death occurred, (in the case of a death outside the home) make the report at the district registrar or local registrar over the area where the corpse was found or where it should be reported, as the case may be.
3. The district registrar or local registrar over the area where the corpse is or where the corpse was embalmed, buried, cremated or was destroyed (in the case of reporting the death at a register other than the one over the area where the death occurred or the corpse was found.)

Death report procedural steps:
* In the case that the deceased is under the area of the district registrar

1. The reporter shows this evidence to the registrar:
   1. The reporter’s identification card
   2. The deceased’s identification card (if any)
   3. Death verification in the Tor. Ror. 4/1 format (if the death occurred at a health care facility)
   4. DNA test results from the deceased (in the case of reporting at a different registration office and not having a Tor. Ror. 4/1)
   5. The autopsy report from the police or forensic agency (in the case of an unnatural death or death from unknown causes)
   6. The householder’s House Registration that contains the name and profile of the deceased (if any)
2. The registrar
   1. Examines the evidence submitted by the reporter
   2. Compares changes (in the case of reporting within 1 year from the day after the date of the death)
   3. Questions the reporter as to the reason for not reporting within 24 hours of the death or finding the corpse, as well as the location and method of disposing of the corpse, whether embalming, burial, cremation or destroying, in order to record this information in the death certificate
   4. Questions reliable witnesses who saw the death
   5. Issues a death certificate (Tor. Ror. 4) and makes a remark on the upper left-hand corner saying “late report”
(6) Discard the deceased’s profile from the house registration records as well as from the householder’s house registration by stamping the word “deceased” in front of the profile details in red ink.

(7) Give the first part of the death certificate to the reporter and return the reporter’s evidence

In the case that the deceased was from a different registration district

- Proceed in the same manner as for a death in the district, but the registrar has an added responsibility of inspecting the deceased’s profile in the Civil Registration database in order to see whether or not the deceased has his/her name and profile in the Civil Registration database and to find out the deceased’s domicile according to the house registration.

- Send the second part of the death certificate to the district registrar or local registrar where the deceased is named in a house registration so that his/her profile may be discarded.

4. Reporting a death suspected to be caused by a dangerous contagious disease or an unnatural death (death caused by murder, an accident, suicide or from mauling by vicious animals or death from unknown causes)

Laws

Civil Registration Act 1991

Article 25: If there is reason to believe that the death was caused by a dangerous contagious disease or an unnatural death the registrar must make haste to inform the authorities designated by law regarding dangerous contagious diseases, or to the administrative authorities or the police. Issuing a death certificate must be withheld until an opinion has been received from the stated authorities.

Procedures

* The persons responsible for reporting the death are:

(1) In the case that the death occurred in a house, the householder of the house where the death occurred, (including health care facilities). If there is no householder, the person who found the corpse is responsible to report the death.

(2) In the case of a death outside the home, the person who accompanied the deceased or the person who found the corpse.

(3) A person authorized by the persons under (1) or (2)

* The time period for reporting a death:

(1) A death inside the home must be reported within 24 hours of the death or of finding the corpse, as the case may be.

(2) A death outside the home must be reported within 24 hours of the death or of finding the corpse, except in areas where transportation is not convenient. The director of
the Central registration Bureau may extent the period of reporting a death, but the period may not exceed 7 days from the death or finding the corpse.

* The registrar at which to report the death

1. The district registrar or local registrar over the area where the death occurred or the corpse was found

2. If the area where the death occurred is unknown or circumstances prevent reporting the death in the area where the death occurred, (in the case of a death outside the home) make the report at the district registrar or local registrar over the area where the corpse was found or where it is desired to report, as the case may be.

Procedure:

1. The reporter shows this evidence to the registrar:

   1. The reporter’s identification card
   2. The house registration containing the deceased’s name (if any)
   3. Other evidence pertaining to the deceased (if any)

2. The registrar

   1. Question the reporter as to the cause of death, the physical characteristics of the deceased, and the relationship between the deceased and the reporter
   2. Enquire as to the intended method of disposing of the corpse; whether by embalming, burial, cremation or destroying the body, as well as the location of doing so, and enter this information into the receipt of notification.
   3. Issue a receipt of notification of death in the Tor. Ror. 4 Ton Na format for the reporter.
   4. Issue a letter of information to the authorities designated by law regarding the dangerous contagious disease or to the administrative authorities or the police to proceed with their lawful duties.
   5. When the registrar has been notified of the results of the investigation or autopsy from the relevant authorities, the registrar may issue a death certificate for the reporter
   6. Discard the deceased’s profile from the householder’s house registration and the Civil Registration database

B. Reporting the death of a person without Thai citizenship

Laws

Civil Registration Act 1991

Article 21: When a death takes place, the death must be reported thus:

1. A death that took place in the home must be reported to the registrar of the locality where the death took place by the householder within 24 hours of the death. If
there is no householder, the person who discovered the corpse must report the death within 24 hours of discovering the corpse.

(2) A death that took place outside the home must be reported to the registrar of the locality where the death took place or the corpse was found, or of the locality where it should be reported by the person who accompanied the deceased or the person who discovered the corpse, as the case may be within 24 hours of the death or finding the corpse. In this instance the death may be reported to administrative officials or to the police.

Article 23: When a death or a birth takes place, the birth assistant or health care assistant must issue a delivery certificate or a death verification document according to the template determined by the director of the Central registration Bureau for the persons responsible to report according to Article 18 or Article 21.

Ministerial Regulations on Civil Registration for Persons without Thai citizenship and Fees 2008 (B.E. 2551):

Clause 3: When a person without Thai citizenship is born or dies, the person under Article 18, Article 19, Article 19/1 or Article 21 is to report the birth or the death, as the case may be.

Procedures

Reporting the death of persons without Thai citizenship is carried in the same manner as that of Thai citizens. The death certificate template issued by the registrar depends on the category of the person, as follows.

1. A Tor. Ror. 5 death certificate will be issued for aliens who have permanent residency or an alien registration book and aliens who are named in the Tor. Ror. 13 house registration.

2. A Tor. Ror. 05 death certificate will be issued for an alien named in Tor. Ror. 38 Profile registration records and whose 13-digit identification number begins with 00.

3. A Tor. Ror. 051 death certificate will be issued for an alien named in Tor. Ror. 38 A Profile registration records and whose 13-digit identification number begins with 0 and aliens who illegally entered Thailand.

Case studies

Case 1: A war refugee in a refugee camp located in Mae Hong Son Province died without a known cause of death. The inspecting doctor gave the opinion that the death was caused by heart failure. The refugee had no Civil Registration documents. In this instance, can the death be reported and a death certificate requested or not? Or, what documents may be issued as death certification?
**Solution guidelines:** The refugee camp area is the territory of Thailand. The refugee has the status of an alien who entered Thailand in violation of immigration laws. Therefore, when an alien dies in Thailand, reporting the death must proceed according to Article 21 of the Civil Registration Act 1991 and Clause 3 of the Ministerial Regulations on Civil Registration for Persons without Thai Citizenship and Fee Stipulation 2008. The registrar may accept the death report and issue a death certificate for the reporter.

To proceed with this issue, if the deceased died at a hospital or health care facility located in the camp, the physician who attended the deceased before death must issue death certification in the Tor. Ror. 4/1 format. From there, the hospital director or health care facility head must report the death in the capacity of the householder or the one who found the corpse. If the death did not take place in a hospital or health care facility, the step of issuing death confirmation document can be omitted. The person responsible for reporting the death is the one who found the corpse. The person responsible to report the death may make the report to the Sub-district Chief who is responsible for the refugee camp in the capacity of being appointed as assistant to the district registrar. The fact that the deceased does not have Civil Registration evidence and does not have a 13-digit identification number, but only has a personal number issued by the refugee camp is not an obstacle towards reporting the death and issuing a death certificate. This is because the procedures in the process of accepting death reports and issuing death certificates allow for entering only the information that is known into the death certificate. The death certificate template to be issued for refugees is the Tor. Ror. 051.

**Case 2:** In the case of the death of a Burmese illegal immigrant who entered the country by stowing away on a fish transport truck that was modified for the purpose of transporting illegal labourers, it is necessary to have verification of death to inform the country of origin and request help from the relevant private development agencies. Is it possible to report the death and request a death certificate? Or, what documents may be issued as death certification?

**Solution guidelines:** This is a case of death outside the home according to Article 21 (2) of the Civil Registration Act 1991. The person responsible for reporting the death is the person who accompanied the deceased or the one who found the corpse. The report is to be made to the competent registrar at the district registrar or local registrar over the area where the incident occurred. In this case however, the Burmese person died an unnatural death. According to Article 23 of the Civil Registration Act 1991 and the Central Registration Bureau Directive regarding Civil Registration 1992, the registrar is required to investigate the facts of the deceased’s profile details and the cause of death before issuing a receipt of notification in the Tor. Ror. 4 front part format as evidence for the reporter. The registrar must also inform the police to take the appropriate action. Issuing the death certificate must be put on hold until the autopsy results have been received from the investigative authorities. When this notification has been received, the death certificate may be issued. During the period of waiting for the death certificate, the involved persons are able to use the receipt of notification in the Tor. Ror. 4 front part issued by the registrar as evidence for disposing of the corpse and requesting monetary
aid from various agencies. The death certificate that will be issued for the deceased in this case will be the Tor. Ror. 051, without listing the 13-digit identification number.

The important matter in this case is the detail of the deceased’s name that is to be entered into the receipt of notification and the death certificate. This is because if the reporter does not know the factual details of the deceased, the profile details that will be entered into the receipt of notification will not be true and will affect the usage of this evidence.

**Case 3:** Natural disasters are a cause of death and missing persons, such as the tidal wave in late December 2004, which resulted in a multitude of deaths and missing persons, both Thai and alien. What procedures may be followed to issue certification of death?

**Solution guidelines:** Death from a natural disaster is an unnatural death. The registrar must proceed according to Article 23 of the Civil Registration Act 1991. After receiving the death report, the registrar must wait for the results of the investigation or results of the autopsy from the investigative authorities before issuing the death certificate. However there are differing procedures for receiving the death report and issuing the death certificate, as follows:

1. If the corpse is discovered and the deceased’s identity is known, the registrar may receive the death report and issue a death certificate. If the deceased is a Thai person or an alien that has residency in Thailand (possesses an alien registration book), a Tor. Ror. 4 death certificate will be issued. If the deceased is not named in the Civil Registration database and does not have a 13-digit identification number, the entry for the 13-digit identification number will be omitted in the death certificate. If the deceased was an alien who legally entered Thailand, (possessing a passport) or was an alien who was granted leniency to reside in Thailand as a special case, (a type-6 person), a Tor. Ror. 5 death certificate will be issued. If the deceased was a Burmese, Laotian or Cambodian national with a 00-type 13-digit identification number, a Tor. Ror. 05 death certificate will be issued, and if the deceased was an alien who illegally entered Thailand or a person with no Civil Registration status (a type-0 person), a Tor. Ror. 051 death certificate will be issued.

2. If a corpse is found but the deceased’s identity is unknown, the registrar will issue a receipt of receiving a death report in the Tor. Ror. 4 front part (Ton Na) format as evidence but will not issue a death certificate until it is known the deceased is.

3. If it is believed that a person has died but there is no corpse, the registrar will accept the death report and issue a receipt of receiving a death report in the Tor. Ror. 4 front part (Ton Na) format as evidence but will not issue a death certificate until the deceased’s body is found. Nevertheless, the registrar is able to use the Tor. Ror. 4 Ton Na as evidence to discard the deceased’s profile from the Civil Registration records or profile registration records.
Case 4: Is it possible to register the death of a newborn infant who died shortly after birth and whose birth was not registered?

Solution guidelines: An infant that survived birth has obtained the status of a human personality according to Civil law even though s/he did not live for long. If the infant dies the death must be reported according to Civil Registration laws even though the child’s birth has not yet been reported. If the death occurred in a hospital or health care facility a death verification document in the Tor. Ror. 4/1 format must be issued to use as evidence in reporting the death. Because the child died before reporting the birth, there is no record in the house registration. Therefore, the 13-digit identification number does not have to be entered in the death certificate and there is no need to submit a request to discard the profile from the house registration or profile registration records.
Chapter 7

Issuing Identification Cards for Persons without Thai Citizenship

General Principles

Identification cards for persons without Thai citizenship are a type of civil registration documents issued by the registrar for persons without Thai citizenship as evidence that can be shown to prove a person’s identification. Before 2004, identification cards for persons without Thai citizenship were laminated paper cards that contained no material to prevent forgery. These cards were commonly called Minority Group cards. Each minority group had a distinctly coloured card; for example, Vietnamese immigrants had white-with-blue-border cards, Chinese Civilian Migrants had yellow cards, Independent Chinese had orange cards, Lao immigrants had light blue cards, Nepalese immigrants had green cards, displaced Burmese nationals had pink cards, displaced Burmese Nationals of Thai Ethnicity had yellow-with-blue-border cards, illegal immigrants from Cambodia had white-with-red-border cards, highlanders and hill tribes had green-with-red-border cards, to name some. It was this way until the Department of Provincial Administration (DOPA) issued the Regulations on Issuing Identification Cards for Persons without Thai Citizenship 2004. The material and colours of the cards were subsequently changed to plastic with a magnetic strip, and coloured completely pink on both sides. All minority groups received the same colour of card, with the bearer’s minority group specified on the front of the card below the 13-digit identification number. Under this regulation the age that a minority group member must make an ID card was set at age 12, and the cards had a usability span of 6 years.

Later on, when the Strategy on Legal Status and Rights for Undocumented Persons was approved by the Cabinet on 18 January 2005, the target groups of this strategy were divided into 6 groups, but were collectively called “persons without civil registration status”. The people in one part of in this group are aliens, but another part is people whose status is not clearly Thai or alien. For example, school children whose parents did not register their birth, rootless persons who are unable to search out evidence to prove their own history, and so forth. Because the aforementioned strategy mandated the Ministry of Interior to make civil registration records and issue personal identification papers for persons without civil registration status, DOPA issued the Civil Registration Bureau Regulation Regarding Surveying and Issuing Personal Identification Papers for Persons without Civil Registration Status 2004. This regulation mandated the personal identity cards for persons without civil registration status to be made of plastic with a magnetic strip, coloured white on the front and pink on the back. The age at which a person must make an ID card is set at 1 year upwards, and the card has a usability span of 10 years.

The Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551) amended Article 5, which makes provisions for identity cards for persons without Thai citizenship. The Ministry of Interior subsequently issued the Ministerial Regulation Stipulating Civil Registration for Persons without Thai citizenship and Fee Stipulation 2008 (B.E. 2551). This contains a mandate for issuing identification cards for persons
without Thai citizenship, stating the age at which a person must make an ID card as 5 years upwards but no more than 70 years of age, and the card has a usability span of 10 years. If the bearer of the card is cleared of the status of a person without Thai citizenship, or becomes an illegal alien, the card immediately expires. Identity cards for persons without Thai citizenship that the registrar issued before this Ministerial Regulation came into effect may still be used. For the procedures to issue the cards, DOPA issued a Central Registration Bureau Directive on issuing identification cards for persons without Thai citizenship 2008, and rescinded the Central Registration Bureau Directive from 2004.

In summary, there are currently two types of identification cards for persons without Thai citizenship: (1) a plastic card coloured pink both front and back, issued by the registrar for aliens with permanent residency in Thailand (bearing a residency permit or an alien registration book and named in a Tor. Ror. 14 house registration) and aliens who had been granted leniency for temporary residence in Kingdom as a special case such as minority groups, Burmese, Laotian and Cambodian labourers, (named in a Tor. Ror. 13 house registration or Tor. Ror. 18); and (2) plastic cards that are white on the front and pink on the back, issued by the registrar for people without Civil Registration status. Those who may bear either of these cards must be aged from 5 years old to no more than 70 years old, and both cards have a usability span of 10 years, except if the card bearer is cleared of the status of a person without Thai citizenship or becomes an illegal alien, in which case the card immediately expires.

Issuing Identification cards for persons without Thai citizenship

Laws

Ministerial Directive Stipulating Civil Registration for Persons without Thai citizenship and Fee Rates 2008 (B.E. 2551)

Clause 2: In this Ministerial Regulation, “persons without Thai citizenship” refers to

(1) Aliens who have received permission to reside in the Kingdom according to Immigration laws and also possess a residency permit or an alien registration book in accordance with immigration laws or Civil Registration laws, as the case may be; as well as their children who were born in Thailand and did not receive Thai citizenship by birth according to nationality laws.

(2) Aliens who were granted leniency for temporary residence in Kingdom as a special case from the Minister of Interior under immigration laws; as well as their children who were born in Thailand and did not receive Thai citizenship by birth under nationality laws.

Clause 7: Persons without Thai citizenship according to Clause 2 (1) and (2) who are named and have personal details recorded in Civil Registration documents and are of five years of age and older but not older than 70 years must bear an identity card. The request for an identification card is to be submitted to the registrar within sixty days of

(1) The day of having reached 5 years old
(2) The day that the registrar added one’s name to the house registration
(3) The day that card reaches the expiration date
(4) The day that the former card is lost, destroyed or damaged, or
(5) The day that the card’s bearer corrects their name, surname, or name and surname, or date of birth in the house registration

Clause 8: Identification cards for persons without Thai citizenship have a usability span of ten years from the date of issue. If a card has not yet expired by the time the bearer reaches the age of seventy years, the bearer is permitted to continue using the card for the remainder of his/her life.

In the case that the bearer of an identification card according to clause 7 no longer has the status of a person without Thai citizenship according to clause 2 (1) or (2), the identification card must be expired from the day that the bearer no longer has this status and the bearer must return the card to the registrar within ten days of no longer having this status.

Clause 9: Identity cards for persons without Thai citizenship that were issued before this Ministerial Regulation came into effect are to be considered as being issued in accordance with this Ministerial Regulation.

Clause 10: In a case of necessity, the Director of the Central Registration Bureau, with the approval of the Minister of Interior, is allowed to determine that a person without Thai citizenship from a different group may bear an identity card under Clause 7, by enforcing the content in Clause 8, Clause 11 and Clause 12 through the principle of mutatis mutandis.

Central Registration Bureau Directives on Issuing Identification Cards for Persons without Thai Citizenship 2008 (B.E. 2551)

Procedures
The following persons must have identification cards for persons without Thai citizenship:

(1) Aliens who have residency in Thailand (bearing a residency permit or an alien registration book)
(2) Aliens who have been granted leniency for temporary residence in Kingdom as a special case
(3) The children of persons under (1) and (2) who were born in Thailand and did not receive citizenship according to nationality laws.

The aforementioned person must be aged from 5 years but not exceeding 70 years old, and must have their name in a house registration or civil registration records.

Timeframe of requesting a card: the application must be handed in within 60 days, counting from
(1) The day of having reached 5 years old
(2) The day that the registrar added one’s name to the house registration (Tor. Ror. 14 or Tor. Ror. 13)
(3) The day that card reaches the expiration date
(4) The day that the former card is lost, destroyed or damaged
(5) The day that the card’s bearer corrects their name, surname, or name and surname or date of birth in the house registration (Tor. Ror. 14 or Tor. Ror. 13.)

Registrar to be contacted for card request:

A registration bureau with a computerized system for producing identity cards in the district or locality in which the card applicant is named in the house registration or Civil Registration records. For example, Mr. Saptu is named in the Tor. Ror. 14 house registration at the Samrong municipal registration bureau which does not have a computerized system for producing identity cards. Samrong municipality is in the locality of Muang District, which has a computerized system for producing identity cards, so Mr. Saptu must file application for a card at the Muang District Registration Bureau.

Application Steps:

1. The applicant must present the following evidence to the registrar:
   (1) Copy of house registration (Tor. Ror. 14) for applicants who possess a residency permit or alien registration book; or copy of house registration (Tor.Ror. 13) for applicants who are minority group members whose 13-digit identification numbers begin with 6 or 7; or Tor. Ror. 18/1 records for Burmese, Laotian and Cambodian labourers; or Civil Registration database printout Tor. Ror. 18 B for persons without civil registration status.

   (2) Residency permit or alien registration book, in the case of a first time request by an alien named in a Tor. Ror. 14 house registration

   (3) The former card (in the case that the former card has expired or is damaged, and the case of correcting one’s name, surname or birth date.)

   (4) Other government documents (if any) such as a photocopy of the former card or printed extracts from the computer system or authorization papers for traveling out of the local area, and so forth

2. The registrar
   (1) Requests and inspects the applicant’s evidence

   (2) Inspects the personal record from the card application as well as the photograph from the previous card records in the registration bureau’s computer system

   (3) In the case of reasonable suspicion regarding the applicant’s personal record, interrogates the householder or other trustworthy person
(4) Record the fingerprints of the applicant by taking both the left and right thumbprints. However, if the applicant is missing a thumb, then only record the remaining thumb. If the applicant is missing both thumbs, then take the print of any remaining digit from both hands, starting from the index finger. If the applicant has no remaining digits, fingerprinting may be omitted, and the incident recorded in the card application.

(5) Photograph the card applicant using the computer system

(6) Print out the card application from the registration bureau computer system

(7) Inspect the personal record from the card application as well as the photograph from number (6) and once again compare with the existing evidence

(8) Issue a receipt of card application for the applicant as evidence

(9) Collect the fee as specified in the Ministerial Regulation. For first-time card applicants who are under 15 years of age, it is not necessary to pay the fee. In other instances, a fee of 60 Baht per card must be paid.

(10) Send the card information to the regional registration management center through the computer system in order to produce a card

(11) When the card has been received from the regional center, pass on the card to the applicant and recall the receipt of application, and have the card applicant sign to receive the card as a record.

Case study: Mana, aged 14 years, is the son of the Thai Yai minority group members. His parents have their names in the Tor. Ror. 13 house registration and have identity cards for persons without Thai citizenship. Mana has no civil registration evidence because he was in the novice monkhood at a different province at the time of survey to issue civil registration for minority groups. Currently, Mana has returned to live with his parents. If Mana desires an identification card, is he able to apply for one or not, or what should he do?

Solution: Those wishing to request an identification card for persons without Thai citizenship must be aliens who have been granted leniency for temporary residence in Kingdom as a special case, and must be named in a Tor. Ror. 13 house registration or Tor. Ror. 18 or Tor. Ror. 18 A. In Mana’s case, even though it can be proved that he is the son of Thai Yai minority group members who are named in Tor. Ror. 13 house registration, who are considered as having been granted leniency for temporary residence in Thailand, Mana still cannot apply for an identification card since he has no Civil Registration record.

To solve Mana’s problem, he must proceed to enter his name and personal record into Civil Registration documents first. The way to do it is as follows:

1. If Mana was born in Thailand, it is possible to retroactively register his birth according to Clause 58 of the Central Registration Bureau 1992 or request to add his name to a Tor. Ror. 13 house registration according to Clause 105 of the Central
Registration Directive, which will provide him with a card that is coloured pink on both sides.

2. If Mana was not born in Thailand, but entered Thailand along with his parents or entered after his parents but before 1998, his option is the survey for issuing Civil Registration records according to the strategy, first group. Or, if Mana is enrolled in the education system, it is possible to go the route of the schoolchildren’s survey, which will provide him with a Tor Ror 18 A and an identity card that is white on the front and pink on the back.
Guidelines for Determining a Person’s Citizenship

“Citizenship” is an extremely important indicator of a person’s legal status and rights under law in the country or territory where one resides. Citizenship rights of a person naturally fall under the jus sanguinis principle from his/her father or mother or the jus soli principle. Citizenship under these principles is a general provision and is effective from birth. Besides these principles, citizenship rights may result from legal effects, which are mainly individual rights as special case, such as naturalization or the recovery of citizenship, to name some examples.

A person’s citizenship is concretely shown when a record in public documents is prepared by a person lawfully authorized to do so. This can include not only officials with authority under citizenship law but also officials with authority under other laws whose duties are directly related to citizenship, especially Civil Registration matters. This is because citizenship law allows officials to issue important documents that indicate citizenship only in certain cases, such as for naturalization or renunciation of citizenship, and so forth. At the same time, in Civil Registration management, the registrar must record the citizenship of an individual into public documents from the time of birth registration. If a person subsequently has a change of citizenship, the registrar must amend the entry to match the new facts. Lastly, when a person passes away, the registrar must issue a death certificate, which has an entry for the deceased’s citizenship.

Civil Registration management has been even more clearly intertwined with citizenship since the Civil Registration system was developed into issuing 13-digit identification numbers for the populace. Residents in Thailand were categorized into 10 types, signified by the first digit of the 13-digit identification number. Distinct templates were also designed to be used by the registrar to issue for people in different circumstances according to their citizenship and person type. For example, Tor. Ror. 1 and Tor. Ror. 2 birth certificates are for Thai citizens by birth. Tor. Ror. 3 birth certificates are for the children of aliens who reside in Thailand but do not receive Thai citizenship. Tor. Ror. 03 birth certificates are for the children of Burmese, Cambodian and Laotian citizens who are alien labourers that illegally entered the country. Lastly, Tor. Ror. 031 birth certificates are for the children of people with no Civil Registration status or aliens who entered the country in violation of immigration laws. Civil Registration system being as it is, it is undeniable that the registrar under Civil Registration law has authority and responsibilities regarding a person’s citizenship. If a person’s citizenship is incorrectly determined, the issuance and management of Civil Registration records will also be incorrect and will have an impact on the rights of the person/s who received the incorrect documentation. The instances in which the registrar must analyze or determine a person’s citizenship before issuing Civil Registration documents are when registering a birth and adding a name to a house registration.

Whether or not an applicant for Civil Registration procedures is a Thai citizenship depends on the facts of the applicant’s parent’s status at the time of the person’s birth, the applicant’s birth place, and the citizenship laws in use at the time of the applicant’s birth as well as subsequent laws that may affect the applicant’s citizenship. For example, Mr.
Nicom was born in Thailand in 1947 to Vietnamese parents who entered Thailand in 1945. Mr. Nicom received Thai citizenship by birth through the principle of jus soli under Article 3 (3) of the Nationality Act 1913, which stipulated that all persons born within the Kingdom of Siam received Thai citizenship. But if Mr. Nicom lived on until December 14th, 1972, his citizenship would be revoked by Clause 1 of the Revolutionary Party Decree No. 337 dated December 13th, 1972, which revoked the Thai citizenship of any person born in Thailand whose legal father or mother were aliens who illegally entered the country. Then, if Mr. Nicom lived on until the present, (2009) he would receive the right to Thai citizenship once again by effect of Article 23 of the Nationality Act (fourth edition) 2008, which stipulates that the Thai citizenship of persons who lost citizenship under Revolutionary Party Decree 337 would be recovered from February 28th, 2008.

An example of another situation is that of Ms. Darunee, who was born in Thailand in 1991 to Taiwanese parents who legally entered Thailand (using passports). Ms. Darika, her younger sister by the same parents, was born in 1993. The two sisters have different citizenship statuses. When Ms. Darunee was born, she did not receive Thai citizenship by effect of Clause 2 of Revolutionary Party Decree 337, which did not grant Thai citizenship to any person born in Thailand whose legal father or mother were aliens residing in Thailand on a temporary basis. But if Ms. Darunee lived on until the present, (2009) she would receive the right to Thai citizenship by effect of Article 23 of the Nationality Act (fourth edition) 2008, which stipulates that persons who did not receive Thai citizenship under Revolutionary Party Decree 337 would receive Thai citizenship from February 28th, 2008. Ms. Darika (Darunee’s younger sister), also did not receive Thai citizenship at birth, but by effect of Article 7 bis of the Civil Registration Act (second edition) 1991, which stipulates that any person born in Thailand whose legal father or mother were aliens residing in Thailand on a temporary basis would not receive Thai citizenship. Ms. Darika does not have a right to Thai citizenship under Article 23 of the Nationality Act (fourth edition) 2008, because she was not affected by Revolutionary Party Decree 337, which was revoked on February 26th, 1991.

A third example is that of Manus, who was born in Laos in 1966 to a Thai father and Laotian mother whose marriage was not registered. Mr. Boonjumnong, his younger brother by the same parents, was born in Thailand in 1968. The citizenship status of the two brothers differs; Mr. Manus did not receive Thai citizenship even though his father is Thai because his father is not his legal father. Mr. Manus also does not qualify for citizenship by the jus soli principle because he was not born in Thailand. Mr. Boonjumnong, on the other hand, although he does not receive Thai citizenship by the jus sanguinis principle even though his father is Thai because his father is not his legal father, does receive Thai citizenship by the jus soli principle under Article 7 (3) of the Nationality Act 1965, because he was born in Thailand.

**Determining Thai citizenship under current citizenship laws**

The citizenship laws in effect at the present time are the Nationality Act 1965, which has been amended 3 times; the Nationality Act (second edition) 1992, (third edition) 1992 and (fourth edition) 2008. The stipulations regarding acquiring Thai
A. Acquiring Thai citizenship by birth

Laws


Article 7: The following persons acquire Thai nationality by birth:

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

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

“Father” in (1) means a person who has been proved, in conformity with the Ministerial Regulation, that he is truly a father of the person born even though he did not register marriage with the mother of the person born or did not file for legitimation.

(Paragraph one of this article has been in effect since February 26th, 1992. Sub-clause (1) affects persons born before February 26th, 1992 as well. The second paragraph has been in effect since February 28th, 2008 and affects persons born before February 28th, 2008 as well).

Determination guidelines

Acquisition of citizenship under Article 7 is categorized into 2 cases, as follows:

(1) Acquisition of Thai citizenship by the jus sanguinis principle through a person’s father or mother, or father and mother. Citizenship in this instance does not depend on the birthplace, whether Thailand or overseas. According to decisions by the Supreme Court and the Council of State, such as Dika No. 468/2524 or Dika No. 7376/2537, it can be concluded that receiving Thai citizenship by the jus sanguinis principle through one’s father must be through one’s legal father. This means that the father must have registered his marriage to the mother, or have completed the process of legitimization for the child to receive Thai citizenship through the father. For these reasons, determination of Thai citizenship by the jus sanguinis principle can be divided into two situations, as follows.

First situation: If both parents are Thai citizens, or the mother is a Thai citizen and the father has a different citizenship or is a stateless person, the couple’s children will receive Thai citizenship by birth regardless of whether the birth took place in Thailand or overseas, because the child is naturally the legal child of the mother according to the Civil and Commercial Code. For example, Nodome, a young boy, is the son of Mrs. Sri-Siam, a Thai citizen, and Robert, an American citizen. Regardless of whether Nodome is born in Thailand or overseas, he will receive Thai citizenship by birth based on the jus sanguinis principle through his mother under Article 7(1). However, if Mrs. Sri-Siam
renounces her Thai citizenship, and Nodome is born after she does so, he will not receive Thai citizenship by birth through his mother based on the jus sanguinis principle, because his mother would not a Thai citizen at the time of his birth.

Second situation: If the father is a Thai citizen, and the mother has a different citizenship or is a stateless person, the couple’s children will receive Thai citizenship by birth only if the father registers his marriage to the mother or completes the process of legitimation, which will result in the father being the legal father of the child, and the child will have the right to Thai citizenship. For example, Sara is the daughter of Mr. Montri, a Thai citizen, and Mrs. Arati, an Indonesian citizen. The couple registered their marriage under Indonesian law. Sara naturally receives Thai citizenship by birth through her father based on the jus sanguinis principle by virtue of Article 7 (1), regardless of whether she is born in Thailand or overseas. But if Mr. Montri did not register his marriage to Mrs. Arati, Sara would not receive Thai citizenship by birth through her father based on the jus sanguinis principle, even though her father is Thai because her father would not be her legal father.

However, the new citizenship law (the Nationality Act (fourth edition) 2008) amended the principles for acquiring Thai citizenship through one’s father based on the jus sanguinis principle. A child is allowed to receive Thai citizenship by birth through his/her biological father even if he is not his/her legal father. However, the condition is that the father-child relationship must be proved by the method prescribed in the Ministerial Regulations, as in the case of Apichart. He was the son of Mr. Apirak, a Thai citizen who was not legally married to Mrs. Boon-ngam, a Laotian citizen. If Mr. Apirak can proof his relationship to Apichart, Apichart will naturally receive Thai citizenship by birth based on the jus sanguinis principle through his father. Under these conditions, Mr. Apirak does not have to register his marriage to the mother and does not have to complete the process for legitimation. Be that as it may, at the present time there are no Ministerial Regulations mandating the method for proving the father-child relationship, the result being that it is currently not possible to acquire Thai citizenship by birth based on the jus sanguinis principle through one’s father in this situation.

(2) Acquisition of Thai citizenship by the jus soli principle: In this situation, one’s birthplace is the most important factor, because a person acquiring Thai citizenship under this principle must only be born in Thailand. The exception to acquisition of Thai citizenship through the jus soli principle is stated in Article 7 bis paragraph one, which specifies the persons born in Thailand who do not receive Thai citizenship. In order to correctly determine citizenship in this situation it is imperative to understand which categories of people fall under Article 7 bis paragraph one, which will be discussed at a later point. Whoever is born in Thailand and is neither a person under Article 7 bis paragraph one and nor a person under Article 7 (1) shall receive Thai citizenship by the jus soli principle under Article 7 (3). For example, Mr. Angkharn was born in Thailand in 1993 to a Thai father and a Burmese mother who illegally entered the country. His father did not register the marriage to Mr. Angkharn’s mother. Mr. Angkharn receives Thai citizenship by birth based on the jus soli principle by virtue of Article 7 (2) because he is not a person under Article 7 bis paragraph one. For another example, take Sangchan, a young girl who was born in Thailand in 1997 to parents who had permanent residency in Thailand, and had an alien registration book before Sangchan was born. Sangchan
receives Thai citizenship by birth based on the jus soli principle by virtue of Article 7 (2) because she is not a person under Article 7 bis paragraph one. As another example, take Buaphut, who was abandoned to a babysitter by his mother. Based on evidence, there was reason to believe that Buaphut was born in Thailand, but his parents and their citizenship are unknown. From the existing evidence, it cannot be concluded that Buaphut is a person under Article 7 bis paragraph one. Therefore, it must be determined that Buaphut is a Thai citizen by birth based on the jus soli principle by virtue of Article 7 (2), until any further facts come to light indicating that Buaphut is not a person under Article 7 (2).

B. Not acquiring Thai citizenship by birth

Laws

1. The Nationality Act 1965

   Article 8: A person born within the Thai Kingdom of alien parents does not acquire Thai citizenship if at the time of his birth, his mother or father was:
   (1) Head of a diplomatic mission or a member thereof;
   (2) Head of a consular mission or a member thereof;
   (3) An officer or expert of an international organization;
   (4) A member of a family, either as a relative under patronage or a person who traveled from abroad to reside with a person under (1), (2), or (3).

   (The provisions of this article have been in effect from August 5th, 1965 to the present).


   Article 7 bis.: A person born within the Thai Kingdom of alien parents does not acquire Thai citizenship if at the time of the concerned person’s birth, his/her lawful father or his/her father who did not register marriage with his/her mother or his/her mother was:
   (1) A person having been granted leniency for temporary residence in the Kingdom as a special case;
   (2) A person having been granted temporary residence in the Kingdom;
   (3) A person having entered and residing in the Kingdom in violation of immigration laws.

   In case the Minister deems it appropriate, he may consider and give an order granting Thai citizenship for a particular case or as a general provision to any person under paragraph one, in conformity with the rules prescribed by the Cabinet.

   The person who is born within the Thai Kingdom and has not acquired Thai nationality under paragraph one shall reside in the Thai Kingdom under conditions stated in the Ministerial Regulation, but national security and human rights must be considered as well. Nevertheless, the person shall be deemed to have entered and resided in the Thai
Kingdom in violation of immigration law when there is as of yet no such Ministerial Regulation.

(The provisions of paragraph one have been in effect since February 26th, and affect persons born before February 26th, 1992 as well. The second and third paragraphs have been in effect since February 28th 2008 and affect persons born before February 28th, 2008 as well).

Determination guidelines

Not acquiring Thai citizenship by birth is an exception to receiving Thai citizenship by the jus soli principle, and formerly was only enacted in the case of aliens who were on government business in Thailand, in the capacity of a representative of a country that has diplomatic relations with Thailand. Later on, for reasons of national security, the exceptions to the jus soli principle were extended to include groups of people that the government deemed would be a future risk to national security if they were granted Thai citizenship by birth. This is shown in the Revolutionary Party Decree 337 dated December 13th, 1972, and also shown in Article 7 bis paragraph one of the Civil Registration Act (second edition) 1992, which is the law in use at present.

To determine who was born in Thailand but does not receive Thai citizenship under Article 7 bis paragraph one, it is necessary to understand the elements of Article 7 bis paragraph one. Then it is possible to determine whether or not a person meets all the elements as mandated by law. If any element is missing, the person does not fall under Article 7 bis. This issue can be summarized as follows.

First, both parents of a person who does not receive Thai citizenship by birth must be aliens or persons without Thai citizenship or stateless persons.

Second, either both or one of the parents must be residing in Thailand on a temporary basis or lack the right to reside in Thailand, such as:

(1) Be a person who received leniency to reside in the Kingdom on a temporary basis, most of which cases are backed by a cabinet resolution, such as minority groups who were granted Tor. Ror. 13 house registrations, or

(2) Be a person who legally entered Thailand and was granted permission to reside in Thailand on a temporary basis (aliens who possess passports), or

(3) Be a person who entered Thailand without permission under immigration laws or be an illegal alien.

Third, the status of the parents, whether falling under (1), (2) or (3), must be the status of the parents at the time of the child’s birth.

When considering the elements of Article 7 bis paragraph one, it may be summarized that children born in Thailand since February 26th, 1992 to alien parents will receive Thai citizenship by birth through the jus soli principle only if one’s parents have a legal residence in Thailand, that is to say, if they have an alien registration book or a certificate of permanent residency, and the parents have this status at the time of the child’s birth. In addition, it must be a case of a person who did not receive Thai
citizenship by birth under Article 7 bis paragraph one. It is possible to categorize the
groups of people who do not receive Thai citizenship under Article 7 bis paragraph
one as follows:

1. At the time of birth, one’s father has legal residence in Thailand and one’s

   mother is

   1.1 A person who received leniency to reside in the Kingdom on a temporary basis or

   1.2 A person who was granted permission to reside in Thailand on a temporary basis (possessing a passport), or

   1.3 An illegal alien

2. At the time of one’s birth, one’s father was a person who received leniency to
reside in the Kingdom on a temporary basis and one’s mother was:

   2.1 A person with legal residence in Thailand or

   2.2 A person who received leniency to reside in the Kingdom on a temporary basis or

   2.3 A person who was granted permission to reside in Thailand on a temporary basis

   2.4 An illegal alien

3. At the time of birth, one’s father was a person who was granted permission to
reside in Thailand on a temporary basis and one’s mother was:

   3.1 A person with legal residence in Thailand or

   3.2 A person who received leniency to reside in the Kingdom on a temporary basis or

   3.3 A person who was granted permission to reside in Thailand on a temporary basis or

   3.4 An illegal alien

4. At the time of one’s birth, one’s father was an illegal alien and one’s mother
was:

   4.1 A person with legal residence in Thailand or

   4.2 A person who received leniency to reside in the Kingdom on a temporary basis or

   4.3 A person who was granted permission to reside in Thailand on a temporary basis

   4.4 An illegal alien

For example, Ja-air, a young boy, was born in Thailand in 1996 to a Thai Yai
father who entered the country in 1990 and received profile registration in 1995. His
mother is Thai Lue who was granted legal residence in Thailand, and received a
certificate of residence in 1993. Ja-air does not receive Thai citizenship under Article 7
paragraph one because his father was a person who received leniency to reside in the Kingdom on a temporary basis. Or take the example of Mali, who was born in Thailand in 2002 to a father who was a Japanese businessman working in Thailand. Her mother was a Taiwanese born in Thailand and resides in Thailand with an alien registration book. Her father registered marriage with her mother in 2001. Mali does not receive Thai citizenship under Article 7 \textit{bis} paragraph one because her father is a person who was granted permission to reside in Thailand on a temporary basis (with a passport). Another example is that of Mr. Ramet, born in Thailand in 1993 to Indian parents who had entered and been working in Thailand for a long period of time, and received legal residence in Thailand, possessed alien registration books and were named in a Tor. Ror. 14 house registration. However, Ramet’s parents received legal residence in Thailand in 1994. Mr. Ramet does not receive Thai citizenship by birth under Article 7 \textit{bis} paragraph one, because his parents were granted permission to reside in Thailand on a temporary basis.

Besides effecting persons who were born since February 26th, 1992, which was the day that the Civil Registration Act (second edition) 1992 was promulgated, Article 7 \textit{bis} paragraph one also affects people born in Thailand before February 26th, 1992 as well. This is according to Article 11 of the Nationality Act (second edition) 1992 which mandates that Article 7 \textit{bis} affects those born before the date of promulgation. However, determining who does not receive Thai citizenship by birth among people born in Thailand before 26 February 1992 is more complicated than previously explained. This is especially true in the cases of those born in Thailand to parents who are aliens or persons without Thai citizenship born in Thailand. Some of these parents had their citizenship revoked or did not receive Thai citizenship by effect of Revolutionary Party Decree 337, and are not amongst those who entered Thailand illegally, which will affect whether or not their children receive Thai citizenship. For example, Yuthana was born in Thailand in 1991 to Vietnamese parents born in Thailand before 1972 and whose citizenship was revoked by effect of Revolutionary Party Decree 337. Because his parents were born in Thailand, and even though they lost their Thai citizenship before Yuthana was born, they were not aliens who entered the country in violation of immigration laws. Yuthana then receives Thai citizenship by the jus soli principle. Whether or not Article 7 \textit{bis} affects his acquisition of citizenship depends on the aforementioned elements. At the time of his birth, Yuthana’s parents were persons without Thai citizenship. But when the residency status of his parents is considered, it does not meet the conditions of Article 7 \textit{bis} paragraph one. Therefore, Yuthana still receives Thai citizenship.

Another example is that of Wanwiwah, born in Thailand in 1987 to Pakistani parents who were living in Thailand. Her father had a passport and her mother received an alien registration book in 1982. Her parent’s marriage was not registered. These facts caused Wanwiwah to receive Thai citizenship by birth through the jus soli principle and she was not affected by Revolutionary Party Decree 337. Does Article 7 \textit{bis} affect her acquisition of Thai citizenship? When it is considered, it is obvious that at the time of her birth Wanwiwah had alien parents and her father had temporary permission to reside in Thailand (with a passport). Wanwiwah then meets the conditions of a person who does not receive Thai citizenship under Article 7 \textit{bis} even though her mother had permanent residency in Thailand. Wanwiwah’s Thai citizenship is lost ever since 26 February 1992.
C. Acquisition of Thai citizenship after birth

Laws

   Article 7 bis. paragraph two:
   In case the Minister deems it appropriate, he may consider and give an order granting Thai citizenship for a particular case or as a general provision to any person under paragraph one, in conformity with the rules prescribed by the Cabinet.

2. The Nationality Act (No. 2) 1992
   Article 11 paragraph two:
   Persons born in Thailand before this Act was promulgated but did not receive Thai citizenship under paragraph one, may receive Thai citizenship under Article 7 bis. paragraph two… in this situation the Minister may order Thai citizenship to be granted as a general provision or as a special case.

   Article 23: A person who had Thai nationality by virtue of being born within the Thai Kingdom, whose nationality was revoked by Clause 1 of the Declaration of Revolutionary Party No.337 and a person who was born within the Thai Kingdom, but did not acquire Thai nationality by Clause 2 of the Declaration of Revolutionary Party No.337, including children of the persons who were born within the Thai Kingdom before this act came into force and did not acquire Thai nationality under Article 7 bis. paragraph one of the Nationality Act 1965 as amended by the Nationality Act (No.2) 1992 shall acquire Thai nationality from the day this Act coming into force if the person has civil registration evidence proving the domicile within the Thai Kingdom for a consecutive period till the present and having good behavior, or having rendered service beneficial to society or Thailand. The persons who have already acquired Thai nationality by the discretion of the Minister before this Act came into force are exempt.

4. Ministry of Interior Proclamation on Ordering Persons who had Thai Citizenship before the day that the Nationality Act (No. 2) 1992 was promulgated to Receive Thai Citizenship, dated June 6th, 1995.
   With the authority from Article 7 bis paragraph two… and Article 11 paragraph two… and with the approval of the Cabinet, the Minister of the Ministry of Interior orders persons meeting the qualifications specified by the cabinet under Cabinet resolution on September 13th, 1994, to receive Thai citizenship as a general provision, the qualifications being as follows:

   (1) Having previously possessed Thai citizenship by virtue of having been born in the Kingdom of Thailand

   (2) Did not lose Thai citizenship or were not under the conditions to not receive Thai citizenship by effect of Revolutionary Party Decree 337 dated December 13th, 1972
(3) At the time of birth, the legal father or mother were not persons under Article 7 bis (1), (2) or (3) of Nationality Act 1965 as amended by the Nationality Act (No. 2) 1992 and

(4) Born before the Nationality Act (No. 2) 1992 was promulgated.

**Determination guidelines**

Receiving Thai citizenship after birth is a legal measure that was created to remedy the situation of people born in Thailand who suffered the effects of citizenship laws that resulted in these people either losing Thai citizenship or not receiving Thai citizenship by birth through the jus soli principle. Receiving Thai citizenship after birth must be processed by submitting an application, examining the applicant’s qualifications, and considering the orders of those with legal authority. This may be an individual order, such as an application for Thai citizenship for a child of migrants of Thai ethnicity from Kong Island, Cambodia who was born in Thailand or another minority group member to whom the Cabinet resolved to grant Thai citizenship under Article 7 bis paragraph two. In this case Thai citizenship is acquired on the day that the Minister issued the order.

Another example is a general provision of Thai citizenship, such as issuing an order for people who previously had Thai citizenship by virtue of having been born in Thailand but lost Thai citizenship by effect of the Nationality Act (No. 2) 1992 to receive Thai citizenship as a general provision. The meaning of this is that persons meeting the qualifications specified by the Minister receive Thai citizenship without having to submit each case individually to the Minister for approval, because common approval has already been granted. All that is required from those requesting Thai citizenship is to pass proof of qualifications. This usually done by submitting an application to the registrar according to Civil Registration laws and the District Officer considers the application. In this case Thai citizenship will be acquired from the day announced by the Minister. Besides this, citizenship acquisition after birth can also happen through mandate of law, without the Minister of Interior having to use the authority to order or refuse Thai citizenship, because the qualifications for those who will acquire Thai citizenship, the procedures and method for application, and the time frame for acquiring citizenship are already specified in the law. For example, granting citizenship as a general provision to persons who were affected by Revolutionary Party Decree 337 according to Article 23 of the Nationality Act (No. 4) 2008.

**A. Acquisition of Thai citizenship after birth for persons who lost citizenship under Article 7 bis paragraph one and Article 11 paragraph one of the Nationality Act (second edition) 1992**

This manner of acquiring Thai citizenship after birth is in accordance with the Ministerial Proclamation on Ordering Persons who had Thai Citizenship before the day that the Nationality Act (No. 2) 1992 was promulgated to Receive Thai Citizenship, dated June 6th, 1995, which was issued under Article 7 bis paragraph two and Article 11 paragraph two of the Nationality Act (No. 2) 1992. The conditions that qualify a person for Thai citizenship are: (1) must be born in Thailand; (2) be born before February 26th, 1992; (3) at the time of birth, one’s legal father or mother (in the case that the father was not legally married to the mother or the father was unknown) must have a legal residency
in Thailand (possessing a residency permit or alien registration book); (4) not be under the condition of Thai citizenship having been revoked or not receiving Thai citizenship by effect of Revolutionary Party Decree 337 and (5) not receiving Thai citizenship under Article 7 bis paragraph one and Article 11 paragraph one of the Nationality Act (No. 2) 1992. The target persons can be classified into 2 groups, as follows.

**Group 1:** This group consists of people born in Thailand before February 26th, 1992, whose **legal father** (father whose marriage to the mother was registered) was an alien who had a residency permit or alien registration book or was an alien born in Thailand and the **mother** was an alien who was granted leniency to reside in the Kingdom on a temporary basis or an alien who had permission to reside in the Kingdom on a temporary basis (with a passport) or an alien who illegally entered Thailand. For example, Ms. Ngamta was born in Thailand in 1982 to a Laotian immigrant father who was born in Thailand and a Laotian mother who was registered as a foreign labourer. Her parent’s marriage was registered. The fact that her parent’s marriage was registered meant that Ngamta had a legal father. Also owing to the fact that her father also was an alien who was born in Thailand, not an alien who entered the country illegally, Ngamta then received Thai citizenship by birth through the jus soli principle under Article 7 (3) of the Nationality Act (No. 2) 1965 and was not a person meeting the conditions of Revolutionary Party Decree 337. But when the elements of Article 7 bis paragraph one are considered, since her parents are aliens or persons without Thai citizenship and her mother is an alien who was granted leniency to reside in the Kingdom on a temporary basis, Ngamta lost her Thai citizenship by effect of Article 7 bis paragraph one and Article 11 paragraph one. She has the right to Thai citizenship under the Ministerial Proclamation on Ordering Persons who had Thai Citizenship before the day that the Nationality Act (No. 2) 1992 was promulgated to Receive Thai Citizenship, dated June 6th, 1995.

Another case is that of Mr. A-long, born in Thailand in 1967 to a Singaporean father who had an occupation in Thailand and possessed an alien registration book. His mother was a Chinese civilian immigrant who entered Thailand. Mr. A-long’s father completed the process for legitimization. This legitimization meant that A-long had a legal father. Also owing to the fact that his father was an alien with legal residency in Thailand, A-long then received Thai citizenship by birth through the jus soli principle under Article 7 (3) of the Nationality Act (No. 2) 1965 and was not a person meeting the conditions of Revolutionary Party Decree 337. But when the elements of Article 7 bis are considered, A-long was a person under Article 7 bis paragraph one because his parents are aliens or persons without Thai citizenship and his mother is an alien who entered Thailand illegally. Therefore, A-long lost his Thai citizenship by effect of Article 7 bis paragraph one and Article 11 paragraph one. He has the right to Thai citizenship under the Ministerial Proclamation on Ordering Persons who had Thai Citizenship before the day that the Nationality Act (No. 2) 1992 was promulgated to Receive Thai Citizenship, dated June 6th, 1995.

**Group 2:** This group consists of people born in Thailand before February 26th, 1992 whose **non-legal father** (meaning the father’s marriage to the mother is not registered) was an alien who was granted leniency to reside in the Kingdom on a temporary basis or an alien who had permission to reside in the Kingdom on a temporary
basis (with a passport) or an alien who illegally entered Thailand. The **mother**, on the other hand, was an alien who had a residency permit or alien registration book or was an alien born in Thailand. For example, Mr. Yusop was born in Thailand in 1970 to a Malaysian father who had a passport and was working in Thailand and a Chinese mother who had legal residency in Thailand and possessed an alien registration book since 1957. Yusop’s parents’ marriage was not registered. For this reason, Yusop has a legal mother but not a legal father. Together with the fact that his mother was an alien with permanent residency in Thailand, the result is Yusop receives Thai citizenship by birth through the jus soli principle under Article 7 (3) of the Nationality Act 1965 and is not a person whose Thai citizenship was revoked by Revolutionary Party Decree 337. But when considered under Article 7 bis, it becomes obvious that Yusop meets the conditions of Article 7 bis paragraph one, because his parents were aliens or persons without Thai citizenship and his father was an alien who was granted leniency to reside in the Kingdom on a temporary basis. Therefore, Yusop lost his Thai citizenship by effect of Article 7 bis paragraph one and Article 11 paragraph one. He has the right to Thai citizenship under the Ministerial Proclamation on Ordering Persons who had Thai Citizenship before the day that the Nationality Act (No. 2) 1992 was promulgated to Receive Thai Citizenship, dated June 6th, 1995.

A similar case is the case of Ms. Jamchan, who was born in Thailand in 1982 to a Nepalese immigrant father who was surveyed for profile registration and a Thai Lue mother who was born in Thailand. Her parents’ marriage was not registered. For this reason, Jamchan has a legal mother but not a legal father. Because her mother was an alien who was born in Thailand, her mother’s was not an alien who illegally entered Thailand. The result is that Jamchan receives Thai citizenship by birth through the jus soli principle under Article 7 (3) of the Nationality Act 1955 and is not a person whose Thai citizenship was revoked by Revolutionary Party Decree 337. But when considered under Article 7 bis, it becomes obvious that Jamchan meets the conditions of Article 7 bis paragraph one, because her parents were aliens or persons without Thai citizenship and her father was an alien who was granted leniency to reside in the Kingdom on a temporary basis. Therefore, Jamchan lost her Thai citizenship by effect of Article 7 bis paragraph one and Article 11 paragraph one. She has the right to Thai citizenship under the Ministerial Proclamation on Ordering Persons who had Thai Citizenship before the day that the Nationality Act (No. 2) 1992 was promulgated to Receive Thai Citizenship, dated June 6th, 1995.

**B. Acquisition of Thai citizenship after birth for persons who were affected by Revolutionary Party Decree No. 337 dated December 13th, 1972**

Acquisition of Thai citizenship after birth in this situation is in accordance with Article 23 of the Nationality Act (fourth edition) 2008. The qualifications of the people who will receive Thai citizenship are (1) must have been born in Thailand before February 26th, 1992, and at the time of birth one’s parents were aliens or persons without Thai citizenship who were born in Thailand and did not have permanent residency; or (2) people who were born before February 28th 2008 and are the children of those under sub

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Note: the Thai version says “father” here, but in the context, I believe it should be “mother”.

clause (1); (3) must reside in Thailand; (4) have Civil Registration evidence and (5) must be of good behavior or have rendered beneficial service to society or country. The persons with these qualifications can be classified into 3 groups, as follows.

**Group 1:** This group consists of persons whose Thai citizenship was revoked by clause 1 of the Revolutionary Party Decree 337, who were born before December 14th, 1972 to alien parents and the father (if the marriage was registered) or mother (if the marriage was not registered or the father was unknown) was an alien who was granted leniency to reside in the Kingdom on a temporary basis or an alien who had permission to reside in the Kingdom on a temporary basis (with a passport) or an alien who illegally entered and was illegally residing Thailand. For example, Mr. Jiang was born in Thailand in 1953 to Vietnamese parents who entered Thailand in 1946. Mr. Jiang would receive Thai citizenship by birth through the jus soli principle under Article 7 (3) of the Nationality Act 1952 and his Thai citizenship was subsequently revoked by clause 1 of Revolutionary Party Decree 337, because his parents were aliens who entered Thailand without permission.

Another case is that of Mrs. Kimlai, born in Thailand in 1956 to Chinese parents. Her father had a permanent residency in Thailand and received a certificate of residency in 1957. Her mother possessed a Chinese passport that had already expired. Her parents’ marriage was not registered. Mrs. Kimlai received Thai citizenship by birth through the jus soli principle under Article 7 (3) of the Nationality Act 1965 and her Thai citizenship was subsequently revoked by Revolutionary Party Decree 337, because her mother was an alien who was residing in Thailand without permission and she did not have a legal father.

**Group 2:** This group consists of people who did not receive Thai citizenship by effect of clause 2 of the Revolutionary Party Decree 337 who were born in Thailand from December 14th 1972 and February 25th 1992 to alien parents and the father (if the marriage was registered) or mother (if the marriage was not registered or the father was unknown) was an alien who was granted leniency to reside in the Kingdom on a temporary basis or an alien who had permission to reside in the Kingdom on a temporary basis (with a passport) or an alien who illegally entered and was illegally residing Thailand. For example, Mr. Wangpao, born in Thailand in 1976 to Chinese civilian immigrants who entered Thailand in 1973 did not receive Thai citizenship by effect of Revolutionary Party Decree 337 because his parents were aliens who illegally entered Thailand.

Another example is Marisa, born in Thailand in 1985 to a German father who was residing in Thailand on a visa and a mother of Thai ethnicity from Kong Island, Cambodia who received permission to reside in Thailand and received a certificate of residency in 1984. Her parents’ marriage was registered before her birth. Marisa did not receive Thai citizenship by effect of Revolutionary Party Decree 337 because her legal father was an alien who was residing in Thailand on a temporary basis.

**Group 3:** This group consists of the children of those who lost their citizenship (group 1) or the children of those who did not receive Thai citizenship (group 2) born in Thailand before February 28th, 2008 and did not receive Thai citizenship according to Article 7 bis paragraph one. Besides being born in Thailand themselves, those in this
group must also have a father or mother born in Thailand. For example, Nampetch was born in Thailand in 2004 to a Laotian immigrant father who was born in Thailand in 1977 and a Thai Yai mother who was born in Thailand and had legal residency in Thailand and possessed an alien registration book since 2007. Nampetch did not receive Thai citizenship by effect of Article 7 bis paragraph one because her parents were aliens born in Thailand but were deemed to have the status of a person who entered Thailand without permission according to Article 7 bis paragraph three. However, if Nampetch’s parents had not been affected by Revolutionary Party Decree 337 at the time of her birth, she would have had Thai citizenship parents and would have received Thai citizenship by birth through the jus sanguinis principle.

Mr. Samsao was born in Thailand in 1988 to a French father who legally entered Thailand to reside (with a passport) and a Mon immigrant mother who was born in Thailand in 1973 and whose Thai citizenship was revoked. His parents’ marriage was registered. Mr. Samsao falls under the condition of not receiving Thai citizenship by birth by effect of Revolutionary Party Decree 337 and Article 7 bis paragraph one because her legal father was an alien who had permission to reside in the Thailand on a temporary basis. But if Mr. Samsao’s mother had not been affected by Revolutionary Party Decree 337 at the time of his birth, he would have had a Thai citizenship mother and would have received Thai citizenship by birth through the jus sanguinis principle.

Acquisition of Thai citizenship under Article 23 is effective from February 28th, 2008, no matter when the qualified persons under Article 23 submit an application to register Thai citizenship in a house registration. (Article 23 paragraph two mandates that applications may be submitted from May 28th, 2008 by submitting the application to the district registrar or local registrar over the area where the applicant is named in a house registration or profile registration or is residing.) This will also affect the citizenship of the children of those acquiring Thai citizenship under Article 23 who were born since February 28th 2008. They would be a person with a Thai citizenship father or mother since birth.

Flowchart for considerations under Article 23

Flowchart for considerations under Article 23\textsuperscript{10}

\textsuperscript{10} In both this flowchart and the next one, “inside” means inside the Kingdom and “outside” means outside the Kingdom
Mr. Noo and Mrs. Nok are minority group members who were granted leniency to reside in the Kingdom as a special case. Neither was born in Thailand.

Mr. Noo and Mrs. Nok have three children together; the eldest is named Ms. Kai, born in Burma in 1987. The second is named Ms. Pla, born in Thailand in 1990 and the youngest is named Mr. Mod, born in Thailand in 1993.

Ms. Kai married a man named Mr. Mee, who is also the child of minority group members. He was born in Thailand in 1977. He and Ms. Kai have 2 children, twins who were born in Thailand. The firstborn is named Kung, born February 27th, 2008. The younger twin, Kung, was born on February 28th, 2008.

Explanation

Mr. Noo and Mrs. Nok are minority group members who were granted leniency to reside in the Kingdom as a special case. Neither was born in Thailand.

Mr. Noo and Mrs. Nok have three children together; the eldest is named Ms. Kai, born in Burma in 1987. The second is named Ms. Pla, born in Thailand in 1990 and the youngest is named Mr. Mod, born in Thailand in 1993.

Ms. Kai married a man named Mr. Mee, who is also the child of minority group members. He was born in Thailand in 1977. He and Ms. Kai have 2 children, twins who were born in Thailand. The firstborn is named Kung, born February 27th, 2008. The younger twin, Kung, was born on February 28th, 2008.

How to determine their citizenship according to Article 23 of the Nationality Act (fourth edition) 2008

1. Mr. Noo and Mrs. Nok are not included in the group of people who receive Thai citizenship under Article 23 because they were not born in Thailand and were not affected by the Revolutionary Party Decree 337 dated December 13th, 1972.

2. Ms. Kai was born in 1987, during the period of time that the Revolutionary Party Decree 337 was in effect but she was not born in Thailand, so, like her parents, she does not receive Thai citizenship under Article 23.

3. Ms. Pla was born in Thailand in 1990, during the period of time that Revolutionary Party Decree 337 was in effect. Ms. Pla has parents who are aliens who are minority group members who were granted leniency to reside in the Kingdom as a
special case. This caused Ms. Pla to not receive Thai citizenship by effect of Revolutionary Party Decree 337 Clause 2. Therefore, Ms. Pla receives Thai citizenship under Article 23.

4. Mr. Mod was born on February 26th, 1993 in Thailand, but in the period of time that Revolutionary Party Decree 337 had already been revoked by the Nationality Act (second edition) 1992. Mr. Mod was not affected by the Revolutionary Party Decree 337 but did not receive Thai citizenship by effect of Article 7 bis paragraph one because his parents are aliens who were granted leniency to reside in the Kingdom as a special case, as well as the fact that his parents did not loose their citizenship by effect of Revolutionary Party Decree 337. Therefore, Mr. Mod does not receive Thai citizenship by virtue of Article 23.

5. Mr. Mee was born in Thailand in 1977, during the period that Revolutionary Party Decree 337 was in effect. Mr. Mee’s parents are aliens who were granted leniency to reside in the Kingdom as a special case, which was the reason Mr. Mee did not receive Thai citizenship by effect of Revolutionary Party Decree 337 Clause 2. Therefore, Mr. Mee receives Thai citizenship under Article 23.

6. Kung was born on February 27th, 2008, in Thailand to parents who do not have Thai citizenship (aliens) and his mother was also granted leniency to reside in the Kingdom as a special case. Kung did not receive Thai citizenship by effect of Article 7 bis paragraph one, but because his father received citizenship by virtue of Article 23, as well as the fact that Kung was born on February 27th, 2008, the last day that covers the group of people who are the children of those whose citizenship was revoked or who did not receive Thai citizenship by effect of Revolutionary Party Decree 337. (Children born before the Nationality Act (fourth edition) 2008 was promulgated.) Like his father, Kung receives Thai citizenship by virtue of Article 23.

7. Kang was born on February 28th, 2008, in Thailand, but this is after the Nationality Act (fourth edition) 2008 was promulgated. Kang then does not receive citizenship by virtue of Article 23. However, because Article 23 stipulates that those who receive citizenship under this article will all receive citizenship on the same day, February 28th, 2008, which is the day that this law came into effect. Because his father received Thai citizenship by virtue of Article 23, Kang was born to a father with Thai citizenship. Therefore, Kang receives Thai citizenship by birth under Article 7 (1) or (2), depending on whether his father is legally married to his mother or not.
Explanation

Mr. Mong and Mrs. Maew are both minority group members who were granted leniency to reside in the Kingdom as a special case. Neither was born in Thailand.

Mr. Mong and Mrs. Maew have 2 children together; the eldest is named Mr. Yao, born in Thailand in 1966, and the younger is named Ms. Muser, born in Thailand in 1973.

Mr. Yao is married to a minority group member who was also born in Thailand and he and his wife have 1 child named Akha, born in Thailand in 1986.

Ms. Muser is married to a minority group member who was also born in Thailand and she and her husband have 1 child named Le-sor, born in Thailand in 1993.

How to determine their citizenship according to Article 23 of the Nationality Act (fourth edition) 2008

1. Mr. Mong and Mrs. Maew are not included in the group of people who receive Thai citizenship under Article 23 because they were not born in Thailand and were not affected by the Revolutionary Party Decree 337 dated December 13th, 1972.

Aliens born in Thailand

- Mr. Mong (Born outside)
- Mrs. Maew (Born outside)
- Mr. Yao (Born inside) 1966
- Ms. Muser (Born inside) 1973
- Ms. Akha (Born inside) 1986
- Mr. Le-sor (Born inside) 1993
2. Mr. Yao was born in Thailand in 1966, before the Revolutionary Party Decree 337 was in effect, so he received Thai citizenship under Article 7 (3) of the Nationality Act 1965. Later, when Revolutionary Party Decree 337 was enacted, Mr. Yao lost his Thai citizenship on the 14th of December 1977 because his parents are aliens who were granted leniency to reside in the Kingdom as a special case. Therefore, Mr. Yao receives Thai citizenship by virtue of Article 23.

3. Ms. Muser was born in Thailand in 1973 during the time period that Revolutionary Party Decree 337 was in effect. Ms. Muser has parents who are aliens who were granted leniency to reside in the Kingdom as a special case, for which reason she did not receive Thai citizenship by effect of Revolutionary Party Decree 337 Clause 2. Therefore, Ms. Muser receives Thai citizenship by virtue of Article 23.

4. Ms. Akha was born in Thailand in 1986 which was during the time period that Revolutionary Party Decree 337 was in effect but because her parents are aliens who were born in Thailand, not aliens who entered Thailand in violation of immigration laws as specified in the Revolutionary Party Decree 337 Clause 1 (3), she did not lose Thai citizenship by effect of Revolutionary Party Decree 337. Ms. Akha therefore received Thai citizenship by birth under Article 7 (3) of the Nationality Act 1965. Later, when the Nationality Act (second edition) 1992 was enacted, on the 26th of February 1992, Ms. Akha still had Thai citizenship and did not lose it under Article 7 bis paragraph one and paragraph three, because she was born before this law was promulgated. This is in accordance with the Supreme (Dika) Court ruling No. 7376/2537. Therefore, Ms. Akha is a Thai citizen by virtue of Article 7 (2) the Nationality Act 1965 as amended (second edition) 1992 and is not a person under Article 23.

5. Mr. Le-sor was born in Thailand in 1993, but in the period of time that Revolutionary Party Decree 337 had already been revoked by the Nationality Act (second edition) 1992. So then, Mr. Le-sor’s citizenship has to be determined by the Nationality Act (second edition) 1992. Even though Le-sor’s parents are aliens who were born in Thailand, just like Ms. Akha, he was born after the Nationality Act (second edition) 1992 was promulgated. His parents were considered to be aliens who entered the country illegally according to Article 7 bis paragraph three. This is in accordance with the Supreme (Dika) Court ruling No. 7376/2537. Therefore, Mr. Le-sor does not receive Thai citizenship under Article 7 bis paragraph one, but because his mother (Ms. Muser) did not receive Thai citizenship by effect of Revolutionary Party Decree 337 and is a person who receives Thai citizenship by virtue of Article 23, Mr. Le-sor then is also a person who receives Thai citizenship by virtue of Article 23 (children who were born before February 28th, 2008).
Chapter 9

Changing Citizenship Status in House Registrations

In accordance with Article 23 of the nationality Act (fourth edition) 2008

General Principles

A person’s citizenship depends on the citizenship laws of each particular country. By international standard, citizenship by birth takes place under two principles: through parentage, or the Jus Sanguinis principle, and the Jus Soli principle, which depends on the birthplace of the individual.

From the Nationality Act of 1913 to the Nationality Act of 1965, Thai law regarding citizenship mandated the regulations for obtaining Thai citizenship by birth under the Jus Soli principle in wide terms, with few restrictions. Whoever was born in the Kingdom of Thailand received Thai citizenship, regardless of whether their parents entered Thailand legally or in violation of immigration laws. It continued this way until the Revolutionary Party Declaration No. 337 was promulgated on December 13th, 1972, effective as of December 14th, 1972. This declaration by the Revolutionary Party was issued while the country was experiencing a difficult situation regarding national security arising from political factions at odds with Thailand. Consequently, the citizenship of people who had had Thai citizenship by birth was revoked, and people born in Thailand from December 14th 1972 onwards did not receive Thai citizenship if their father or mother were aliens who did not have a legal right to permanently reside in Thailand (not possessing a permanent residency permit or alien registration book). The Revolutionary Party Declaration No. 337 was rescinded on February 26th, 1992, but the law on citizenship (second edition) of 1992 contained a mandate of the same nature as Revolutionary Party Declaration No. 337 in Article 7 bis., paragraph one. The effect of this was that the persons affected by RPD No. 337 who had alien parents still did not obtain Thai citizenship.

The problems of personal status of the victims of RPD No. 337 was rectified by the Minister of Interior under the authority granted by Article 11 paragraph two of the Nationality Act (second edition) of 1992. Thai citizenship was granted as a general provision to those whose citizenship had been revoked by RPD No. 337 and to their children and grandchildren according to the Ministerial Proclamation dated September 17th, 2004. The conditions were that the concerned person must be domiciled in Thailand, have Civil Registration documentation, adhere to democracy with a monarchy as figurehead and have good behavior. Afterwards, the nationality law was amended (fourth edition) in 2008. Article 23 was provided to rectify the problem of citizenship for all groups of people who had been affected by RPD No. 337: those whose citizenship had been revoked, those who did not receive Thai citizenship, and the children of these groups who were born in Thailand but did not receive Thai citizenship by birth. However, it only applies to those born before February 28th, 2008. This is because Thai citizenship granted by Article 23 is a general provision with certain conditions. Besides having to be a person affected by RPD No. 337, those who receive Thai citizenship must meet other requirements as specified by law.
Laws

The Nationality Act (fourth edition) 2008

Article 23: A person who had Thai nationality by virtue of being born within the Thai Kingdom, whose nationality was revoked by Clause 1 of the Declaration of Revolutionary Party No.337 and a person who was born within the Thai Kingdom, but did not acquire Thai nationality by Clause 2 of the Declaration of Revolutionary Party No.337, including children of the persons who were born within the Thai Kingdom before this act came into force and did not acquire Thai nationality under Article 7 bis. paragraph one of the Nationality Act 1965 as amended by the Nationality Act (second edition) 1992 shall acquire Thai nationality from the day this Act coming into force if the person has civil registration evidence proving the domicile within the Thai Kingdom for a consecutive period till the present and having good behavior, or having rendered service beneficial to society or Thailand. The persons who have already acquired Thai nationality by the discretion of the Minister before this Act came into force are exempt.

After 90 days from the day this Act coming into force, a person possessing the qualifications under paragraph one shall apply for Thai nationality registration into the civil registration system at the district registrar or local registrar at the district of the person’s present domicile.

In summary, the people who qualify for recording citizenship in a house registration are divided into 3 groups, as follows:

**Group 1:** This group consists of those who were born in Thailand before December 14th 1972 to alien parents who entered Thailand on a temporary basis or received leniency to reside in Thailand as a special case, or entered Thailand illegally. Most of the people in this group were born to parents who were born overseas, and they themselves previously had Thai citizenship by birth under the jus soli principle, but their Thai citizenship was revoked.

**Group 2:** This group is comprised of people who were born in Thailand from December 14th 1972 until February 25th 1992, to alien parents who entered Thailand on a temporary basis or received leniency to reside in Thailand as a special case, or entered Thailand illegally. Most of the people in this group have parents who were born overseas, the same as those in group 1, but differ in that this group never had Thai citizenship to begin with.

**Group 3:** This group is comprised of the children in group 1 or group 2 who were born in Thailand before February 28th 2008. The people in this group must have a parent or both parents who were born in Thailand and whose citizenship was revoked or who did not receive Thai citizenship by effect of RPD No. 337, causing the children of these people to not receive Thai citizenship under Article 7 bis. paragraph one of the Nationality Act 1965 as amended (second edition) 1992. RPD No. 337 caused the mother or father of the people in group 3 to become non-citizens. Therefore, both the parents of
these children are non-citizens. If it were not for RPD No. 337, these people would have received Thai citizenship by birth, either by the Jus Sanguine principle (Article 7(1)) or the Jus Soli principle (Article 7(2)).

Besides this, people in all three groups must possess the following qualifications: possess Civil Registration evidence; be domiciled in Thailand and have good behavior or have rendered service benefitting society or the country, which are qualifications mandated by law.

Location of filing application:

The distract registrar or local registrar where the applicant is domiciled according to house registration or profile registration records.

The applicant:

1. An applicant to register Thai citizenship aged 15 years and older submits his/her own application

2. A parent or guardian submits application on behalf of an applicant to register Thai citizenship aged younger than 15 years

   (1) Birth certificate or delivery certificate (Tor. Ror. 20/1) or a delivery certificate issued for the applicant by a health care facility

   (2) House registration (Tor. Ror. 13 or Tor. Ror. 14) or profile registration records (Tor. Ror. 38/1, Tor. Ror. 38 A or Tor. Ror. 38 B)

   (3) Evidence proving that the applicant’s parents were born in Thailand (in the case of an applicant born between February 26th 1992 and February 27th 2008.)

   (4) One 2-inched sized photograph

   (5) Identity card for persons without Thai citizenship (if any)

   (6) Alien registration book (if any)

   (7) Documents issued by agencies or various organizations that confirm the good behavior or service rendered by the applicant (if any)

   (8) Documents proving the good behavior or beneficial service to society (if any) such as a letter of guarantee issued by a reliable government or private agency

   (9) Reliable witnesses who can attest to and confirm the applicant’s identity

The registrar:

(1) Accept the application for recording Thai citizenship in the house registration as well as the applicant’s evidence

(2) Examines the evidence shown by the applicant

(3) Inspects the Civil Registration database to see whether or not the applicant’s name exists in a different house registration
(4) Interviews the applicant and trustworthy witnesses to reveal the facts and the history/background of the applicant, the applicant’s residency status in Thailand, and the applicant’s conduct, as well as beneficial service for society rendered by the applicant.

(5) Compiles the evidence along with an opinion and submits it to the District Officer or Khet director for consideration.

(6) If the District Officer approves the request, the registrar must copy the application for recording Thai citizenship and the accompanying evidence to be kept as a record. The original application is to be sent to the Central Registration Bureau for inspection and to issue a 13-digit identification number that begins with an 8 and the numbers in the sixth and seventh place will be 73.

(7) When the registrar has received notification of the 13-digit identification number according to (6), the registrar is to discard the applicant’s former registration record and identification number and add the applicant’s name to the house registration (Tor. Ror. 14). Enter a remark stating “house occupant number … received Thai citizenship by virtue of Article 23 of the Nationality Act (fourth edition) 2008”, then sign and date the record.

(8) Give the householder’s house registration as well as the evidence to the applicant and recommend applicants aged from 15\textsuperscript{11} years up to apply for an identification card.

\textsuperscript{11} Translator’s note: the Thai text stated the age as 5 years. However, the legal age for an identification card is 15, so the translator believes this was a misprint and has corrected the English text.
Chart 8: Recording Thai Citizenship in house registrations under Article 23

Persons whose citizenship was revoked or who did not receive Thai citizenship by effect of RPD 337 and their children who were born before February 28th, 1992

The parents or guardian of the child file application (in the case the child is under 15 years of age)

The applicant files application in person (in the case an applicant aged 15 years and older)

The registrar of the area where the child or other person is currently domiciled

The registrar issues a receipt of application for the applicant/inspects the applicant’s qualifications/checks the documents/questions the witnesses and submits the application to the District Officer for approval

The District Officer issues an order and informs the registrar

Recording Thai citizenship approved

Send a request for the Central Registration Bureau to issue a 13-digit identification number and enter the applicant’s name in the Tor. Ror. 14

Not approved

Inform the applicant to file appeal within 15 days
Article 23 case studies

Case 1: Mr. Wongsa Sawat was born on May 12th, 1991, with Laotian citizenship. His father’s name is Fa and his mother’s name is Mee, both Laotian citizens. All three were surveyed and registered as foreign labourers in 2004, and received 00-type personal identification numbers. They have Tor. Ror. 38/1 evidence issued by the district registration office of Muang District, Ubolratchathani. Besides this, Mr. Wongsa has a Tor. Ror. 1/1 delivery certificate issued by That Bhanom Hospital, Nakhorn Phanom Province, stating that Wongsa Sawat was born on May 12th, 1991, and his father’s name stated as Fa and his mother’s name stated as Mee, of Laotian citizenship. Is Mr. Wongsa qualified to apply for Thai citizenship under Article 23 or not, and how may he apply?

Solution guidelines: If an investigation of the facts reveals that Mr. Wongsa Sawat was truly born in Thailand as is recorded on his Tor. Ror. 1/1 delivery certificate, to alien parents who illegally entered Thailand, he falls under the second clause of the Revolutionary Party Declaration No.337 dated December 13th, 1972. This is because Mr. Wongsa was born on May 12th, 1991, which was during the period of time that RPD No. 337 was in effect, causing Mr. Wongsa to not receive Thai citizenship at birth. A person with these characteristics is qualified to apply to record Thai citizenship in a house registration under Article 23. This is done by submitting Tor. Ror. 38/1 profile registration records and a Tor. Ror. 1/1 delivery certificate to the Muang Ubolratchathani district registrar. If the registrar believes that the delivery certificate that Mr. Wongsa submitted is correct evidence, the registrar can proceed to question witnesses to confirm Mr. Wongsa’s residence in Thailand, as well as his behavior and service to the country, then compile all the evidence and submit it to the District Officer of Muang Ubolratchathani for consideration. Conversely, if the registrar does not believe the delivery certificate, there may be need to investigate the matter at the That Bhanom Hospital or Mr. Wongsa may apply for a certificate of birthplace or delivery certificate according to the Tor. Ror. 20/1 format. When the certificate of birthplace or delivery certificate according to the Tor. Ror. 20/1 has been received, he may proceed with applying to record Thai citizenship in a house registration under Article 23.

Case 2: Ms. Asee Mayuoe, of Akha citizenship was born on August 3rd, 2008, and she has a Tor. Ror. 3 birth certificate. Her 13-digit identification number begins with 7 and her father’s name is Mr. Atoo and her mother’s name is Mrs. Bootue, Akha citizenship. Mr. Atoo and Mrs. Bootue were both born in 1970 and their 13-digit identification numbers begin with 6. They are named in the profile registration records of highlanders, which states that both were born in China. May Ms. Asee apply for Thai citizenship under Article 23 or not, and how may she do so?

Solution guidelines: Because Ms. Asee was born in 2008, in order to establish whether or not she falls under the conditions of Thai citizenship under Article 23, she must be considered as a child of a person whose nationality was revoked or a person who did not acquire Thai nationality by effect of the Revolutionary Party Declaration No.337.
Article 23 only provides for children born before the day that the nationality Act (fourth edition) 2008 went into effect; i.e., children who were born before February 28th, 2008. Subsequently, Ms. Asee does not meet the conditions for Thai citizenship under Article 23. However, even if Ms. Asee had been born on February 1st, 2008, she would still not meet the qualifications to be recorded as a Thai citizen in a house registration under Article 23. This is because her parents were not born in Thailand, and therefore they are not persons whose citizenship was revoked or who did not receive Thai citizenship by effect of RPD 337, except if Mr. Atoo (her father) or Mrs. Bootue (her mother) can prove that they were born in Thailand. This would effectively provide Thai citizenship for Ms. Asee.

Case 3: Pakdee Jakha has a Tor. Ror. 3 birth certificate and his 13-digit identification number begins with 7. He was born June 21st, 2000, the son of Mr. Noh, Akha citizen whose 13-digit identification number begins with 8 and Mrs. Dorsaeng, a Thai citizen who is named in a Tor. Ror. 14 house registration. Her 13-digit identification number begins with 2. Does Pakdee qualify for Thai citizenship under Article 23 or not?

Solution guidelines: Pakdee Jakha does not qualify for Thai citizenship under Article 23 and he does not have to apply to record Thai citizenship. This is because Mrs. Dorsaeng, Pakdee’s mother, is a Thai citizen whose personal identification number begins with 2, which signifies that she is a Thai citizen whose birth was recorded late. Restated, this means that Mrs. Dorsaeng is a Thai citizen by birth. Therefore, Pakdee receives Thai citizenship by birth by virtue of Article 7 (1) of the Nationality Act 1965 as amended (second edition) 1992. The registrar’s action of registering Pakdee’s birth and issuing a Tor. Ror. 3 birth certificate for him as a non-Thai citizen as well as designating his 13-digit identification number beginning with 7 was an incorrect procedure. In order to correct this mistake, the registrar must nullify Pakdee’s Tor. Ror. 3 birth certificate and discard Pakdee’s profile that has a personal identity number beginning with 7 from the Tor. Ror. 13 house registration. The birth must be registered again according to the Tor. Ror. 1 or Tor. Ror. 2 format, depending on whether the birth was reported within 15 days or after 15 days of his birth, by comparing the date of his birth to the date that the registrar received notification of birth. Finally, Pakdee’s name must be entered into a Tor. Ror. 14 house registration as a Thai citizen.

Case 4: Ms. Picha Normee was born on April 10th, 2000. She has a Tor. Ror. 3 birth certificate and a 13-digit identification number beginning with 7, recorded as not having Thai citizenship. Her father’s name is Mr. Lorduh, a Thai citizen with a 13-digit identification number beginning with 8. Her mother’s name is Mrs. Looh, also a Thai citizen whose 13-digit identification number begins with 8. Mr. Lorduh and Mrs. Looh received Thai citizenship under Article 7 bis in 2004. Does Picha Normee qualify for Thai citizenship under Article 23 or not? Or, how may she obtain Thai citizenship?

Solution guidelines: The registrar’s action of registering Picha Normee’s birth and issuing a Tor. Ror. 3 birth certificate for her as a non-Thai citizen as well as designating her 13-digit identification number to begin with 7 was a correct procedure
because at the time of her birth, Mr. Lorduh (her father) and Mrs. Looh (her mother) were not Thai citizens. (Both obtained Thai citizenship after Picha was born.) In order to decide whether or not Picha qualifies for Thai citizenship under Article 23, the fact must be determined whether or not Mr. Lorduh or Mrs. Looh were born in Thailand and were affected by RPD 337, causing them to lose Thai citizenship or not receive Thai citizenship by birth. Considering how Mr. Lorduh and Mrs. Looh obtained Thai citizenship, which was under Article 7 bis, of the Nationality Act 1965 as amended (second edition) 1992, it can be concluded that Picha’s parents were born in Thailand and did not receive Thai citizenship. Therefore, Picha qualifies to apply to have Thai citizenship entered into a Tor. Ror. 14 house registration under Article 23.

Case 5: Ms. Ah-sung Saelee was born in 1992 (the day and month are unknown), and she is named in minority group profile registration records as Independent Chinese. Her birth is recorded as having taken place in Thailand, and her father’s name is Mr. Gaoxi, born in 1957, in China. Her mother is named Mrs. Ah-Lung born in 1967 in China. Both her parents are deceased. Does Ms. Ah-sung qualify for Thai citizenship under Article 23 or not? Or, how may she obtain Thai citizenship?

Solution guidelines: The people who may be recorded as a Thai citizen in a house registration under Article 23 are comprised of 3 groups, differentiated by date of birth. Those in the first group were born before December 14th, 1972 (whose Thai citizenship was revoked by Clause 1 of RPD 337); the second group was born from December 14th 1972 until February 25th 1992 (they did not receive Thai citizenship by effect of clause 2 of RPD 337); and the third group are the children of groups 1 and 2 who were born before February 28th 2008. The important point in this instance is that groups 1 and 2 may have parents who were born overseas, and group 3 must have parents who were born in Thailand. In Ah-sung Saelee’s case, she was born in 1992, with no day or month of birth recorded. It must be determined whether Ah-sung is in group 2 or group 3. If she is in group 3, then she does not qualify for Thai citizenship under Article 23 because her parents were born overseas. However, when considering the birth date of persons born in Thailand in 1992 whose day and month of birth are not recorded, it is possible to cite the judicial method used in court as prescribed by Article 16 of the Civil and Commercial Code, which mandates to calculate a person’s age from the first day of the official year of the person’s birth. Therefore, a person who was born in 1992 without a recorded birth day and month of birth must be considered as having been born on January 1st, 1992, which was during the period of time that RPD 337 was in effect. Subsequently, Ms. Ah-sung Saelee qualifies to apply to have Thai citizenship recorded in a house registration under Article 23.
Annexes
Civil Registration Act

1991 (B.E. 2534)

BHUMIBOL ADULYADEJ, REX
Given on the 14th day of November 1992
Being the 46th Year of the Present Reign

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

Whereas it is expedient to revise the law on civil registration, be it, therefore, enacted by the King, by and with the advice and consent of the Constituent Assembly in the capacity of the National Assembly, as follows.

Article 1: This Act shall be called the “Civil Registration Act B.E. 2534 (1991)”

Article 2: This Act shall come into force after 120 days from the day following the date of its publication in the Government Gazette.

Article 3: The following shall be repealed:
(1) The Civil Registration Act of 1956 (B.E. 2499)
(2) Revolutionary Party Declaration No. 234 dated October 31st, 1972

Article 4: In this act,
“Civil Registration matters” means various registration proceedings according to this Act, including storing civil registration profile information.

“Civil registration profile information” means personal information regarding names, surnames, sex, birth dates and dates of death, citizenship, religion, domicile, marriage status, education level, parent’s names or adoptive parents, spouse’s name and children’s names, and other information necessary for various registration proceedings in this Act.

“Personal identification number” means a national identification number issued for each person by the registrar.

“House” means a building or edifice used as a place of residence and having a householder. This definition includes rafts and boats that are regularly moored and used as a place of residence, and a site or mobile vehicle that is used as a regular residence.
“House registration” means a register of a house that shows the house number, the location of the house and a list of all house inhabitants.

“Birth registry” means a registry of people who were born.

“Death registry” means a registry of people who died.

“Central Civil Registration” a registry that the Director of the Central Registration Bureau determined for the profiles of people who cannot be added to a house registration.

“Householder’ means a person who is the household head whether in the status of owner, renter, or any other status.

In the case where there is no householder, or the householder is not present, deceased lost or missing or unable to perform the householder’s duties, the person who is in charge of the house at that time shall be considered as the householder.

“House residents” means those who are named in the house registration.

The meaning of “District” includes Ging Amphoes\(^\text{12}\).

“Locality” means Bangkok, municipalities, Pattaya City, and other local administrative units that the Director of the Central Registration Bureau has mandated to be a locality according to this Act under the approval of the cabinet.

“The registrar” means the registrar of the Central Registration Bureau, the registrar of the Bangkok registration office, the provincial registration office, the registrar of the district registration office, the registrar of the local registration office, the registrar of a branch registration office, the registrar of a registration office for a specific task, and the registrar accepting notice, including someone assigned authority from the registrar or assistant registrar.

“The registrar accepting notice” means the district registrar, the local registrar, and anyone mandated by the Central Registration Bureau to be responsible for birth registration, death registration, and change of domicile, house construction, house demolition, and issuing house numbers. The scope of these duties must be specified.

“The Minister” means the minister on duty according to this Act.

Article 5: The Minister has authority to issue Ministerial Regulations stipulating or exempting proceedings on birth registration, death registration, change of domicile, examining or amending Civil Registration records, management of profile registration, issuing identification cards or any other proceedings regarding persons without Thai citizenship according to nationality law.

The Ministerial Regulations in paragraph one may set rates of fees which are not excessive of those in the end of this Act.

(Article 5 paragraph two was amended by Article 3 of the Civil Registration Act (No. 2) 2008)

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\(^\text{12}\) Note: A Ging Amphoe which is a status below a district (Amphoe) and above a sub-district (Tambon). After reaching certain criterion, a Ging Amphoe is elevated to district status.
Article 6: A person with a vested interest may request to examine or extract a copy of a profile or request the registrar to extract a copy and certify a house registration, a birth registration or death registration at the registration office during government working hours.

The provision in paragraph one is allowed to use for extracting a copy or extracting a copy and certify a copy of identification cards and other civil registration documents in accordance with this Act for persons without Thai citizenship.

(Article 6 paragraph two was amended by Article 4 of the Civil Registration Act (No. 2) 2008)

The registrar shall proceed immediately when accepting such applications under paragraph one and two.

(Article 6 paragraph three was amended by Article 5 of the Civil Registration Act (No. 2) 2008)

Article 7: The Minister of the Ministry of Interior and the Minister of the Ministry of Foreign Affairs take charge of the provisions in this Act and have the authority to appoint officials and issue Ministerial Regulations stipulating rates of fees which is not excessive of those in the end of this Act, exempting fees and other proceedings in order to carry out the provisions of this Act, regarding government affairs of the relevant ministry.

Ministerial Regulations are promulgated after being published in the Government Gazette.

Chapter 1

The registration office and the registrar

Article 8: Under Article 8/1, the following registration offices shall be established in accordance with this Act:

(1) Central Registration Office: The Director, the Vice-director and the assistants are registrars and responsible for registration in whole Kingdom.

(2) Bangkok Registration Office: The Bangkok registrar and the assistant are registrars and responsible for registration in Bangkok.

(3) Provincial Registration Office: The Provincial registrar and the assistant are registrar and responsible for registration in the province.
(4) District Registration Office: The District registrar and the assistant are registrars and responsible for registration in the district.

(5) Local Registration Office: The Local registrar and the assistant are registrars and responsible for registration in the local administration.

(Article 8 was amended by Article 6 of the Civil Registration Act (No. 2) 2008)

Article 8/1: The establishment of district and local registration offices under Article 8 (4) and (5) shall be at the discretion of the Director of Central Registration. The issues of readiness in the area, convenience for rendering services to people, redundancy and economization shall be considered.

District or local registration offices under Article 8 (4) and (5) that are already established, after the consideration of conditions under paragraph one, may be dissolved or united by the Director of Central Registration.

Authority and Responsibility of the offices established under paragraph one or united under paragraph two shall be at the discretion of the Director of Central Registration.

Article 8/2: The following registrars take charge under this Act:

(1) The Director of the Department of Provincial Administration is the Director of the Central Registration Bureau having the power to issue rules and procedures, to specify templates in accordance with this Act and to appoint the vice director and the assistant.

(2) The Bangkok City Clerk is the Bangkok registrar and has authority to appoint the assistant.

(3) Provincial Governors are provincial registrars and have authority to appoint the assistant.

(4) District Officers or deputies in charge of a Ging Amphoe who are in charge of minor districts, as the case may be, are district registrars having the authority to appoint the assistant.

(5) Municipal Clerks, the District Directors, Pattaya Chief Officer or Chief Officers of local administration units are local registrars having the authority to appoint the assistant.

The Vice-director, the assistant or other officials subordinate to the Department of Provincial Administration may be assigned by the Director of Central Registration under (1) to particular work under his responsibility.

The assistant or a chief officer of a division or above in the Office of the Bangkok Metropolitan Administration may be assigned by the Bangkok registrar under (2) to particular work under his responsibility.

Note: A Ging Amphoe which is a status below a district (Amphoe) and above a sub-district (Tambon). After reaching certain criterion, a Ging Amphoe is elevated to district status.
The assistant, the Vice-governor or the Deputy-governor may be assigned by the provincial registrar under (3) to particular work under his responsibility.

The assistant district officer or the other assistants may be assigned by the district registrar under (4) to particular work under his responsibility.

The assistant, the Deputy Municipal Clerk, the assistant District Director, the assistant Pattaya Chief Officer or the assistant Chief Officer of local administration units may be assigned by the local registrar under (5) to particular work under his responsibility.

(Articles 8/1 and 8/2 were amended by Article 7 of the Civil Registration Act (No. 2) 2008)

Article 9: When is it necessary to have a branch registration office or a registration office for a specific task in a district registration office area and local registration office area, as the case may be, the Director of the Central Registration Bureau shall appoint and specify the Civil Registration procedural responsibilities for the branch registration office or the registration office for a specific task in the area of the registration office. The District Officer or Amphoe chief over a Ging Amphoe, municipality chief, Khet director, chief of Pattaya or any other head of a local administration unit, as the case may be, shall appoint a registrar and assistant registrar over the registration office in the area of their responsibility.

Article 10: In order to establish a correct Civil Registration record, the registrar shall have the authority to call the householder or another person to come explain facts or present evidence as necessary. When there is reason for suspicion, the registrar also has the authority to question anyone in a house, but the householder must first be notified. This must be carried out during the time between sunrise and sunset.

When conducting questioning under paragraph one, the registrar must present an identification card as specified in the Ministerial Regulations.

When there is sufficient evidence to believe that reporting, receiving a report, recording or entering a personal record for preparing various forms of Civil Registration under this Act was done unlawfully or facts were concealed in some manner, or inaccurate statements were recorded, the registrar has the authority to refuse the report, discard the record, rescind the Civil Registration evidence and proceed to correct the record.

Procedures under paragraph three, including a rebuttal or explanation and appeal of a person affected by acts of the registrar, including consideration of appeals shall be in the manner prescribed in the Ministerial Regulations. The registrar may issue and order to freeze Civil Registration action before accepting such explanation or rebuttal.

(Article 10 paragraph four was amended by Article 8 of the Civil Registration Act (No. 2) 2008)

Article 11: For carrying out responsibilities as mandated in this Act, the registrar shall be an official according to the Criminal Code.
Chapter 2

Storing and managing Civil Registration information

Article 12: In the interest of storing and controlling Civil Registration, proof of identity and evaluating Civil Registration data, the Central Registration Bureau shall store registration profiles in the manner prescribed by the Director of the Central Registration Bureau. The data shall also be continually updated. This is to be in the manner prescribed in the Ministerial Regulations.

In the interest of storing and using Civil Registration data, government agencies whose work relates to personal data of persons without Thai citizenship within the Thai Kingdom shall refer such data to the Director of the Central Registration Bureau as requested.

(Article 12 paragraph two was amended by Article 9 of the Civil Registration Act (No. 2) 2008)

Article 13: The storing of Civil Registration profiles in Article 12 does not include collecting and storing the following personal data:

(1) Income
(2) Criminal history
(3) Tax payment or tax evasion
(4) Data mandated by the Cabinet or
(5) Other data not required by law to report

Article 14: Within government working hours and days, the person responsible for reporting various events under this Act, the owner of profile registration in Civil Registration under Article 12, or the person’s lawful representative in the case of a minor’s profile registration, the person’s custodian in the case of an incompetent person or the descendant of the record’s owner or a person appointed by record’s owner may request the registrar at the registration office to carry out the following proceedings:

(1) Copy and certify documents containing Civil Registration information according to Article 12, and pay the processing fee as stipulated in the Ministerial Regulations.

(2) Altering, amending, deleting or updating any information in the Civil Registration profile in order to correctly reflect the facts

The registrar shall proceed immediately when accepting such applications under (2). If the application is denied or any part of the request is completely or partially denied, the applicant shall appeal to the provincial registrar, the Bangkok registrar or the
Director of the Central Registration Bureau within 15 days from the day of becoming aware of the registrar’s order.

(Article 14 paragraph two was amended by Article 10 of the Civil Registration Act (No. 2) 2008)

The conditions, requirements and methods for amending, deleting, or otherwise updating any information in the Civil Registration database, as well as for appeals, shall be stipulated in the Ministerial Regulations.

Article 15: A government organization or agency may request the registrar to send a copy of profile registration documents, but only for the purpose of carrying out the duties and responsibilities of that particular government organization or agency.

Any government organization desiring to connect to the computer in order to use such Civil Registration data may be allowed to do so by the Director of Central Registration. Information regarding house registration, birth registration, and death registration or profile records for persons without Thai nationality may be used as necessary for the purpose of carrying out duties and responsibilities only.

(Article 15 paragraph two was amended by Article 11 of the Civil Registration Act (No. 2) 2008)

In conditions necessary to protect the public peace and national security, the Cabinet may approve permission of the Director of Central Registration to allow government organizations to access Civil Registration information other than that specified in paragraph two, only as necessary for the purpose of carrying out duties and responsibilities as mandated by the Cabinet.

Government organizations and agencies or investigative officials who obtained any information in accordance with this Article are prohibited from using such information for business benefit or other purposes unrelated to government duties and responsibilities or the objective stated in the request.

(Article 15 paragraphs three and four were amended by Article 12 of the Civil Registration Act (No. 2) 2008)

Article 16: For the management and storage of Civil Registration profiles, the Director of the Central Registration Bureau shall issue one non-repetitive personal identification number for each person residing in the Kingdom.

The omission of issuing a personal identification number for a person must be mandated in the Ministerial Regulations.

Article 17: Civil Registration records must be kept confidential. It is the responsibility of the registrar to maintain and store public registration data and use it only for the purposes stipulated in this Act. It is forbidden for anyone to make these records or numbers known to third parties who do not have any official responsibility stipulated in this Act, or to the public at large with the exception of those who have a vested interest requesting information on family status relative of those with whom they are about to enter a legal relationship, or when there is a need for the purpose of statistics, or for the
purposse of internal security of the state, or in the prosecution of legal suits and judgments, or in order to fulfill legal obligations. In no case shall public registration records be used as evidence that will cause loss or damage to the record’s owner.

Chapter 3
Births and deaths

Article 18: When a birth occurs, the birth must be registered as follows:

(1) For a birth inside the home, the householder or father or mother notifies the registrar over the area where the birth occurred in the house within fifteen days from the birth.

(2) For a birth outside the home, the father or mother notifies the registrar over the area where the birth occurred outside the house or at the registration office where it can be reported within fifteen days from the birth. If circumstances prevent the birth from being reported within the time limit, it may be reported late but no later than thirty days from the day of birth.

Reporting and recording under (1) and (2) shall be done in the manner prescribed in the regulations determined by the Director of Central Registration as well as reporting the name of the newborn.

For facilitating public convenience, reporting under paragraph one may be submitted to the registrar in the other areas. The procedure shall be in the manner prescribed in the Ministerial Regulations.

(Article 18 paragraph three was amended by Article 13 of the Civil Registration Act (No. 2) 2008)

Article 19: Any person finding an abandoned newborn infant or innocent child shall immediately refer the child to administrative officials, the police, or officials under the Ministry of Social Development and Human Security in the area of such an encounter.

A record of acceptance shall be made after the officials accept the child. If the child is accepted by administrative officials or the police, they shall refer the child to officials under the Ministry of Social Development and Human Security in that area. After the said officials have accepted the child or accepted the child from the police or administrative officials, they shall report the birth and the registrar shall issue a receipt of birth report in the manner prescribed in the regulations and forms prescribed by the Director of Central Registration.
Two certificates of acceptance of the child under paragraph one shall be made; one kept with the official accepting the child and one with the registrar accepting the birth report. Details about the person who found the child, the place and time of the encounter, physical conditions of the child, documents, and a profile of the child shall be recorded in as much detail as possible. If the nationality of the child is unknown, such a fact shall be recorded.

(Article 19 was amended by Article 14 of the Civil Registration Act (No. 2) 2008)

Article 19/1: If the birth of an abandoned newborn or innocent child, a vagrant child, or a child with no apparent parents or a child who was abandoned by its parents who are in the care of a state or private agency that is registered with the objective of child aid and welfare according to Minister’s specifications has not yet been registered, and does not have a profile in a house registration, the agency head or a person designated by the head shall report the birth to the registrar over the area where the agency is located. The registrar shall issue a receipt of notification. This is to be done using the regulations and template prescribed by the Director of the Central Registration Bureau.

Article 19/2: Verification of birth or nationality of the child under Article 19 and Article 19/1 shall be in the manner prescribed in the Ministerial Regulations. If it is impossible to verify the birth status and citizenship of the child, the district or local registrar shall issue a profile registration and identification document for the child as evidence in the manner prescribed in the regulations mandated by the Director of the Central Registration Bureau.

Article 19/3: A Thai citizen whose birth was not reported by the householder or parents under Article 18 may apply to the receiving registrar for birth registration in the manner prescribed in the regulations mandated by the Director of Central Registration. The provisions under Article 19/2 shall be allowed to apply in this case.

If a person under paragraph one is not sui juris, the parents or the guardian shall report the birth instead. If the parents of the child make the report, the registrar shall proceed after they have paid the fine set by the district registrar or local registrar according to Article 47 (2) and Article 51.

(Articles 19/1, 19/2 and 19/3 were amended by Article 15 of the Civil Registration Act (No. 2) 2008)

Article 20: When there is the birth report of a child under Article 18, Article 19, Article 19/1 or Article 19/3, both in the cases of a child with Thai citizenship or without Thai citizenship by birth in accordance with Thai law on citizenship, the registrar shall accept such birth reports and issue a birth certificate as evidence stating as much facts as possible.

To register the birth of a child without Thai citizenship by birth in accordance with Thai law on citizenship, the registrar shall issue a birth certificate using the template prescribed by the Director of Central Registration and the birth status shall be stated therein as well.
Article 20/1: In the case of a Cabinet resolution granting Thai citizenship or naturalization to a group of people, or in the case of other necessary situations requiring the person’s delivery certificate, the people in such a group shall apply for delivery certificates according to the regulations and conditions mandated by the Director of Central Registration.

(Article 20/1 was amended by Article 17 of the Civil Registration Act (No. 2) 2008)

Article 21: When a death takes place, the death must be reported thus:

(1) A death that took place in the home must be reported to the registrar of the locality where the death took place by the householder within 24 hours of the death. If there is no householder, the person who discovered the corpse must report the death within 24 hours of discovering the corpse.

(2) A death that took place outside the home must be reported to the registrar of the locality where the death took place or the corpse was found, or of the locality where it should be reported by the person who accompanied the deceased or the person who discovered the corpse, as the case may be, within 24 hours of the death or finding the corpse. In this instance the death may be reported to administrative officials or to the police.

Reporting under (1) and (2) shall use the template prescribed by the Director of the Central Registration Bureau, as well as stating the reporter’s name.

The provision under paragraph three of Article 18 shall be allowed to use for birth reporting under paragraph one by the principle of mutandis mutatis.

(Article 21 paragraph four was amended by Article 18 of the Civil Registration Act (No. 2) 2008)

Article 22: When there is a report under Article 21, the registrar accepting notice shall issue a death certificate for the reporter, except in the situation under Article 25.

Article 23: Whenever a birth or a death takes place, the birth assistant or health care provider must issue a delivery certificate or certification of death according to the template prescribed by the Director of Central Registration for the person responsible for reporting according to Article 18 or Article 21.

Article 24: It is forbidden for anyone to keep, bury, cremate, destroy or move a corpse from the place or house where the death occurred without the permission of the Registrar receiving registration.

When permission is granted under paragraph one, it is forbidden to keep, bury, cremate, destroy or move a corpse to a different location or in a different manner than that specified in the written permission unless the registrar grants further permission.

In a case where it is necessary to move a corpse for purposes of safety or public decency, public administration officials or police have the authority to do so.
Article 25: In the case where a death is suspected to be due to a dangerous communicable disease or unnatural causes, the registrar must notify the authorities legally responsible for communicable diseases, public administration officials or the police without delay and must hold the issuance of a death certificate until receiving approval from the above mentioned officials.

Article 26: The District registrar or the local registrar shall create a birth registry and death registry from the birth certificates and death certificates in the format and according to the method prescribed by the Director of the Central Registration Bureau.

Article 27: Correcting or altering the birth registry, the death registry or birth certificates or death certificates shall proceed as prescribed in the directive issued by the Director of the Central Registration Bureau.

Article 28: The Thai Consul or Thai Embassy officials designated by the Minister of Foreign Affairs shall function as registrar are responsible to register births and deaths of Thai citizens and of aliens who have been granted permanent residency in the Kingdom according to immigration laws that occur abroad. The documents issued pursuant to this may be used as birth and death certificates.

If a birth or death under the first paragraph occurs in a location where there is no permanent Thai Consul or Embassy, the birth or death certificates issued by the government of the country in question, translated and guaranteed by the Ministry of Foreign Affairs, may be used as birth and death certificates.

The registration of births and deaths under the first paragraph are to be in accordance with the regulations and procedures mandated in the ministerial regulations.

Chapter 4
Change of domicile

Article 29: It shall be presumed that a person lives in and is domiciled at the residence where s/he is named in the house registration.

Article 30: The householder shall report changes of domicile to the receiving registrar as follows:

(1) When a household resident moves out of the house, the move shall be reported within fifteen days of the move out.

(2) When a person moves into the house, the move shall be reported within fifteen days of the move in.
Apart from the cases specified in 91) and (2) the person moving in or moving out may report the move to the receiving registrar over the area of the new domicile within fifteen days of moving out. For this procedure, the person making the move must present a copy of house registration and written consent from the householder of the new domicile to the registrar and pay the service fee as stipulated in the Ministerial Regulations.

To report a move under this Article, the template stipulated by the Director of the Central Registration Bureau shall be used.

The provisions of Article 18 paragraph three shall be applied for reporting under paragraph one by the principle of *mutandis mutatis*.

(Article 30 paragraph four was amended by Article 19 of the Civil Registration Act (No. 2) 2008)

Article 31: When reporting a move of any house registration, if the Registrar observes that a large number of persons is moving into a house, whether at one time or over a period of time, and upon investigation it is found that the condition of the house is such that moving into it violates public health ordinances, the Registrar has the authority to decline to accept reports of moving into the said house.

Article 32: When reporting the move of any person into a house under Article 30 (2) the householder must produce the evidence of the person moving out according to Article 30 (1) for the receiving registrar. The provisions of this Article shall not be used in the case of a move under Article 30 paragraph two and the case of a person moving in from abroad who has evidence.

Article 33: When a person moves out of a house in which s/he is named in the house registration for more than one hundred and eighty days and the householder does not know where the said person is, the householder shall report the move out to the receiving registrar within thirty days of reaching the one hundred and eightieth day and state that the person’s location is unknown. The registrar shall add the name and profile of the said person to the central house registration.

Chapter 5

House registration

Article 34: Every house shall have a house number. Any house that does not have a number, the householder shall inform the registrar accepting notification to request a house number within fifteen days from the day that the house construction was completed.

The registrar accepting notification shall issue a house number for applicants in the area in the jurisdiction of the local registration office within seven days. For houses
outside the jurisdiction of the local registration office, a house number must be issued within thirty days.

The householder shall affix the house number in plain sight.

The Director of the Central Registration Bureau may issue temporary house numbers for convenience in registration surveys or inspections.

Article 35: If there are many houses in the same vicinity, one house number shall be issued, but if the householder wishes for more house numbers, a request shall be submitted to the registrar.

House numbers shall be issued for each room or suite of rooms in a series of townhouses, shop houses or condominiums. Each room is to be considered a house.

Article 36: The district or local registrar shall issue a household registration for every house of both persons with Thai nationality and without Thai nationality having a domicile within the Thai Kingdom.

(Article 36 paragraph one was amended by Article 20 of the Civil Registration Act (No. 2) 2008)

Issuing house registrations shall lie in the manner prescribed in the regulations under the discretion of the Director of Central Registration.

Article 37: Adding names and personal profiles to a house registration or the Central House Registration shall lie in the manner prescribed in the regulations under the discretion of the Director of the Central Registration Bureau.

Article 38: The district or local registrar shall issue house registrations for persons without Thai citizenship who received permission to reside in the Kingdom on a temporary basis and those having been granted leniency for temporary residence in the Kingdom as a special case in accordance with immigration law and declared by the Minister and their children born within the Kingdom. In the case of the termination of permission for temporary residence coming to an end, the registrar shall immediately discard the registration profile of such persons.

The Director of the Central Registration Bureau shall issue profile registrations for persons without Thai citizenship besides those under paragraph one in accordance with the declaration of the Minister.

Registrations under paragraph one and two shall precede in the manner prescribed in the regulations under the discretion of the Director of the Central Registration Bureau.

(Article 38 was amended by Article 21 of the Civil Registration Act (No. 2) 2008)

Article 39: The district registrar and the local registrar shall give a house registration book to the householder to keep. When there is an addition or change of an entry, or a profile is discarded from the house registration, the householder shall bring the house registration book to the registrar to update and correct the record.
If the house registration book is damaged to the point of being unusable or is lost, the householder shall request a new copy, and pay the processing fee as stipulated in the Ministerial Regulations.

When the Director of the Central Registration Bureau deems that it is not necessary to have a copy of house registration in any registration district, the Director of the Central Registration Bureau shall have the authority to recall the usage of the house registration copies in that registration district and announce the fact in the Government Gazette.

Article 40: Any change or correction to a house registration or the Central House Registration shall lie in the manner prescribed by the Director of the Central Registration Bureau.

Article 41: Any persons demolishing a house with a house number and not intending to build a new house in the same area or demolishing a house in order to rebuild it in another area shall report the demolishment to the registrar within 15 days from the day of the complete demolishment in order to discard the house number and the house registration.

If the householder did not report the demolishment to the registrar under paragraph one, the registrar shall discard the house number and the house registration and relocate the names of persons in such a house registration to the Central House Registration in the manner prescribed by the Director of Central Registration.

(Article 41 was amended by Article 22 of the Civil Registration Act (No. 2) 2008)

Article 42: When a mobile house or moving a raft boat or any other vehicle that is used as a residence is moved to be parked or moored at a different location, if parked or moored for more than one hundred and eighty days, the householder shall inform the registrar accepting notification over the area where the house was parked or moored of the move within fifteen days from the one hundred and eightieth day.

Chapter 6
Surveying and inspecting Civil Registration

Article 43: For the benefit of Civil Registration process, there shall be surveys and inspections of Civil Registration in some areas or throughout the Kingdom under the Declaration of the Council of State.

Article 44: When the Declaration of the Council of State has been promulgated under Article 43, the registrar or a person with authority granted in writing by the registrar may enter houses in the area stipulated by the Declaration of the Council of
State in order to conduct Civil Registration surveys and inspection only as necessary and during the time between sunrise and sunset.

The householder shall explain and answer queries truthfully and sign the survey or inspection forms to certify the information contained therein.

When carrying out the responsibility under paragraph one, the registrar must present a civil service identification card or government official identification card or national identification card as well as documentation of being an official to the householder before entering to conduct the survey or inspection.

Article 45: The Director of the Central Registration Bureau shall compile the report of the existing population total of the whole Kingdom from the past year on the 31st of December and publish this in the Government Gazette within March of each year.

The publication of the population total under paragraph one shall be according to the regulations stipulated by the Director of the Central Registration Bureau.

Chapter 7

Delegating the responsibility to report

Article 46: When making a report under Article 18, Article 21, Article 30, Article 32, Article 33, Article 34, Article 41, and Article 42, if the person responsible for reporting delegated the responsibility to another person to report instead, when the said person has made the report to the registrar under the concerned Article, it is considered that the person with the responsibility to report has made the report.

When the householder is acting according to Article 39 paragraph one or paragraph two regarding copies of the house registration, the provisions of paragraph one shall be applied through mutandis mutatis.
Chapter 8

Penalties

Article 47: If any person who
   (1) Refuses to come when the registrar summons, refuses to state a name, refuses
to inform of the facts or present evidence, or refuses to allow the registrar to enter the
house to conduct questioning under Article 10;
   (2) Does not heed Article 18, Article 19/1, Article 21, Article 23, Article 30,
Article 33, Article 34, Article 39 paragraph one or two, Article 41 or Article 42;
   (3) Violates Article 24 or
   (4) Does not allow the registrar to enter the house to conduct a Civil Registration
inspection or survey, refuses to explain or answer questions or refuses to give a signature
under Article 44
must be penalized by a fine not exceeding one thousand Baht.

(Article 47 (2) was amended by Article 23 of the Civil Registration Act (No. 2) 2008)

Article 48: Anyone not heeding the Ministerial Regulations issued in accordance
with Article 5 must be penalized by a fine not exceeding five thousand Baht.

Article 48/1: Anyone violating Article 15 paragraph four shall serve a penalty of
imprisonment from six months to five years and a fine from 10,000 Baht to 100,000 Baht.

If a government agency or governmental organization violating this Article, the
head of the government agency or governmental organization shall be penalized in
accordance with the provision of offence unless it can be proved that s/he did not connive
in such offence and took appropriate measures to handle the situation before it took place.

(Article 48/1 was amended by Article 24 of the Civil Registration Act (No. 2) 2008)

Article 49: Anyone violating Article 17 shall be penalized by imprisonment not
exceeding six months or a by a fine not exceeding 20,000 Baht or by both imprisonment
and a fine.

If the violator of this Article is a juristic person, the board of directors or director
or the person responsible for the affairs of the juristic person must be penalized as
mandated for that offence, unless it can be proved that the person was not in any way
aware of or involved in the offence, or took appropriate action to prevent the offence
from occurring.

Article 50: Anyone who produces, uses or shows false evidence or commits any
act so that one’s self or another person illegitimately obtains a name or any other data in a
house registration or other Civil Registration documents must be penalized by
imprisonment from six months to three years or be fined 10,000 to 100,000 Baht or both be imprisoned and fined.

If a person without Thai citizenship under citizenship law commits the act in paragraph one, this person must be penalized by imprisonment from six months to five years or be fined 20,000 to 200,000 Baht.

Article 51: For violations that result in a penalty of only a fine under this act, the district registrar or local registrar has the authority to make a comparative fine.

Countersigned by:
Anand Panyarachun
Prime Minister
Fee Rates

1. Identification cards for persons without Thai citizenship under Article 5
   - First-time application or renewal of former card: 100 Baht per issue
   - Lost, ruined or damaged cards: 100 Baht per issue
   - Issuing new card due to changing details: 100 Baht per issue

2. Extracting a copy from Civil Registration database or a certified printout of Civil Registration or an identification card under Section 6: 100 Baht per issue

3. Extracting a copy or a certified printout of profile registration under Article 14 (1): 100 Baht per issue

4. Birth report under Article 18 paragraph three; Death report under Article 21 paragraph four or Notice of change of address under Article 30 paragraph two or paragraph four: 100 Baht per issue

5. A copy of a household registration under Article 39 paragraph two: 100 Baht per issue

(The fee rates were amended by Article 25 of the Civil Registration Act (No. 2) 2008)
Civil Registration Act (No.2) B.E. 2551

Article 1: This Act shall be called the "Civil Registration Act (No.2), B.E. 2551"

Article 2: This Act shall come into force after 180 days from the day following the date of its publication in the Government Gazette.

(The content of Articles 3 to 25 has replaced the former content in the Civil Registration Act 1991)

Article 26: The district registration offices and the local registration offices that were carrying out proceedings before the day this Act was promulgated shall be the district registration offices and the local registration offices under Article 8/1 of the Civil Registration Act 1991 as amended by this Act.

Article 27: Ministerial Regulations, Rules or Proclamations under the Civil Registration Act 1991 shall be effective unless they conflict with provisions in this Act. When there is the enactment of Ministerial Regulations, Proclamations, or Rules under this Act, the previous ones shall be repealed.

Article 28: The Minister of Interior shall take charge and control of the execution of this Act.

Countersigned by:
Surayuth Chulanond
Prime Minister

(Articles 26 and 27 are transitional provisions of the Civil Registration Act (No.2) 2008)
(2)

Record of Principles and Logic  
Concurrent to the Ministerial Regulations on Civil Registration Fees  
2008 (B.E. 2551)

Principles regarding:

Civil Registration fees adjustment

Logic

Whereas article 25 of the Civil Registration Act (second edition) 2008 mandates that the fee rates stated in the Civil Registration Act 1991 shall be repealed and replaced by the fee rates stated at the end of the Civil Registration Act (second edition) 2008, it is deemed necessary to issue this Ministerial Regulation.
Ministerial Regulation
Civil Registration Fees
2008 (B.E. 2551)

With the authority derived from Article 5 of the Civil Registration Act 1991 which was amended by the Civil Registration Act (second edition) 2008 and Article 7 of the Civil Registration Act 1991 which are laws that contain certain provisions regarding the restriction of an individual’s rights and freedoms, which Article 29 and Article 34, Article 35 and Article 56 of the Constitution of the Kingdom of Thailand allows under the provision of law, the Minister of Interior issues this Ministerial Regulation.

Clause 1: The Ministerial regulation regarding Civil Registration fees 2002 shall be repealed.

Clause 2: The Civil Registration fees for Thai citizens are as follows:
   (1) Requesting a copy of or a copy with certification of a registration record under Article 6: 10 Baht per copy
   (2) Requesting a copy of or a copy with certification of a profile registration record under Article 14 (1): 20 Baht per copy
   (3) Reporting a birth in a different district under Article 18 paragraph three; Reporting a death in a different district under Article 21 paragraph four; Notice of change of address under Article 30 paragraph two and paragraph four or Notice of change of address in a different District under Article 30 paragraph four: 20 Baht per copy
   (4) Requesting a copy of a house registration
under Article 39 paragraph two: 20 Baht per copy

Clause 3: Thai citizens are exempt from Civil Registration fees in the following cases:

(1) Requesting to copy and certify a registration record copy under to Article 6 for use in the following cases:
   (A) General education
   (B) Entering military service according to military service law
   (C) Requesting welfare from the government
   (D) Allotting land for habitation or agricultural occupation by the government or a government agency
   (E) Acting in responsibility of the government, a government agency or a government enterprise that was established by Act, Royal Decree or Cabinet Resolution

(2) Requesting a house registration under Article 39 paragraph two in an area that experienced a public disaster as defined by the director of the Central Registration Bureau requesting the house registration within the time frame specified by the director of the Central Registration Bureau.

Given on this 23rd day of August, 2008.

Police General Kowit Wattana
(Kowit Wattana)
Minister of Interior
(3)

Record of Principles and Logic
Concurrent to the Ministerial Regulations on Civil Registration for Persons without Thai Citizenship and Fee Rates 2008 (B.E. 2551)

Principles:

Revising the Ministerial Regulations on Civil Registration for aliens 2008 (B.E. 2551) in order to mandate Civil Registration procedures for persons without Thai citizenship and stipulating Civil Registration procedure fees.

Logic

Whereas amendments were made to the Civil Registration Act 1993 by the Civil Registration Act (second edition) 2008, which mandates that Civil Registration procedure fees to be collected from persons without Thai citizenship must be stipulated in Ministerial Regulations, the current Ministerial Regulations contains sections that are not congruent with the newly amended Act. Seeing as it is expedient to revise the Ministerial Regulations on Civil Registration for aliens in order to stipulate Civil Registration procedures and fees, it is deemed necessary to issue this Ministerial Regulation.
Ministerial Regulation

Civil Registration procedures for persons without Thai citizenship and

Fee rates

2008 (B.E. 2551)

With the authority derived from Article 5 of the Civil Registration Act 1991 which was amended by the Civil Registration Act (second edition) 2008 and Article 7 of the Civil Registration Act 1991 which are laws that contain certain provisions regarding the restriction of an individual’s rights and freedoms, which Article 29 and Article 34, Article 35 and Article 56 of the Constitution of the Kingdom of Thailand allows under the provision of law, the Minister of Interior issues this Ministerial Regulation.

Clause 1: The Ministerial regulation regarding Civil Registration for Aliens 2002 shall be repealed.

Clause 2: In this Ministerial Regulation, “persons without Thai citizenship” refers to

(1) Aliens who have received permission to reside in the Kingdom according to Immigration laws and also possess a residency permit or an alien registration book in accordance with immigration laws or Civil Registration laws, as the case may be; as well as their children who were born in Thailand and did not receive Thai citizenship by birth according to nationality laws.

(2) Aliens who were granted leniency for temporary residence in Kingdom as a special case from the Minister of Interior under immigration laws; as well as their children who were born in Thailand and did not receive Thai citizenship by birth under nationality laws.

(3) Aliens who have received permission to reside in the Kingdom according to Immigration laws on a temporary basis as well as their children who were born in Thailand and did not receive Thai citizenship by birth according to nationality laws.

(4) Aliens who entered the Kingdom without receiving permission according to Immigration laws as well as their children who were born in Thailand and did not receive Thai citizenship by birth according to nationality laws.

Clause 3: When a person without Thai citizenship is born or dies, a person under Article 18, Article 19, Article 19/1 or Article 21 of the Civil Registration Act (second edition) 2008 must report the birth or the death, as the case may be.
Clause 4: The following persons without Thai citizenship are allowed to proceed with adding names and profiles in a house registration, reporting change of domicile, examining, enquiring or adjusting Civil Registration and issuing profile registration records.

(1) Persons without Thai citizenship according to clause 2 (1)

(2) Persons withoutThai citizenship according to clause 2 (2) for whom the Minister of Interior has announced a regulation commanding the district registrar or local registrar to issue a house registration pursuant to Article 38 paragraph one.

Clause 5: The following persons without Thai citizenship are allowed to proceed with examining, enquiring or adjusting Civil Registration records and the issuing of profile registration records and notifying of change of domicile:

(1) Persons without Thai citizenship according to clause 2 (2) other than those specified in clause 4 (2)

(2) Persons without Thai citizenship according to clause 2 (4) for whom the Minister of Interior has announced a regulation commanding the district registrar or local registrar to issue profile registration records pursuant to Article 38 paragraph two.

Clause 6: If a person without Thai citizenship according to clause 2 (3) wishes to proceed with Civil Registration pursuant to clause 4, the request may be submitted to the registrar to carry out proceedings.

Clause 7: Persons without Thai citizenship according to Clause 2 (1) and (2) who are named and have personal details recorded in Civil Registration documents and are of five years of age and older but not older than 70 years must bear an identity card. The request for an identification card is to be submitted to the registrar within sixty days of

(1) The day of having reached 5 years old

(2) The day that the registrar added one’s name to the house registration

(3) The day that card reaches the expiration date

(4) The day that the former card is lost, destroyed or damaged, or

(5) The day that the card’s bearer corrects their name, surname, or name and surname, or date of birth in the house registration

Clause 8: Identification cards for persons without Thai citizenship have a usability span of ten years from the date of issue. If a card has not yet expired by the time the bearer reaches the age of seventy years, the bearer is permitted to continue using the card for the remainder of his/her life.

In the case that the bearer of an identification card according to clause 7 no longer has the status of a person without Thai citizenship according to clause 2 (1) or (2), the identification card must be expired from the day that the bearer no longer has this status and the bearer must return the card to the registrar within ten days of no longer having this status.
Clause 9: Identity cards for persons without Thai citizenship that were issued before this Ministerial Regulation came into effect are to be considered as being issued in accordance with this Ministerial Regulation.

Clause 10: In a case of necessity, the Director of the Central Registration Bureau, with the approval of the Minister of Interior, is allowed to determine that a person without Thai citizenship from a different group may bear an identity card under Clause 7, by enforcing the content in Clause 8, Clause 11 and Clause 12.

Clause 11: The following fee rates are to be determined for Civil Registration procedures for persons without Thai citizenship:

1. Issuing an identification card for a person without Thai citizenship under Article 5:
   - (A) First-time issuance for applicants aged from fifteen years or in the case that the previous card has expired: 60 Baht per card
   - (B) In the case that the previous card was lost, destroyed or damaged: 60 Baht per card
   - (C) Changing the card due to a change in the bearer’s personal details: 60 Baht per card

2. Requesting a copy of or a copy with certification of a profile registration record under Article 6: 20 Baht per copy

3. Requesting a copy of or a copy with certification of a profile registration record under Article 14 (1): 20 Baht per copy

4. Reporting a birth in a different district under Article 18 paragraph three;
   Reporting a death in a different district under Article 21 paragraph four;
   Notice of change of address under Article 30 paragraph two or
   Notice of change of address in a different district under Article 30 paragraph four: 20 Baht per copy

5. Requesting a copy of a house registration under Article 39 paragraph two: 20 Baht per copy

Clause 12: The fees for Civil Registration procedures are to be waived for the following persons without Thai citizenship:
(1) Issuing an identification card for a first-time applicant aged younger than fifteen years old.

(2) Issuing an identification card for a person without Thai citizenship in the case that the former card was lost, destroyed or significantly damaged in an area that experienced a public disaster as defined by the director of the Central Registration Bureau’s announcement and the bearer applied for a new card within the time period specified in the director of the Central Registration Bureau’s announcement.

(3) Requesting to copy and certify a registration record copy under to Article 6 for use in the following cases:

(A) General education

(B) Requesting welfare from the government

(C) Acting in responsibility of the government, a government agency or a government enterprise that was established by Act, Royal Decree or Cabinet Resolution

(4) Requesting a house registration under Article 39 paragraph two in an area that experienced a public disaster as defined by the director of the Central Registration Bureau requesting the house registration within the time frame specified by the director of the Central Registration Bureau.

Given on this 23rd day of August, 2008.

Police General Kowit Wattana

(Kowit Wattana)

Minister of Interior
Principles:

Mandating the method and procedure of contending or explaining facts, making appeals and considering appeals of registrar orders

Logic

Whereas article 10 of the Civil Registration Act 1991 as amended by the Civil Registration Act (second edition) 2008 mandates the method and procedure prescribed in the Ministerial Regulation must be followed, when contending or explaining facts, making appeals and the considering of appeals of registrar orders in the case that the registrar issues an order to refuse a report, to discard a registration record, to overturn Civil Registration evidence or to modify registration record details for which there is sufficient evidence to believe that reporting, receiving a report, documenting or entering a personal record was done illegally or concealed in some manner, or inaccurate statements were recorded, it is deemed necessary to issue this Ministerial Regulation.
Ministerial Regulation on
Method and Procedures for Contending or Explaining Facts, Making Appeals and
the Consideration of Appeals of Registrar Orders
2008 (B.E. 2551)

With the authority derived from Article 7 of the Civil Registration Act 1991 and Article 10 paragraph four of the Civil Registration Act 1991 which was amended by the Civil Registration Act (second edition) 2008, which are laws that contain certain provisions regarding the restriction of an individual’s rights and freedoms, which Article 29, along with Article 34, Article 35 and Article 56 of the Constitution of the Kingdom of Thailand allows under the provision of law, the Minister of Interior issues this Ministerial Regulation.

Clause 1: When there is reason to believe that reporting, receiving a report, documenting or entering a personal record was done illegally or concealed in some manner, or inaccurate statements were recorded, and the district registrar or local registrar has investigated the facts and credible evidence that Civil Registration proceedings were indeed suspicious is found, the district registrar or local registrar has the authority to order a freeze on all Civil Registration proceedings relating to the record in question.

Clause 2: When the order in Clause 1 has been issued, the district registrar or local registrar must inform the record’s owner of the matter within three days from the day that the order was issued, in order that the person in question may have opportunity to contend or explain the relevant personal facts to refute the registrar’s order within thirty days of receiving notification of the order.

The notification in paragraph one must be in writing, and must contain at least the following information:

(1) The facts or reasons that lead the registrar to believe the action was illegal
(2) Relevant laws or regulations
(3) The points of consideration or supporting reasons behind the judgment
(4) The right of the record’s owner to appoint a second party to contend or explain facts on their behalf
(5) The right to examine documents necessary to the contestation or explanation in order to protect personal rights
Clause 3: To contend or explain the facts in under Clause 2, the concerned party must show evidence to prove that the freeze put on Civil Registration movement was done in error. Refuting or explaining the facts may be done through a signed written document or orally, with the district registrar or local registrar recorded the spoken statements, and the person making the statements signs this record.

Clause 4: If the concerned party does not contend or explain facts to refute the registrars’ order within the time specified in Clause 2 without a reasonable cause, or if the contestation or explanation does not contain reasons or include evidence, or the submitted reasons or evidence is inadmissible, the district registrar or local registrar is to issue an order to disregard the report, discard the registration record or withdraw the Civil Registration documents.

Clause 5: In the case that the district registrar or local registrar investigates the facts under Clause 1 and it is found that there is evidence of illegal action or evidence that the name and personal record in the Civil Registration documents is a stolen or assumed identity, the district registrar or local registrar is to issue an order to immediately disregard the report, discard the registration record or withdraw the Civil Registration documents, and proceed to correct or amend the registration record.

When the order in Clause 1 or Clause 4 has been issued, the district registrar or local registrar must inform the record’s owner of the matter within seven days from the day that the order was issued. The notification must contain at least the following information: the main facts or reasons, relevant laws or regulations, the points of consideration or supporting reasons behind the judgment, the concerned party’s right to appeal, the manner of appealing, and the time period in which to appeal.

An appeal of the registrar’s order must be in writing and include specific points of contention and relevant facts as well as cited laws.

Clause 6: The district registrar or local registrar must consider the appeal without delay, not exceeding thirty days from the day of receiving the appeal. If the registrar agrees with part of or with the entire appeal, the order to freeze movement is to be changed and the concerned party’s Civil Registration record and Civil Registration evidence is to be corrected within the stated time period.

In the case that the district registrar or local registrar does not agree with part of or with the entire appeal, a report of this opinion must be sent to the provincial registrar or the Bangkok registrar, as the case may be, within three days of concluding the appeal consideration. The provincial registrar or the Bangkok registrar must conclude consideration of the matter within thirty days of receiving the report from the district registrar or the local registrar, unless there is a reasonable cause for not reaching a conclusion on appeal within the time limit, in which case the provincial registrar or the Bangkok registrar must inform the appealer in writing before the end of the said time period. The time period for consideration may be extended for no more than thirty days from the last day of the previous time period.

Clause 7: If the provincial registrar or the Bangkok registrar agrees with the appealer’s appeal, the district registrar and the local registrar must be informed of the matter within three days of concluding the appeal consideration. The order to freeze
movement is to be changed and the concerned party’s Civil Registration record and Civil Registration evidence is to be corrected as per the provincial registrar or the Bangkok registrar’s opinion without delay.

If the provincial registrar or the Bangkok registrar does not agree with the appealer’s appeal, whether in part or in entirety, the district registrar or local registrar must be informed of the matter. The district registrar or local registrar is to further inform the appealer of the stated decision in writing within three days of receiving notification from the provincial registrar or the Bangkok registrar, as the case may be. The notification must contain at least the following information: the main facts or reasons, relevant laws or regulations, the points of consideration or supporting reasons behind the judgment, the concerned party’s right to file a plaint and the time period in which to file a plaint at the Administrative Court.

Clause 8: Any procedures and methods used in the appeal that are not specified by this ministerial Regulation must proceed according to the government administrative procedural methods.

Given on this 23rd day of August, 2008.

Police General Kowit Wattana
(Kowit Wattana)
Minister of Interior
Record of Principles and Logic

Concurrent to the Ministerial Regulations on the regulations and method and for verifying birth status and citizenship of abandoned or vagrant children, or children with no apparent parents or children who were abandoned by their parents

2008 (B.E. 2551)

Principles:

Mandating the method and procedure for verifying birth status and citizenship of newborn or innocent children who were abandoned, vagrant children, or children with no apparent parents or children who were abandoned by their parents

Logic

Whereas article 19/2 of the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551) mandates that the verification of the birth status and citizenship of newborn or innocent children who were abandoned, vagrant children, or children with no apparent parents or children who were abandoned by their parents shall proceed according to the method and procedure determined by the Ministerial regulations, it is deemed necessary to issue this Ministerial Regulation.
Ministerial Regulation on
Regulations and Method of Verifying the Birth Status and Citizenship of abandoned or vagrant children, or children with no apparent parents or children who were abandoned by their parents
2008 (B.E. 2551)

With the authority derived from the content of Article 7 of the Civil Registration Act 1991 and Article 19/2 of the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551), which are laws that contain certain provisions regarding the restriction of an individual’s rights and freedoms, which Article 29, along with Article 34, Article 35 and Article 56 of the Constitution of the Kingdom of Thailand allows under the provision of law, the Minister of Interior issues this Ministerial Regulation.

Clause 1: In this Ministerial regulation,

“Child” means a child as defined by child protection laws.

“Vagrant child” means a vagrant child as defined by child protection laws.

“Innocent child” means a child younger than 7 years of age, or a child who is lacking in normal mental discernment and sensibilities because the child’s physical development is equal to that of a child younger than seven years old.

“A child without apparent parents” means a child whose parents or direct descendants cannot be traced, as well as a child whose parents are deceased.

“Guardian” means a legal guardian as defined by child protection laws.

The meaning of “District Officer” includes deputies in charge of a sub-district and khet directors.

Clause 2: When a district registrar or local registrar receives notification of the birth of an abandoned newborn or innocent child, or a vagrant child or a child with no

14 Note: “sub-district” here refers to the term “ging amphoe” in Thai, which is a status below a district (amphoe) and above a normal sub-district (Tambol). After reaching certain criterion, a ging amphoe is elevated to district status.
apparent parents or a child who was abandoned by its parents, as the case may be, the registrar is to issue a receipt of notification for the reporter using the template prescribed by the Director of the Central Registration Bureau, as well as requesting evidence from the reporter and questioning the relevant witnesses in order to verify the birth status and citizenship of the child whose birth is being reported, as follows:

(1) The accompanying evidence is:

(A) For a newborn infant or innocent child, a record of receiving the child into care made by the administrative official, police or an official of the Social Development and Human Security who received the child into care.

(B) Evidence of receiving the child into care from the agency that received the child into care or foster care.

(C) Two 2-inch sized photographs of the child

(D) Civil Registration documents of the child’s guardian (if any)

(E) Other evidence relevant to the child, both documents or objects (if any); for example, a delivery certificate from the health care facility, a student registration record, letters, family photographs, and so forth.

(2) The witnesses are:

(A) The birth reporter

(B) The child requesting birth registration, if the child is seven years of age upwards

(C) The child’s ascendants or guardians (if any)

(D) A witness to the birth or a person who may give information related to the child’s birth status (if any)

(E) A person with whom the child has lived or worked (if any)

Clause 3: The district registrar or local registrar is to inspect the correctness of the documents and the comprehensiveness and completeness of the points from the witness interview, then compile the evidence along with an opinion and submit it to the District Officer over the registration office within sixty days from the day of receiving the birth report. The opinion must include the reasons for believing whether or not the child whose birth was reported was born in the Kingdom and whether the child has Thai citizenship or does not receive Thai citizenship or whether the child’s birth status and citizenship cannot be verified. The District Officer must consider the matter and notify the district registrar or local registrar of the decision within thirty days of receiving the opinion.

Clause 4: During the process of verifying the birth status and citizenship of a child whose birth is was registered under Clause 2, human rights, human security and national security must be taken into consideration, as well as the principles for receiving or not receiving Thai citizenship according to nationality laws. The district registrar, local registrar, and the District Officer must consider the factors related to the child’s immediate circumstances, and the practical possibility of finding documents directly concerning the child.
Clause 5: If the District Officer decides that it is impossible to verify the birth status and citizenship of the child, the district registrar or local registrar must be notified to issue profile registration and identification documents for the child according to the regulations issued by the director of the Central Registration Bureau under Article 19/2. The district registrar or local registrar must also inform the birth reporter of the District Officer’s opinion within seven days of receiving the District Officer’s opinion. The notification must include at least the reasoning behind the opinion, as well the important facts, relevant laws, and the points of consideration or supporting reasons behind the judgment. The birth reporter must also be informed of his/her right to appeal, the method of appealing, the period of time in which to appeal and the right to file a request with the district registrar or local registrar to once again verify the child’s birth status and citizenship.

Any appeal of the District Officer’s order must be made in writing and state the arguments and facts or cited laws.

Clause 6: The District Officer must consider the appeal made by the appellant without delay, but must not exceed thirty days from the day of receiving the appeal. If the District Officer agrees with part of or all of the appeal, the order is to be corrected and the district registrar or local registrar must be notified of the fact within three days of correcting the order. The district registrar or local registrar must proceed to correct or change the child’s Civil Registration record and evidence according to the regulations prescribed by the director of the Central Registration Bureau.

In the case that the District Officer does not agree with part of or all of the appeal, the relevant documents and a report of the District Officer’s opinion and reasoning must be sent to the provincial registrar or Bangkok registrar, as the case may be, within three days of concluding consideration of the appeal. The provincial registrar or the Bangkok registrar must conclude consideration of the appeal within thirty days of receiving the report from the District Officer. If circumstances prevent the appeal from being considered within the specified time period, the provincial registrar or Bangkok registrar is to inform the appellant in writing before the end of the said time period. The time period of considering the appeal may be extended by no more than thirty days from the day of reaching the end of the specified time period.

The provincial registrar or Bangkok registrar may appoint a specialized committee or working committee comprised of members who are knowledgeable and capable in the areas of social work, sociology, anthropology, juvenile justice and other areas. This committee offers opinions and advice to the provincial registrar or Bangkok registrar when proceeding with the consideration under paragraph two.

Clause 7: When the provincial registrar or Bangkok registrar determines that the evidence submitted by the birth reporter is sufficient to verify the child’s birth status and citizenship, the District Officer and the district registrar or local registrar must be notified of the fact within three days of concluding consideration of the matter. The district registrar or local registrar must proceed to change the child’s Civil Registration record and evidence to correctly reflect the provincial registrar or Bangkok registrar’s opinion, as the case may be, according to the regulations prescribed by the director of the Central Registration Bureau.
If the provincial registrar or Bangkok registrar agrees with the District Officer’s opinion or order under Clause 5, the district registrar or local registrar must be notified to inform the appellant in writing of the said judgment within three days of receiving notification from the provincial registrar or Bangkok registrar, as the case may be. The notification must include at least the important facts, cited laws, and the points of consideration or supporting reasons behind the judgment, as well as information regarding the right to sue, and the period of time in which to file a suit at the Administrative Court.

Given on this 23\textsuperscript{rd} day of August, 2008.

Police General Kowit Wattana
(Kowit Wattana)
Minister of Interior
Record of Principles and Logic
Accompanying the Ministerial Regulations on the Method and Procedures of Reporting a Birth or Death to a Registrar in a Different district
2008 (B.E. 2551)

Principles:

Stipulating the method and procedure of reporting a birth or a death to the registrar in other districts beside those in Article 18 (1) and (2) or Article 21 (1) and (2)

Logic

Whereas Article 18 paragraph three and Article 21 paragraph four of the Civil Registration Act amended by the Civil Registration Act (second edition) 2008 mandates for the person responsible for reporting a birth or a death is able to make the birth or death report to a registrar over a different area according to the method and procedures stated in the Ministerial regulation, it is deemed necessary to issue this Ministerial Regulation.
Ministerial Regulation on
the method and procedures of reporting a birth or death to a registrar in another
district
2008 (B.E. 2551)

With the authority derived from Article 7 of the Civil Registration Act 1991 and
Article 18 paragraph three and Article 21 paragraph four of the Civil Registration Act
1991 which was amended by the Civil Registration Act (second edition) 2008 which are
laws that contain certain provisions regarding the restriction of an individual’s rights and
freedoms, which Article 29 and Article 34, Article 35 and Article 56 of the Constitution
of the Kingdom of Thailand allows under the provision of law, the Minister of Interior
issues this Ministerial Regulation.

Clause 1: In the case that the person responsible for reporting a birth according to
Article 18 (1) or (2) has not yet reported the birth and the person who was born currently
resides in a district registrar or local registrar other than where the birth occurred, the
father, mother, legal guardian or a person designated by one of these persons, as the case
may be, may report the birth to the accepting registrar at the district registrar or local
registrar over the area where the father, mother or legal guardian of the person who was
born is named in a house registration.

When reporting a birth under paragraph one, the reporter must have a delivery
certificate that was issued by the hospital or health care facility where the child was born
to use as accompanying evidence, as well as no less than two witnesses who can attest to
the identity of the child’s parents.

In lieu of a delivery certificate, the reporter may use the results of a scientific test,
such as a DNA test which was conducted by a government agency or another reliable
agency as evidence to prove the parent-child relationship.

Clause 2: In the case that the person responsible for reporting a death according to
Article 21 (1) or (2) has not yet reported the death but has moved the corpse to a district
registrar or local registrar other than where the death occurred or the corpse was found,
the householder of the house where the death occurred, the person who accompanied the
deeased at the time of death or the person who found the corpse, or a person designated
by any of the aforementioned persons, as the case may be, may report the death to the
accepting registrar at the district registrar or local registrar over the area where the corpse is located or the area where the corpse will be cremated, buried or destroyed.

When reporting a death under paragraph one, the reporter must have a document verifying the death that was issued by the hospital or health care facility where the death occurred to use as accompanying evidence, as well as no less than two witnesses who can attest to the identity of the deceased.

In lieu of a document verifying the death, the reporter may use the results of a scientific test, such as a DNA test which was conducted by a government agency or another reliable agency as evidence to accompany the death report.

Given on this 23rd day of August, 2008.

Police General Kowit Wattana  
(Kowit Wattana)  
Minister of Interior
Ministerial Proclamation

Regarding: Private agencies that registered with the objective of child aid and welfare according to Article 19/1 of the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551)

With the authority derived from the content of Article 19/1 of the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551), the Minister of Interior announces the private agencies that have registered with the objective of child aid and welfare in order to perform as the one responsible for reporting birth of children in the care of the agency who are vagrant children, children whose parents are unknown, or children who were abandoned by their parents.

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<tr>
<th>No.</th>
<th>Agency</th>
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<tbody>
<tr>
<td>1</td>
<td>Thai Muslim Woman Foundation</td>
<td>Bangkok 1978 Charoenkrung Road, Kwaeng Yan Nawa, Yan Nawa District</td>
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<td>2</td>
<td>Orphans Aid Association Of Thailand</td>
<td>Bangkok 437 Suksawat Road 52, Rat Burana District</td>
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<tr>
<td>3</td>
<td>Aid St. Louis</td>
<td>Bangkok 215 St. Louis Hospital, South Sathon District</td>
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<td>4</td>
<td>Mercy Children’s Home (The Human Development Foundation)</td>
<td>Bangkok 100/11 Soi Kae-ha Khlong Toei 4, Dhamrongratthaphiphat Rd., Kwaeng Khlong Toei , Khlong Toei District</td>
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<td>5</td>
<td>Friends For All Children Foundation</td>
<td>Bangkok 25 Soi Ruamrudee, Ploenchit Road, Kwaeng Lumpini, Pathum Wan District</td>
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<td>6</td>
<td>Thai Red Cross Children’s Home</td>
<td>Bangkok 1873 Chulalongkorn Hopital, Henri Dunant Road, Kwaeng Pathum Wan, Pathum Wan District</td>
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<td>Christian Foundation for The Blind in Thailand</td>
<td>21/13 Mongkolsap Housing, Ramintra Road, Kwaeng Tarang, Bang Khen District</td>
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<td>8</td>
<td>Baan Nokkamin Foundation</td>
<td>85/83 M.1 Kwaeng Klongkum, Bumkum District</td>
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<td>9</td>
<td>Mercy Children’s Home (The Human Development Foundation)</td>
<td>3757/15 Rama IV Road, Phra Khanong Kwaeng, Khlong Toei District</td>
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<td>10</td>
<td>Kevorkian Foundation</td>
<td>59/33 Soi Thanying Phuang Rat Praphai, Sukhumvit Road 26, Kwaeng Khlong Toei, Khlong Toei District</td>
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<td>11</td>
<td>Home Protection 1 (Child Protection Foundation)</td>
<td>80/1 Soi Lat Phrao 106, Lat Phrao Road, Kwaeng Wang Thonglang, Wang Thonglang District</td>
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<td>12</td>
<td>Holt Sahathai Foundation</td>
<td>850/33 Soi Pridi Bhanomyong 36, Sukhumvit, Watthana District</td>
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<td>13</td>
<td>Foundation For The Better Life of Children</td>
<td>684 Chok Chai Anan Village 3, Soi Phahon Yothin 35, Phahon Yothin Road, Lat Yao Kwaeng, Bang Khen District</td>
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<td><strong>Khon Kaen</strong></td>
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<td>14</td>
<td>Child Welfare House of Mercy</td>
<td>236/1 Thepharak Road, Tambon Nai Mueang, Khon Kaen District</td>
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<td>15</td>
<td>St. Gerard’s Children’s Rehabilitation Center</td>
<td>164/16 M.16 Maliwan Road, Tambon Nai Mueang, Khon Kaen District</td>
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<td>16</td>
<td>Baan Chaan (My Home) Children's Home</td>
<td>217/1 M. 2 Bann Nong Chom, Mittraphap Road, Non Som Bun Tambon, Bann Had District</td>
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<td><strong>Chantaburi Province</strong></td>
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<td>17</td>
<td>House of Grace Child Foundation</td>
<td>Wat Sa Kaeo School M. 3, Ta Mai-Phraya Trang Road, Tambon Ploy Whan, Ta Mai District</td>
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<td><strong>Chonburi Province</strong></td>
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<td>18</td>
<td>Pek Hui Memorial Christian Aid</td>
<td>388/8 M.1 Sook Ka Piban 3 Road, Tambon</td>
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<td>19</td>
<td>Lorenzo Home</td>
<td>98 M.6 Tambon Kut Ong, Panus Nikom District</td>
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<td>20</td>
<td>Mercy Children's Home Center (The Human Development Foundation)</td>
<td>7/11 M.11 Soi Nongyai Soi 8, Tambon Nongprue, Banglamung District</td>
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<td>Bann Rak Chiwit Children's Home</td>
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<td>77 M.2 Chonburi–Klang Road, Tambon Hang Sung, Nongyai District</td>
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<td>384 M.6 Sukhumvit Road, Tambon Naklua, Banglamung District</td>
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<td>24</td>
<td>Bann Chuen Chivit Sri Racha Children’s Home</td>
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<td>25</td>
<td>Redemptorist Street Kids Home</td>
<td>12/5 M.7 Soi Nern Plubwan, Nongprue, Banglamung District</td>
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**Chiang Rai Province**

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<td>House of Peace Christian Children's Home</td>
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<td>27</td>
<td>Bann Chivit Mai Children's Home</td>
<td>591 Changrai – Thoeng Road, Tambon Tasai, Changrai District</td>
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<td>28</td>
<td>Bann Santi Children's Home, Wiang Pa Pao</td>
<td>34 M.6 Soi 9 Chiang Rai –Chiang Mai Road, Tambon Wiang, Wiang Pa Pao District</td>
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<td>29</td>
<td>Bann Phak Dek Khao Dee Children's Home</td>
<td>31/1 M.17 Mae Ai-Mae Chan Road, Tambon Pu Tueng, Mae Chan District</td>
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<td>Lahu Children's Home (Bann Raum Jai)</td>
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<td>32</td>
<td>House of Grace International</td>
<td>145 M.6 Tambon Mae Kon, Mueang Chiang Rai District</td>
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<td>Bethel Children's Home</td>
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<td>Mae Sai Emanuel Children’s Home and Girls’ Home</td>
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<td>Eden House Children’s Home</td>
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<td>Camillian Social Center</td>
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<td>House of Peace Christian Children's Home 1</td>
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<td>River of Life Foundation</td>
<td>89 M.6 Soi3 Pongprabah Road, Tambon Ban Du, Chiang Rai District</td>
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<td>Bann Chivit Mai (Mae Chan)</td>
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<td>Bann Chivitmai Children's Home (Mae Suai)</td>
<td>128 M.4 Bann mae Yang Min North Road, Tambon Si Thoi, Mae Suai District</td>
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<td>Bann Sa Du Dee Children's Home</td>
<td>208 M.21 Den Ha – Dong Ma Da Road, Tambon Pa-Or Don Chai, Chiang Rai District</td>
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<td>House of Refuge (Baan Phak Phing)</td>
<td>341 M.3 Chiang Rai — Wiang Chai Road, Tambon Rong Wiang, Chiang Rai District</td>
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<td>House of Peace Christian Children's Home 3</td>
<td>113 M. 23 Thoeng - Chiang Kham Road, Tambon Wiang, Thoeng District</td>
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<td>SOS Foundation of Chiang Rai</td>
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<td>Home of the Open Heart</td>
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<td>House of Blessing</td>
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<td>Bann Metta Chiang Dao Children's Home</td>
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<td>Chiang Mai — Fang Road, Tambon Chiang Dao, Chiang Dao District</td>
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<td>Imjai House</td>
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<td>Zion Children's Home</td>
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<td>Kids Life Ministry</td>
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<td>Kersatanmorarakot Orphanage</td>
<td>Mae Malai-Pai Road, BannSong, Tambon Sop Poeng, Mae Taeng District</td>
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<td>Ban Fa Sai Children's Home</td>
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<td>Baan Kingkaew Wiboolsanti Orphanage</td>
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<td>31/1 M.16, Tambon Si Dong Yen, Chai Prakan District</td>
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<td>Ban San Faan Orphanage</td>
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<td>224 M.1 Soi.Ban Famui,Nong Chom Tambon,San Sai District</td>
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<td>Ban Unjai Children's Home</td>
<td>63/4 Soi.8 Rat Uthit, Tambon Wat Ket, Chiang Mai District</td>
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<td>Home of Joy Orphanage</td>
<td>18/11 M.2, Huai Kaeo Road, Tambon Chang Phueak, Chiang Mai District</td>
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<td>Ban Santi Children's Home</td>
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<td>Ban Rom Sai Orphanage</td>
<td>23/1 M.4 Khon Khlong Road, Tambon Nam Phrae, Hang Dong District</td>
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<td>Ban Rung Orphanage</td>
<td>152 M.12 Bann Don Tan, Tambon Yu Wa, San Pa Tong District</td>
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<td>Ban Saan Rak Children’s Home</td>
<td>99/85 Chiang Mai -Samoeng Road, Tambon Nong Khwai, Hang Dong District</td>
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<td>Home of Hope and Mercy</td>
<td>30 M.3 Tambon Khlong Yai, Ongkharak District</td>
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<td>Ban Thantawan Children's Home</td>
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<td>Light of Heaven Orphanage</td>
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<td>Christian Care Foundation for Children with Disabilities</td>
<td>18/1075 M.5 SoiWat Ku , Su Kha Pracha San 2 Road, Tambon Bang Phut, Pak Kret District</td>
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<td>Baan Suchada Orphanage</td>
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<td>Pakpingjai Children's Home</td>
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<td>206 M.1 Yuan Tambon, Chiang Kham District</td>
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<td>Chiang Kham Youth Development Center</td>
<td>412 M.8 Tambon Yuan, Chiang Kham District</td>
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<td>Bethlehem Children's Home</td>
<td>85/1 M.13 Phraphutthabat Road, Tambon Sadiang, Mueang District</td>
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<td>131 M.13 Tambon Ban Klang, Lom Sak District</td>
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<td>142/4-5 Ban Riang Road, M.3, Tambon Thep Krasatti, Thalang District</td>
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<td>1/1 Soi Khiri, Tambon Huai Pong, Mueang Rayong District</td>
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<td>83</td>
<td>Peace Ministry Center Children's Home Lamphun</td>
<td>94 Rop Mueang Nok Road, Tambon Nai Mueang, Mueang District</td>
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<td><strong>Mae Hong Son</strong></td>
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<td>84</td>
<td>Development Centre for Children and Community Network</td>
<td>7 M.2 Bann Mae Kha Tuan, Tambon Sop Moei, Sop Moei District</td>
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<td><strong>Loei</strong></td>
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<td>85</td>
<td>Bethany Children's Home</td>
<td>206 SoiMe Tha Nia, Si Songkhram Road, Wang Saphung District</td>
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<td><strong>Sakon Nakhon</strong></td>
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<td>86</td>
<td>House of Grace Wanon Niwat</td>
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<td><strong>Songkhla</strong></td>
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<tr>
<td>87</td>
<td>SOS Foundation of Hatyai</td>
<td>58/6 Kan Chonna Wa Nit Road, Tambom Phatong, Hat Yai District</td>
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<td>Air Force Lt. Gen. Prayachalermakart Memorial Foundation</td>
<td>423 M.3 Tambon Sam Chuk, Sam Chuk District</td>
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<td>89</td>
<td>Baan Nok Kamin Foundation Sukhothai</td>
<td>125 M.5 Tambon Thung Saliam, Thung Saliam District</td>
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<td>90</td>
<td>Emirates Orphanage</td>
<td>430 M.2 Tambon Chalung, Mueang Satun District</td>
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<td>91</td>
<td>Ban Tawanmai Orphanage</td>
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<td>92</td>
<td>SOS Foundation of Samut Prakan</td>
<td>383 M.2 Sukhumwit Road, Tambon Bang Pu Mai, Mueang Samut Prakan District</td>
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<td><strong>Samut Songkhram</strong></td>
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<td>93</td>
<td>Child Protection Home 2</td>
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<td>Child Protection Home 3 Bann Rim Nam</td>
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<td>SOS Foundation of Nong Khai</td>
<td>185 M.1 Mittraphap Road, Tambon Pho Chai, Mueang District</td>
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<td>Nong Khai Sai Sampan Foundation</td>
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<td>97</td>
<td>Friends For All Children Foundation</td>
<td>1152 Soi Chit Ta Panya, Prachak Road, Tambon Nai Mueang, Mueang District</td>
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<td><strong>Nong Bua Lamphu</strong></td>
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<td>98</td>
<td>Mother Teresa Orphanage</td>
<td>168/8-15 M.2 Nong Bua Tambon, Mueang Nongbua Lamphu District</td>
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<tr>
<td>99</td>
<td>Elisha Children's Home</td>
<td>161 M.3 Udon-Mueang Loei Road, Tambon Na Kham Hai, Mueang Nongbua Lamphu District</td>
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### Ang Thong

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<tr>
<td>100</td>
<td>Wat Sakaew Jit Metta Ari Orphanage</td>
<td>1/1 M.3 Tambon Bang Sadet, Bang Sadet</td>
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<td>101</td>
<td>Wat Bote Worradit Jitkaruna Orphanage</td>
<td>210/8 Tambon Pa Mok, Bang Sadet</td>
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### Udon Thani

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<td>102</td>
<td>Muslim Youth Centre Children's Home Udon Thani</td>
<td>175 M.8 Bann Nong Muen Khao, Tambon Non Sung, Mueang Udon Thani District</td>
</tr>
<tr>
<td>House Number</td>
<td>Organization</td>
<td>Address</td>
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<tr>
<td>103</td>
<td>House of Blessing</td>
<td>180 M.4 Bung Mai Tambon, Warin Chamrap District</td>
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<td>104</td>
<td>Isan Orphanage</td>
<td>248 M.2 Chaeng Sanit Road, Tambon Chaeramae, Mueang Ubon Ratchathani Districct</td>
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<tr>
<td>105</td>
<td>The Welcome Home (Baan Pak Ping)</td>
<td>297 M.2 Chetta Wan Road, Mueang Det Tambon, Det Udom District</td>
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**Amnat Charoen**

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<td>106</td>
<td>Phon Daen Suang Children's Home</td>
<td>30 M.4 Yang Kun Road, Tambon Non Nam Thaeng, Amnat Charoen District</td>
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<td>107</td>
<td>Samuel Children's Home</td>
<td>142 M.2 Yang Kun Road, Tambon Non Nam Thaeng, Amnat Charoen District</td>
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Given on this 18th day of September, 2008.

Police General Kowit Wattana  
(Kowit Wattana)  
Minister of Interior
Ministerial Proclamation

Regarding: Issuing house registration and profile registration records for persons without Thai citizenship according to Article 38 of the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551)

With the authority derived from the content of Article 38 of the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551), the Minister of Interior announces the categories of persons without Thai citizenship that receive leniency for temporary residence in Kingdom as a special case according to immigration law, for whom the district registrar or local registrar is required to issue house registrations, as well as other persons without Thai citizenship for whom that the director of the Central Registration Bureau must issue profile registration records.

Clause 1: Persons without Thai citizenship for whom the district registrar or local registrar is required to issue house registrations and record their personal details in the house registration (Tor. Ror. 13) according to Article 38 paragraph one are:

(1) Persons without Thai citizenship due to renunciation of Thai citizenship, revocation of Thai citizenship or loss of Thai citizenship by nationality law who have not received an alien registration book according to alien registration law.

(2) Persons without Thai citizenship who have temporary residency rights.

(3) Persons without Thai citizenship who have received leniency for temporary residence in Kingdom as a special case according to immigration law with the condition that they are unable to be sent back to their country of origin, or there is a cabinet resolution to grant residency status under immigration law or nationality law.

(4) The children of persons without Thai citizenship under clauses (1) (2) or (3) who were born in the kingdom and did not receive Thai citizenship.

Clause 2: Persons without Thai citizenship for whom the director of the Central Registration Bureau must issue profile registration records according to Article 38 paragraph two are:

(1) Persons without Thai citizenship who have received leniency for temporary residence in Kingdom as a special case according to immigration law with a clearly specified end to period of leniency of less than five years, or without a cabinet resolution
to grant residency status under immigration law or nationality law, including their children who were born in the kingdom and did not receive Thai citizenship.

(2) Other groups of persons without Thai citizenship who reside in the Kingdom apart from those listed in Clause 1 and (1) of this clause.

Given on this 18th day of September, 2008.

Police General Kowit Wattana
(Kowit Wattana)
Minister of Interior
Central Registration Bureau Proclamation

Regarding: Requirements, conditions and methods of requesting delivery certificates under Article 20/1 of the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551)

In the case that the cabinet resolves to grant Thai citizenship to any group of people, or for any group of people to be naturalized, or in any other necessary situation, and the stated persons must have delivery certificates, the stated persons are to submit a request for a delivery certificate under the requirements and conditioned stipulated by the director of the Central Registration Bureau, as mandated by Civil Registration law.

With the authority derived from the content of Article 20/1 of the Civil Registration Act 1991 as amended (Second Edition) 2008 (B.E. 2551), which are laws that contain certain provisions regarding the restriction of an individual’s rights and freedoms, which Article 29 and Article 34, Article 35 and Article 56 of the Constitution of the Kingdom of Thailand allows under the provision of law, the Director of the Central Registration Bureau issues these conditions and methods by which to request delivery certificates.

1. Persons who were born in the Kingdom of Thailand but did not register their births, or registered their births but do not possess a birth certificate or the birth certificate is damaged or lost and the relevant registrar cannot extract the birth certificate or birth registry from the database, and it is necessary to obtain a delivery certificate, a request must be submitted to the local registrar or the district registrar at the registration office with jurisdiction over the area where the person was born or is named in a house registration or is currently living. Along with the request, two 2-inch full-face photographs, a copy of a house registration or profile registration record such as a Tor. Ror. 38, Tor. Ror. 38/1, Tor. Ror. 38 A or Tor. Ror. 38 B, and evidence verifying that the person was born in the Kingdom of Thailand (if any) such as evidence of registering for the military reserves (military registration), a residency permit or an alien registration book, and so forth must also be submitted. If the applicant is a child of no more than fifteen years of age, the father, mother or guardian who has raised the applicant submits the request on the child’s behalf.

2. When the registrar has received the application for a delivery certificate along with the accompanying evidence from the applicant, the registrar must issue a receipt for the applicant as evidence. This may be accomplished by copying the application and
signing the copy to certify that the application has been received from the applicant. Then, the registrar proceeds as follows:

2.1 Inspect evidence of the applicant’s personal record in Civil Registration documents and question the applicant to obtain facts of whether or not the applicant for a delivery certificate is the same person recorded in the Civil Registration records.

2.2 Interview the applicant to obtain the details of the applicant’s parents, the applicant’s parent’s citizenship, birthplace, number of siblings with the same parents and their current residences. The applicant signs or affixes his/her fingerprint to the interview record in the presence of the registrar conducting the interview and at least 2 witnesses.

2.3 Interview the applicant’s parents or the guardian who has raised the applicant (if any) and trustworthy witnesses who can confirm the place of birth and the history/background of the applicant’s parents.

“Trustworthy witnesses” means a person who has reached the age of majority and has a house registration profile, is of stable status and respected in the local community, has a clear location of residence and is well acquainted with the applicant and his/her family, was a witness to the birth or can supply information regarding the applicant’s birth status. If the witness is a civil servant or government official or pensioned civil servant, the witness must hold the position or have previously held the position of no lower than a level 3 or the equivalent of a level 3 or higher, or be a Tambol Chief or village headman.

2.4 If the applicant was born in a district under a registration bureau other than the one where the request is being made, and the applicant is unable to bring along documentary evidence or witnesses for the investigation, then the registrar may request cooperation from the relevant registration bureau to carry out the investigation and inspection instead. When the investigation has been completed, the evidence and interview report is to be sent to the registration office that received the application. The district registrar or local registrar must conduct the investigation and interview the witnesses within a time period of no more than thirty days from the day of receiving notification from the requesting registration office. If it is not possible to do so within this time period, for any reason, notification of the reason must be made within the stated time period.

2.5 The applicant for a delivery certificate must bring all documentary evidence, witnesses and other evidence to the registrar for inspection and interviews within ninety days from the day of submitting the application.

2.6 When the applicant for a delivery certificate has brought all documentary evidence, witnesses and other relevant evidence to the registrar for inspection and interviews and followed the steps in clauses 2.1 to 2.4, the registrar compiles the application and all the relevant evidence along with an opinion and submit it to the district registrar or local registrar within seven days from the day that the registrar received the evidence in completion.
The registrar who conducted the investigation under clauses 2.2, 2.3 and 2.4 refers to the district registrar, the local registrar, the district registrar’s assistant who was delegated to the task and the local registrar’s assistant who was delegated to the task.

3. When the district registrar or local registrar has inspected all the evidence and witness interviews to ensure that it is complete and correct, consideration of the matter must be concluded within fifteen days from receiving the matter from the registrar under clause 2.6.

4. When the registrar has deemed that the evidence is sufficient to believe that the applicant was born in Thailand, the registrar prepares a delivery certificate according to the Tor. Ror. 20/1 template attached to this document for the applicant.

   The registrar is to issue 2 parts of the Tor. Ror. 20/1 delivery certificate with identical information. The first part is to be given to the applicant and the second part is kept at the registration office. It is possible to inspect and extract a certified copy of this document. The registrar must oversee the issuance of delivery certificates and keep a current signed record.

5. In the case that the district registrar or local registrar deems that the applicant’s evidence is not substantial enough to verify that s/he was born in the Kingdom of Thailand, the district registrar or local registrar must issue an order to reject the application and must inform the applicant of the matter in writing within three days from the day that the order was issued. The notification must contain at least the following information: the main facts or reasons, relevant laws, the points of consideration or supporting reasons behind the judgment, the concerned party’s right to appeal, the manner of appealing, and the time period in which to appeal.

   An appeal of the district registrar’s or local registrar’s order must be in writing and include specific points of contention and relevant facts as well as cited laws.

6. Appeals and consideration of appeals of the district registrar or the local registrar’s orders must proceed according to the Ministerial Regulations on Method and Procedures for Contending or Explaining Facts, Making Appeals and the Consideration of Appeals of Registrar Orders 2008.

Given on this 23rd day of August, 2008.

(signed) Wichai Srikwan
(Wichai Srikwan)
Director of the Central Registration Bureau
Central Registration Bureau Directive
On Issuing Profile Registration Records for Aliens who Received Special Permission to Reside in the Kingdom
2004 (B.E.2547)

The cabinet resolutions of March 2nd, 2004 and April 27th, 2004 approved guidelines for the management system of alien labour. Illegal immigrants of Burmese, Laotian and Cambodian nationality were granted temporary residence in the Kingdom while awaiting repatriation. Civil Registration was also issued for these aliens. With the authority derived from Article 8 (1) paragraph two and Article 16 of the Civil Registration Act 1991 and the Ministerial Regulations (1992) issued in accordance with the content of the Civil Registration Act 1991, the Director of the Central Registration Bureau issues this directive regarding Civil Registration.

Clause 1: This directive is called “The Central Registration Bureau Directive on Issuing Profile Registration Records for Aliens who Received Special Permission to Reside in the Kingdom 2004”

Clause 2: This directive is effective from July 1st, 2004 forward

Clause 3: In this directive,

“Alien” refers to aliens of Burmese, Laotian and Cambodian nationality who entered the Kingdom without permission under immigration laws and who are awaiting extradition from the Kingdom, who were granted permission by the Minister of Interior to reside in the Kingdom as a special case, according to cabinet resolution

“Profile registration” refers to registration containing the personal records of aliens who entered the kingdom without permission under immigration laws and who are awaiting extradition from the Kingdom

Clause 4: The district registrar and the local registrar are to issue profile registration for aliens in the jurisdiction of the respective registration office according to the Tor. Ror. 38 format and issue personal identification numbers according to the Tor. Ror. 98 E (Tor. Ror. 98 Ngor.) format

Clause 5: To enter data in the profile registration records (Tor. Ror. 38), the registrar is to carefully record the details given. For whatever information is unknown, the word “unknown” is to be entered in the record, but there must be at least a given name, address, personal identification number and birth date
For the address entry in paragraph one, enter the house number of the house in which the alien is living at the time of the survey or application for registration, regardless of whether their stay is permanent or temporary.

Clause 6: Identification numbers for aliens consist of 13 digits divided into 4 parts, as follows:

Part 1: Consists of 2 number places; two zeros
Part 2: Consists of 4 number places, signifying the registration office code
Part 3: Consists of 6 number places, signifying the order of an individual in each registration office
Part 4: Consists of 1 number place, signifying the inspection number of each identification number set

Clause 7: The Central Registration Bureau is to store the profile registration record information in the computer system, separate from the Civil Registration database for people with their names in house registrations (Tor. Ror. 13 and Tor. Ror. 14).

The profile registration record stored in the database must contain at least the details in the profile registration (Tor. Ror. 38), fingerprints and facial photograph or other necessary information.

In the case that a government agency has a need to request the use of the alien profile registration for the benefit of work procedures, it is possible to request an information connection. This must be in accordance with the method prescribed by the Director of the Central Registration Bureau.

Clause 8: To accept a birth report of a child born to alien, the template for receipt of notification of birth (Tor. Ror. 1 Ton Na) is to be used. When the birth report has been received, the registrar is to issue a birth certificate for the reporter in the Tor. Ror. 03 format and add the child’s name to the same profile registration record (Tor. Ror. 38) as the child’s parent’s.

In the case of a birth in a different district, when the registrar has issued the death certificate in paragraph one, the registrar is to make a copy of the said birth certificate and inform the registrar of the district or local registration office with jurisdiction over the area where child’s parents are domiciled, so that the relevant registrar may add the child’s name to the same profile registration (Tor. Ror. 38) as the child’s parent’s.

Clause 9: To accept a death report of an alien, the template for receipt of notification of death (Tor. Ror. 4 Ton Na) is to be used. When the death report has been received, the registrar is to issue a death certificate for the reporter in the Tor. Ror. 05 format and discard the deceased’s name from the profile registration record (Tor. Ror. 38) in which the deceased was previously named.

In the case of a death in a different district, when the registrar has issued the death certificate in paragraph one, the registrar is to make a copy of the said death certificate and inform the registrar of the district or local registration office with jurisdiction over the area where the deceased was previously domiciled, so that the relevant registrar may discard the deceased’s record from the profile registration (Tor. Ror. 38).
Clause 10: In the case that an alien dies from unnatural causes or from a serious contagious disease, the registrar is to proceed in the same manner as for a Thai person, according to the Central Registration Bureau Directive regarding Civil Registration 1992.

Clause 11: If any alien desires to change address, s/he must report moving out to the registrar of the registration office in which that person is named in the profile registration records and report moving in to the registrar of the registration office over the area to which the alien desires to move. The registrar is to proceed as follows:

(1) In the case of moving to a different area in the same province, the registrar receiving notification of moving out is to request this evidence: the identification card for persons without Thai citizenship or the certification form for profile registration records from the Civil Registration database (Tor. Ror. 38/1) from the alien who wishes to move. The registrar cross-checks this evidence with the record in the computer database, and when it is established that it is the same person, the registrar is to issue a receipt of notification of change of domicile in the Tor. Ror. 07 format, first part and second part (Ton 1 and Ton 2) for the applicant, and enter a remark noting the move in the applicant’s profile registration (Tor. Ror. 38).

When the registrar of the destination registration office has received notification of moving in by the alien, the registrar is to request the receipt of notification of change of domicile in the Tor. Ror. 07 format, first part and second part (Ton 1 and Ton 2), the identification card for persons without Thai citizenship or the certification form for profile registration records from the Civil Registration database (Tor. Ror. 38/1) from the alien who wishes to move, and evidence of permission to live in the house, in order to inspect and add the alien’s personal record to the profile registration record (Tor. Ror. 38) of the household to which the alien is moving. Afterwards, the registrar returns the receipt of notification of change of domicile in the Tor. Ror. 07 format, first part and second part (Ton 1 and Ton 2) to the registration office of origin so that the first registrar may discard the personal record from the original profile registration record (Tor. Ror. 38).

(2) In the case of moving to an area outside the province, the registrar receiving notification of moving out and the registrar receiving notification of moving in are to request the letter granting permission for the alien to move out of the province and proceed in the same manner as changing address within the province.

Clause 12: The registrar must check the information in the profile registration database and maintain a correct and updated record. If the registrar discovers or receives notification from a relevant agency that there is a discrepancy or double entry in the record, the registrar is to modify, discard or take other appropriate action in order to correct the record.

Clause 13: In the case that the registrar discovers or receives notification from a relevant agency that any alien no longer has the status of receiving leniency to temporarily reside in the Kingdom, the registrar is to discard the said person’s record from the profile registration (Tor. Ror. 38).

Clause 14: Discarding a person’s name and personal record and making corrections or modifications on a personal record in a profile registration record, a birth
certificate, a death certificate, the birth registry, the death registry, notices of change of domicile and the alien registration database must proceed according to the Central Registration Bureau Directive on Civil Registration 1992. Profile registration may proceed in the same manner as house registration.

Clause 15: The forms and templates for alien Civil Registration are to be in the format prescribed by the Director of the Central Registration Bureau, as follows:

(1) Tor. Ror. 03 is the birth certificate for aliens
(2) Tor. Ror. 05 is the death certificate for aliens
(3) Tor. Ror. 07 is the notice of change of domicile for aliens
(4) Tor. Ror. 38 is the profile registration record for aliens
(5) Tor. Ror. 38/1 is the certification form (printout) for profile registration records from the Civil Registration database
(6) Tor. Ror. 98 E (Tor. Ror. 98 Ngor.) is the form for issuing personal identification numbers for aliens
(7) Tor. Ror. 031 is the request form regarding Civil Registration for aliens

Given on this 1st day of August, 2004.

(signed) Sujarit Patchimnand
(Sujarit Patchimnand)
Director of the Central Registration Bureau
Central Registration Bureau Directive
On Surveying and Issuing Civil Registration for persons without Civil Registration Status
2005 (B.E.2548)

Whereas the cabinet resolutions of January 18th, 2005 approved the Strategy for Management of Legal Status and Rights for all groups of persons without Civil Registration status who live in Thailand by conducting a survey and issuing Civil Registration records for persons who do not have their names in Civil Registration records, issued in accordance with the content of Article 8 (1) second paragraph and Article 16 of the Civil Registration Act 1991, the Director of the Central Registration Bureau issues this directive regarding Civil Registration.

Clause 1: This directive is called “Central Registration Bureau Directives on Surveying and Issuing Registration Records for Persons without Civil Registration Status 2005 (B.E. 2548)”

Clause 2: This directive is effective from May 1st, 2005 forward

Clause 3: In this directive,

“Persons without Civil Registration status” means persons who reside in the Kingdom but do not have a profile in a house registration (Tor. Ror. 13 and Tor. Ror. 14) because there is a lack of documents verifying their birthplace or personal history or there is not sufficient evidence for the registrar to consider adding their name to the house registration. This does not include aliens who illegally entered the country who are not under government control or the for whom government does not have a policy to grant leniency to reside in the Kingdom as a special case.

“Profile registration” means the registry in which to enter the personal profile of persons without Civil Registration status, which is made on a village or community basis.

“Personal identification cards” means documents issued by the district registrar or local registrar for persons without Civil Registration status who have already been registered in a profile registry, which can be used as personal identification.

Clause 4: The district registrar and the local registrar are to conduct a survey and issue registration records for Persons without Civil Registration Status who are domiciled or live under the jurisdiction of the district registration office and local registration office
at the time of the survey. The registration is to be in the Tor. Ror. 28 A format and the data and records stored in computer system of the registration office.

Clause 5: To fill out the profile registration records (Tor. Ror. 38 A), the registrar is to carefully record the details given. For whatever information is unknown, the word “unknown” is to be entered in the record, but at least, there must be a given name, surname (if any) address, personal identification number and birth date (if known).

The entry for the name, surname and birth date or age of a person without Civil Registration status who is mentally deficient or handicapped is to be entered according to the details given by the said person’s caregiver.

In the entry for domicile under paragraph one, enter the house number of the house in which the person without Civil Registration status is residing at the time of the survey or the request for registration is submitted, regardless of whether they are temporarily or permanently residing at the house. For those without stable residences, enter only the name of the community or village and Tambon.

Clause 6: For convenience in issuing profile registration or correcting the Civil Registration database for persons without Civil Registration status, the district registrar or the local registrar shall determine non-repetitive personal identification numbers for each person without Civil Registration status.

Identification numbers for persons without Civil Registration status consist of 13 digits as determined by the director of the Central Registration Bureau at the end of this Regulation.

Clause 7: When the district registrar or local registrar have issued profile registration under Clause 4, s/he shall issue an identification card according to the form attached to this regulation and according to the method and guidelines prescribed by the Director of the Central Registration Bureau. Persons without Civil Registration status are to be given these cards to use as personal identification.

Clause 8: The Central Registration Bureau shall keep a record of the profile registration for persons without Civil Registration status in the computer system, separate from the database for Civil Registration of people listed in house registrations (Tor. Ror. 13 and Tor. Ror. 14.)

The profile registration record in the database must contain at least the information on the profile registration (Tor. Ror. 38 A), fingerprints and photograph, and may also contain other necessary information.

In the case that a state agency needs to request to use the database of persons without Civil Registration status for operational purposes, the agency may request to connect to this information. This must be done according to the method prescribed by the Director of the Central Registration Bureau.

Clause 9: For registering the birth of children of persons without Civil Registration status, the registrar shall request evidence to investigate whether or not the child has Thai citizenship. If it can be established that the child has Thai citizenship or does not have Thai citizenship, proceed to register the child’s birth and add his/her name to a house registration according to the Central Registration Bureau regulations on Civil
Registration management 1992. If the child’s citizenship status cannot be determined for sure, the registrar shall issue a birth certificate in the Tor. Ror. 031 format and add the child’s name to the same profile registration records (Tor. Ror. 38 A) as the child’s parents.

In the case that child was born in another district, when the registrar has issued the birth certificate in the Tor. Ror. 031 format under paragraph one, extract a copy of the stated birth certificate and inform the registrar of the district or local registration office over the area in which the child’s parents are named, so that the child’s name may be added to the same profile registration record (Tor. Ror. 38 A) as the child’s mother or father.

Clause 10: To register the death of a person without Civil Registration status, use the template for receiving a death report (Tor. Ror. 4 Ton Na). When the death report has been accepted, the registrar shall issue a death certificate in the Tor. Ror. 051 format and discard the deceased person’s profile from the profile registration (Tor. Ror. 38 A) in which s/he was previously named.

In the case of a death in another district, when the registrar has issued the death certificate under paragraph one, extract a copy of the stated death certificate and inform the registrar of the district or local registration office over the area in which the deceased was named, so that the deceased’s name may be discarded from the profile registration record (Tor. Ror. 38 A).

Clause 11: In the case of an unnatural death or death from a virulent contagious disease of a person without Civil Registration status, the registrar is to proceed in the same manner as for a Thai person or a person without Thai citizenship according to the Central Registration Bureau regulations on Civil Registration management 1992.

Clause 12: A person without Civil Registration status who is in the care of or under the welfare of the government sector, a government agency, a private agency or an individual who wishes to change their domicile, must first gain consent from the agency or individual who is providing welfare or care. To notify change of address for a person who is mentally handicapped or mentally ill or a child, the commander or responsible official of the agency or a person who has received authority to do so, or the caregiver, as the case may be, is responsible for notifying of the change of domicile.

Clause 13: To receive notification of a change of domicile of a person without Civil Registration status, the registrar proceeds as follows:

A. Moving out

(1) Request this evidence from the reporter and the person wishing to move: the identification card of the reporter, evidence of consent from the relevant agency (if any) the identification card or profile registration certification (Tor. Ror. 38 B) of the person wishing to move and other relevant evidence (if any).

(2) Examine the profiles of the reporter and the person wishing to move in the Civil Registration computer database.

(3) When the stated person’s profiles are found to be correct, issue a receipt of notification in the Tor. Ror. 071 format (first and second parts) for the reporter.
(4) Enter a note of the move report in the profile registration record (Tor. Ror. 38A) of the registration office.

(5) When the second part of the receipt of notification in the Tor. Ror. 071 format has been returned from the destination registration office, discard the profile of the person who moved from the profile registration record (Tor. Ror. 38A) of the registration office.

B. Moving in

(1) Request and examine the evidence of moving out in the Tor. Ror. 071 format, (first and second part) shown by the applicant, the reporter’s identification card, the identification card or profile registration certification (Tor. Ror. 38 B) of the person moving, and evidence of the householder’s consent to allow the applicant to move in (if any).

(2) Add the applicant’s profile to the profile registration record (Tor. Ror. 38 A) of the registration office.

(3) Send the evidence of moving out in the Tor. Ror. 071 format, first and second part, back to the registration office of origin.

Clause 14: If the name of any person without Civil Registration status was added to a Tor. Ror. 13 or Tor. Ror. 14 house registration, whichever may be the case, the registrar must discard the person’s profile and identification number from the profile registration record (Tor. Ror. 38 A) and computer database of the registration office.

Clause 15: The registrar shall maintain an updated and correct record of the profile registration. If any inaccuracy is found or a report of an inaccuracy is received from a relevant agency, or if a duplicate profile is reported, the registrar shall correct, amend, discard or take the appropriate action to correct the information.

Clause 16: To discard names and personal profiles, or to make corrections in a profile registration record, other Civil Registration documents, and the profile registration database for persons without Civil Registration status, the registrar shall follow the guidelines of the Central Registration Bureau on Civil Registration management 1992. Correcting profile registration records shall proceed in the same manner as for house registrations.

Clause 17: The templates for identification cards and Civil Registration for persons without Civil Registration status are to be in the format attached to this document, as follows:

(1) Tor. Ror. 031 is the birth certificate for persons without Civil Registration status

(2) Tor. Ror. 051 is the death certificate for persons without Civil Registration status

(3) Tor. Ror. 071 is the notice of change of domicile for persons without Civil Registration status
(4) Tor. Ror. 38 A is the profile registration record for persons without Civil Registration status

(5) Tor. Ror. 38 B is the certification form (printout) for profile registration records from the Civil Registration database for persons without Civil Registration status

Promulgated on this 31st day of March, 2005.

(signed) Sujarit Patchimnand

(Sujarit Patchimnand)
Director of the Central Registration Bureau
Central Registration Bureau Directive
Regarding Issuing Identification Cards for Persons without Thai Citizenship
2007 (B.E. 2551)

Whereas the Ministry of Interior has rescinded the Ministerial Regulations on Alien registration 2005 and issued the Ministerial Regulations on Civil Registration for Persons without Thai Citizenship and Fee Rates 2008 (B.E. 2551) in its place, causing the Central Registration Bureau Directive Regarding Issuing Identification Cards for Persons without Thai Citizenship 2004 and the Central Registration Bureau Directive Regarding Issuing Identification Cards for Persons without Thai Citizenship who Received Permission to Reside in the Kingdom as a Special Case 2004 that are currently in use to be incongruent with the new ministerial regulations. It is therefore expedient to revise the Central Registration Bureau Directive Regarding Issuing Identification Cards for Persons without Thai Citizenship in order to be consistent with the aforementioned Ministerial Regulations. With the authority derived from Article 8/2 and Article 19/2 of the Civil Registration Act 1991 which was amended by the Civil Registration Act (second edition) 2008 which are laws that contain certain provisions regarding the restriction of an individual’s rights and freedoms, which Article 29 and Article 34, Article 35 and Article 56 of the Constitution of the Kingdom of Thailand allows under the provision of law, the Director of the Central Registration Bureau issues this Directive.

Clause 1: This Directive shall be called, “Central Registration Bureau Directive Regarding Issuing Identification Cards for Persons without Thai Citizenship 2008”.

Clause 2: This Directive shall come into force the day following the date of its publication in the Government Gazette.

Clause 3: The following shall be rescinded:

(1) Central Registration Bureau Directive Regarding Issuing Identification Cards for Persons without Thai Citizenship 2004

(2) Central Registration Bureau Directive Regarding Issuing Identification Cards for Persons without Thai Citizenship who Received Permission to Reside in the Kingdom as a Special Case 2004

Clause 4: In this Directive,

“Persons without Thai citizenship” refers to
(1) Aliens who have received permission to reside in the Kingdom according to Immigration laws and also possess a residency permit or an alien registration book in accordance with immigration laws or Civil Registration laws, as the case may be; as well as their children who were born in Thailand and did not receive Thai citizenship by birth according to nationality laws.

(2) Aliens who were granted leniency for temporary residence in Kingdom as a special case from the Minister of Interior under immigration laws; as well as their children who were born in Thailand and did not receive Thai citizenship by birth under nationality laws.

“Card/s” refers to identification cards for persons without Thai citizenship.

“The bearer” refers to the person who is named on the card.

Clause 5: Persons without Thai citizenship who are aged from five years old but not exceeding seventy years of age who are named in a house registration (Tor. Ror. 14 or Tor. Ror. 13) or in profile registration records issued by the district registration office or local registration office in accordance with Civil Registration laws or regulations must bear an identification card under this Directive within sixty days of reaching the age of five years or the day that the registrar added his/her name to the house registration (Tor. Ror. 14 or Tor. Ror. 13).

Bearers whose cards reaches the expiration date, is lost, destroyed or damaged, must have a new card within sixty days of the card expiring, getting lost, destroyed or damaged, as the case may be.

Any bearer who corrects his/her name, surname, or name and surname, or date of birth in the house registration (Tor. Ror. 14 or Tor. Ror. 13) must replace the card within sixty days from the day that the registrar makes the stated correction in the house registration.

Clause 6: Card applications, applications for a new card and applications to replace a card under Clause 5 must be submitted by a person without Thai citizenship to the district registrar or local registrar at a registration bureau with a computerized system for producing identity cards in the district or locality in which the card applicant is named in the house registration or profile registration records.

Clause 7: Upon receiving an application for an identification card for persons without Thai citizenship, the district registrar or local registrar must proceed as follows:

(1) Request and inspect the applicant’s evidence, which is: the house registration (Tor. Ror. 14 or Tor. Ror. 13) or profile registration records such as Tor. Ror. 18/1, or Tor. Ror. 38 B; the former card (in the case that the former card has expired or is damaged, or requesting to change the card); other government documents (if any) such as a residency permit or alien registration book or authorization papers for traveling out of the local area, and so forth.

(2) Inspect the personal record from the card application as well as the photograph from the previous card records in the registration bureau’s computer system.

(3) In the case of reasonable suspicion regarding the applicant’s personal record, question the householder or other trustworthy person.
(4) When it has been established that the applicant is the person recorded in the house registration or profile registration records, record the fingerprints of the applicant and photograph the card applicant using the computer system.

(5) Inspect the personal record as well as the photograph from the card application printed by the computerized system and once again compare with the existing evidence. When the profile is established as being correct, issue a receipt of application for the applicant as evidence.

(6) Collect the fee as specified in the Ministerial Regulation.

(7) When the card has been issued, pass on the card to the applicant and recall the receipt of application.

Clause 8: Record the fingerprints of the applicant by taking both the left and right thumbprints. However, if the applicant is missing a thumb, then only record the remaining thumb. If the applicant is missing both thumbs, then take the print of any remaining digit from both hands, starting from the index finger. If the applicant has no remaining digits, fingerprinting may be omitted, and the incident recorded in the card application.

Clause 9: Cards have a usability span of 10 years from the day that the card is issued, except if a card has not yet expired by the time the bearer reaches the age of seventy years, in which case the bearer is permitted to continue using the card for the remainder of his/her life.

If the card bearer is cleared of the status of a person without Thai citizenship as stated in this directive, the card shall expire on the day that the bearer was cleared of this status.

Clause 10: If any bearer of an identification card according to this directive is cleared of the status of a person without Thai citizenship, s/he no longer has the right to bear the identification card and the bearer must return the card to the district registrar or local registrar at the registration office wherein the bearer is named in a house registration within ten days of no longer having this status.

Clause 11: The type, size, characteristics, colour and material of the card, as well as anti-forgery material shall be as specified by the Director of the Central registration Bureau.

Clause 12: The Director of the Central registration Bureau shall issue the cards stated in this Directive.

Clause 13: Cards issued under the Central Registration Bureau Directive Regarding Issuing Identification Cards for Persons without Thai Citizenship 2004 or the Central Registration Bureau Directive Regarding Issuing Identification Cards for Persons without Thai Citizenship who Received Permission to Reside in the Kingdom as a Special Case 2004 before this Directive was promulgated may be used until the card expires, a new card is issued or the card is replaced under this Directive.

Clause 14: All Central Registration Bureau Directives and other directives regarding identification cards for persons without Thai citizenship that were issued before
this Directive was promulgated may continue to be used insofar as they are not in conflict with this directive.

Given on this 23rd day of August, 2008.

(signed) Wichai Srikwan
(Wichai Srikwan)
Director of the Central Registration Bureau
BHUMIBOL ADULYADEJ, REX.

Given on the 21st day of July, 1965 (B.E. 2508)

Being the 20th Year of the Present Reign

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

Whereas it is expedient to revise the law on nationality, be it, therefore, enacted by the King, by and with the advice and consent of the Constituent Assembly in the capacity of the National Assembly, as follows:

Article 1: This Act shall be called the "Nationality Act B.E. 1965"

Article 2: This Act shall come into force from the day following the date of its publication in the Government Gazette.

Article 3: The following shall be repealed:
(1) The Nationality Act 1952 (B.E. 2495);
(2) The Nationality Act (No. 2) 1953 (B.E. 2496)
(3) The Nationality Act (No. 3) 1956 (B.E. 2499);
(4) The Nationality Act (No. 4) 1960 (B.E. 2503).

Article 4: In this Act:
“Alien” means a person without Thai citizenship
“Committee” means the committee who holds responsibility for citizenship consideration.
“Competent official” means the person appointed by the Minister for the execution of this Act.
“Minister” means the Minister taking charge and control of the execution of this Act.
(The definition of “committee” was amended by Article 4 of The Nationality Act (No. 4) 2008)

Article 5: The acquisition of Thai nationality under Article 9, 12 or 12/1; the loss of Thai nationality under Chapter 2; or the recovery of Thai nationality under Chapter 3 shall be effective upon its publication in the Government Gazette and shall have an individual effect.

(Article 5 was amended by Article 4 of The Nationality Act (No. 4) 2008)

Article 6: The Minister of Interior shall take charge and control of the execution of this Act and shall have the power to appoint competent officials and to issue Ministerial Regulations fixing fees not exceeding the rates annexed to this Act, and to deem it appropriate to exempt any person, whether as a general provision or as a special case, from the following fees:

(1) Application for naturalization as a Thai;
(2) Certificate of naturalization as a Thai;
(3) Application for recovery of Thai nationality.

Such Ministerial Regulations shall become effective upon their publication in the Government Gazette.

(Article 6 was amended by Article 5 of The Nationality Act (No. 4) 2008)

Chapter 1

Acquisition of Thai citizenship

Article 7: The following persons acquire Thai nationality by birth:

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

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

“Father” in (1) means a person who has been proved, in conformity with the Ministerial Regulation, that he is truly a father of the person born even though he did not register marriage with the mother of the person born or did not file for legitimation.

(Article 7 paragraph two was amended by Article 6 of The Nationality Act (No. 4) 2008)

Article 7 bis.: A person born within the Thai Kingdom of alien parents does not acquire Thai citizenship if at the time of the concerned person’s birth, his/her lawful father or his/her father who did not register marriage with his/her mother or his/her mother was:
(1) A person having been granted leniency for temporary residence in the Kingdom as a special case;

(2) A person having been granted temporary residence in the Kingdom;

(3) A person having entered and residing in the Kingdom in violation of immigration laws.

In case the Minister deems it appropriate, he may consider and give an order granting Thai citizenship for a particular case or as a general provision to any person under paragraph one, in conformity with the rules prescribed by the Cabinet.

The person who is born within the Thai Kingdom and has not acquired Thai nationality under paragraph one shall reside in the Thai Kingdom under conditions stated in the Ministerial Regulation, but national security and human rights must be considered as well. Nevertheless, the person shall be deemed to have entered and resided in the Thai Kingdom in violation of immigration law when there is as of yet no such Ministerial Regulation.

(Article 7 bis. paragraphs two and three were amended by Article 7 of The Nationality Act (No. 4) 2008)

Article 8: A person born within the Thai Kingdom of alien parents does not acquire Thai citizenship if at the time of his birth, his mother or father was:

(1) Head of a diplomatic mission or a member thereof;

(2) Head of a consular mission or a member thereof;

(3) An officer or expert of an international organization;

(4) A member of a family, either as a relative under patronage or a person who traveled from abroad to reside with a person under (1), (2), or (3).

Article 9: An alien woman who marries a Thai citizen shall, if she desires to acquire Thai citizenship, file an application with the competent official according to the method and manner prescribed in the Ministerial Regulations.

The grant or refusal of Thai permission for Thai citizenship shall be at the discretion of the Minister.

Article 10: A person who meets the following qualifications may apply for naturalization as a Thai citizen:

(1) Being Sui Juris in accordance with Thai law and the law under which the stated person has citizenship;

(2) Having good behavior;

(3) Having a stable occupation;

(4) Domiciled in the Thai Kingdom for a consecutive period of no less than five years until the day of filing application for naturalization;

(5) Possessing knowledge of the Thai language as prescribed in the Ministerial regulations.
Article 11: The provisions of Article 10 (4) and (5) shall not apply if the applicant for naturalization

(1) Has rendered distinguished service to Thailand or has committed acts beneficial to the government, which have been deemed suitable by the Minister;

(2) Is a child, wife, or husband of a person who has been naturalized as a Thai or has recovered Thai citizenship;

(Article 11 (2) was amended by Article 8 of The Nationality Act (No. 4) 2008)

(3) Is a person who formerly possessed Thai citizenship;

(4) Is husband of a person with Thai nationality.

(Article 11 (4) was amended by Article 5 of The Nationality Act (No. 4) 2008)

Article 12: Any person who desires to apply for naturalization as a Thai citizen shall file an application with the competent official according to the form and method prescribed in the Ministerial regulations.

If the applicant for naturalization under paragraph one has children who are not sui juris in accordance with Thai law and also are domiciled in Thailand, the applicant may concurrently apply for the children’s naturalization. In this case, the children shall be exempt from the qualifications under Article 10 (1), (3), (4) and (5).

The grant or refusal of Thai permission for Thai citizenship shall be at the discretion of the Minister. When the Minister has granted approval, the matter shall be submitted to His Majesty the King for Royal Sanction. Following the Royal Sanction, the applicant shall make an affirmation of loyalty to Thailand.

When there has been a proclamation under Article 5, the competent official shall issue a certificate of naturalization for the stated person as evidence.

(Article 12 paragraph 4 was amended by Article 10 of The Nationality Act (No. 4) 2008)

Article 12/1: According to following situations, a third person may apply for naturalization as a Thai for persons without Thai citizenship who have residence in the Thai Kingdom:

(1) A guardian by court order may apply for naturalization as a Thai for an incompetent person who has evidence proving birth within the Thai Kingdom. In this case, such persons shall be exempt from possessing the qualifications under Article 10 (3) and (5) and the Minister may make an exception regarding affirmation to loyalty to Thailand.

(2) A guardian of public foster home in conformity with the Minister’s rules may, with the minor’s consent, apply for naturalization as a Thai for a minor under his/her responsibility that has been staying in such a foster home for not less than 10 years. In this case, such persons shall be exempt from possessing the qualifications under Article 10 (1) and (3).
(3) A Thai citizen who adopted a child and the adoption has been registered for no less than five years, and there is also evidence proving birth in the Thai Kingdom, may apply for naturalization as a Thai for the adopted child/children who are not sui juris in accordance with Thai law. In this case, such persons shall be exempt from possessing the qualifications under Article 10 (1) and (3).

Application on naturalization as a Thai on behalf of others under paragraph one shall be in conformity with the Ministerial Regulation

(Article 12/1 was amended by Article 11 of The Nationality Act (No. 4) 2008)

Chapter 2
Loss of Thai citizenship

Article 13: A man or woman of Thai citizenship who marries an alien and may acquire the nationality of the spouse according to the nationality law of the spouse’s country, shall, if he or she desires to renounce Thai nationality, make a declaration of his or her intent before the competent official according to the form and in the manner prescribed in the Ministerial Regulations.

(Article 13 was amended by Article 12 of The Nationality Act (No. 4) 2008)

Article 14: A person of Thai citizenship, who was born of an alien father or mother and acquired the citizenship of his/her father or mother according to the law on nationality of his/her father or mother’s country, or a person who acquires Thai nationality under Article 12 paragraph two or Article 12/1 (2) and (3) shall, if s/he desires to retain the other citizenship, to make a declaration of intent to renounce his/her Thai citizenship within one year after reaching the age of twenty years, according to the form and manner prescribed by the Ministerial Regulations.

After consideration of the said intention, if the Minister is of the opinion that there is reasonable ground to believe that the said person may acquire the citizenship of his/her father or mother, or another foreign citizenship, he shall grant permission, except in the case that Thailand is engaged in armed conflict or a state of war, he may stop of any renunciation of Thai citizenship.

(Article 14 was amended by Article 13 of The Nationality Act (No. 4) 2008)

Article 15: Apart from the case under Article 14, a person who has Thai citizenship as well as another citizenship, or who acquires Thai citizenship through naturalization shall, if s/he desires to renounce Thai citizenship, file an application with the competent official according to the form and method prescribed by the Ministerial Regulations.
The grant or refusal of renunciation of Thai citizenship shall be at the discretion of the Minister.

Article 16: With respect to an alien woman who acquires Thai citizenship by marriage, her Thai citizenship may be revoked if it appears that

(1) The marriage was affected through concealment of facts or through making false statements of crucial content;
(2) She commits any act prejudicial to the security or in conflict with the interest of the State, or amounting to an insult to the nation;
(3) She commits any act contrary to the public order or morals.

Revocation of Thai nationality in paragraph one shall lie with the discretion of the Minister.

(Article 16 paragraph two was amended by Article 14 of The Nationality Act (No. 4) 2008)

Article 17: With respect to a person who has Thai citizenship born to an alien father or mother by virtue of having been born within the Thai Kingdom, his/her Thai citizenship may be revoked if it appears that:

(1) S/he has resided in a foreign country, which his/her father or mother has or used to have nationality, for a consecutive period of more than five years from the day of his/her becoming sui juris;
(2) There is evidence to show that s/he makes use of the citizenship of his/her father, mother, or of another citizenship, or that s/he actively supports the citizenship of his/her father, mother, or another foreign citizenship;
(3) S/he commits any act prejudicial to the security or conflicting with the interests of the State, or amounting to an insult to the nation;
(4) S/he commits any act contrary to public order or good morals.

Revoking citizenship under (1) or (2) shall be at the order of the Minister. Revoking citizenship under (3) or (4) shall be upon request of the public prosecutor and the court shall order the revocation of Thai nationality.

(Article 17 was amended by Article 14 of The Nationality Act (No. 4) 2008)

Article 18: When there are existing circumstances suitable for maintaining the security or interests of the state, the Minister is empowered to revoke the Thai citizenship of a person who acquired Thai citizenship under Article 7 bis.

Article 19: The Minister is empowered to revoke the Thai citizenship of a person who acquires Thai citizenship by naturalization if it appears that the said person:

(1) Effected naturalization by concealment of facts or by making false statements of crucial content;
(2) There is evidence that s/he is still making use of his/her former citizenship;
(3) Commits any act prejudicial to the security or in conflict with the interest of the State, or amounting to an insult to the nation;

(4) Commits any act contrary to the public order or morals;

(5) Has resided abroad without having a domicile in Thailand for more than five years;

(6) Retains the citizenship of a country that is at war with Thailand.

(Article 20 was repealed by Article 16 of The Nationality Act (No. 4) 2008)

Article 21: A person of Thai citizenship who was born of an alien father or mother and may acquire the citizenship of his/her father or mother according to the law on citizenship of his/her father or mother’s country shall lose Thai citizenship if s/he obtains an alien identification card according to the law on registration of aliens.

(Article 21 was amended by Article 17 of The Nationality Act (No. 4) 2008)

Article 22: A person of Thai citizenship who has been naturalized as a foreign citizenship, or who has renounced Thai citizenship, or whose Thai citizenship has been revoked, shall loose Thai citizenship.

Chapter 3
Recovery of Thai citizenship

Article 23: A man or woman of Thai nationality who has renounced Thai citizenship in case of marriage to an alien under Article 13 may, if the marriage has been dissolved for any reason whatsoever, apply for recovery of Thai nationality.

In applying for the recovery of Thai citizenship, a statement of intent for recovery of Thai citizenship shall be made before the competent official in the manner and method prescribed by the Ministerial Regulations.

(Article 23 paragraph one was amended by Article 18 of The Nationality Act (No. 4) 2008)

Article 24: A person of Thai citizenship who lost his/her citizenship together with his/her parents while still a minor, shall, if s/he desires to recover Thai citizenship, file an application with the competent official in the manner and method prescribed in the Ministerial Regulations within two years of becoming sui juris according to Thai law and the law under which s/he has citizenship.
The grant or refusal for recovery of Thai citizenship shall be at the discretion of the Minister.

Chapter 4
Committee on Citizenship Consideration

Article 25: The Committee on Citizenship Consideration shall consist of:

(1) The Under Secretary of State for Interior as chairman;

(2) Representatives from the Ministry of Defense, the Ministry of Foreign Affairs, the Ministry of Social Development and Human Security, the Ministry of Justice, the Ministry of Labour, the National Security Council, the Office of the Attorney General, the Office of the Royal Thai Police, the Office of the National Intelligence Agency, the Narcotics Control Board and the Internal Security Operations Command as members;

(3) Not more than 6 experienced experts on citizenship appointed by the Minister as committee members.

The Director of the Department of Provincial Administration (DOPA) as a committee member and the secretary of the Committee, and the Director shall appoint two officials of the DOPA shall be appointed as assistant secretaries.

Article 26: The experts shall hold office for a term of two years and shall serve for no more than two consecutive terms.

Article 27: The Committee shall forward recommendations and opinions to the Minister regarding the authority under Article 7 bis, Article 9, Article 11, Article 12, Article 12/1, Article 14, Article 15, Article 16, Article 17, Article 18, Article 19, and Article 24 and enactments of Ministerial Regulations under this Act. The Minister shall consider the recommendations from the Committee when carrying out proceedings and using the authority in the stated cases.

Article 28: The Committee shall have the power to appoint Subcommittees to carry out tasks as delegated by the Committee.

Article 29: Provisions on the Committee on Administrative Consideration under the Law on Administrative Procedure shall be allowed to come into force for the appointment and the release from position of the Experts and the meetings of the Committee and the Sub-committees by the principle of *mutatis mutandis*.

(Articles 25 to 29 were amended by Article 19 of The Nationality Act (No. 4) 2008)

Countersigned by
Field Marshal Thanorm Kittikajorn
Prime Minister

Rates of Fees

(1) Application for naturalization as a Thai citizen: 10,000 baht per time
(2) Application for naturalization as a Thai for a child of the applicant, who is not sui juris: 5,000 baht per time
(3) Certificate of naturalization as a Thai citizen: 1,000 baht per time
(4) Substitute of the certificate of naturalization as a Thai: 1,000 baht per copy
(5) Application for recovery of Thai nationality: 2,000 baht per time
(6) Other applications cost 100 baht each

(Fee rates were amended by Article 20 of The Nationality Act (No. 4) 2008)

Nationality Act (second edition) 1992

Article 1: This Act shall be called “the Nationality Act (second edition) 1992.”
Article 2: This Act shall come into force from the day following the date of its publication in the Government Gazette.
Article 3: The Revolutionary Party Decree No. 337 dated 13 December 1972 shall be revoked.
(The content of Articles 4 to 9 has replaced the former content in the Nationality Act 1965)
Article 10: Article 7 (1) of the Nationality Act 1965 which has been amended by this Act shall effect those born before this Act was promulgated.

Article 11: The content of Article 7 bis. of the Nationality Act 1965 which was amended by this Act shall effect those born before this Act was promulgated except those for whom the Minister has issued an order to receive Thai citizenship according to The Revolutionary Party Decree No. 337 dated 13 December 1972 before this Act was promulgated.

Those born in Thailand before this Act was promulgated who did not receive Thai citizenship under paragraph one may receive Thai citizenship under Article 7 bis. paragraph two of the Nationality Act 1965 which was amended by this Act. The Minister may order Thai citizenship as a general provision or as a special case.

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

Countersigned by:
Anand Panyarachun
Prime Minister

(Articles 10 and 11 are transitional provisions of the Nationality Act (No. 2) 1992)

Nationality Act (third edition) 1992

Article 1: This Act shall be called “the Nationality Act (third edition) 1992.”

Article 2: This Act shall come into force from the day following the date of its publication in the Government Gazette.

(The content of Article 3 to 9 has replaced the former content in the Nationality Act 1965 and was amended by the Nationality Act (No. 4) 2008)

Article 4: The content of Article 14 paragraph one of the Nationality Act 1965 which was amended by this Act shall not be enacted towards those who were twenty years of age before this Act was promulgated. In the case that such persons wish to renounce their Thai citizenship they are to proceed according to Article 15 of the Nationality Act 1965 which was amended by this the Nationality Act (No. 2) 1992.

Article 5: The Minister of Interior shall take charge and control of the execution of this Act.
Countersigned by:
Anand Panyarachun
Prime Minister

(Article 4 is a transitional provision of the Nationality Act (No. 3) 1992)

Transitional Provisions

Article 21: Paragraph two of Article 7 of the Nationality Act B.E. 2508 as amended by this Act shall be effective for persons born before this Act was promulgated.

Article 22: Paragraph three of Article 7 bis of the Nationality Act 1965 (B.E. 2508) as amended by the Act B.E. 2535 No.2 and by this Act shall be effective for persons born before this Act was promulgated.

Article 23: A person who had Thai nationality by virtue of being born within the Thai Kingdom, whose nationality was revoked by Clause 1 of the Declaration of Revolutionary Party No.337 and a person who was born within the Thai Kingdom, but did not acquire Thai nationality by Clause 2 of the Declaration of Revolutionary Party No.337, including children of the persons who were born within the Thai Kingdom before this act came into force and did not acquire Thai nationality under Article 7 bis. paragraph one of the Nationality Act 1965 as amended by the Nationality Act (No.2)
1992 shall acquire Thai nationality from the day this Act coming into force if the person has civil registration evidence proving the domicile within the Thai Kingdom for a consecutive period till the present and having good behavior, or having rendered service beneficial to society or Thailand. The persons who have already acquired Thai nationality by the discretion of the Minister before this Act came into force are exempt.

After 90 days from the day this Act coming into force, a person possessing the qualifications under paragraph one shall apply for Thai nationality registration into the civil registration system at the district registrar or local registrar at the district of the person’s present domicile.

Article 24: Ministerial Regulations, Proclamations, Rules or Orders under the Nationality Act 1965 (B.E. 2508) and the Nationality Act 1992 (B.E. 2535) No. 2 shall be effective until there are Ministerial Regulations, Proclamations, Rules or Orders under this Act, unless they are in conflict with provisions in this Act.

Article 25: Within 180 days from the day this Act coming onto force, Article 27 of the Nationality Act 1965 (B.E. 2508) as amended by this Act shall not be effect the authority of the Minister under Article 7 bis, Article 9, Article 11, Article 12, Article 12/1, Article 14, Article 15, Article 16, Article 17, Article 18, Article 19, and Article 24 and the enactment of Ministerial Regulations under this Act.

Article 26: The Minister of Interior shall take charge and control of the execution of this Act.

Countersigned by:

Surayuth Chulanont

The Prime Minister

Remark: Published in the Government Gazette No.125, Part 39 A, on 27th of February, 2008 (B.E. 2551.)
Summarization Chart of Considerations Regarding Nationality Status  
Pursuant to the Nationality Act 1965 (B.E. 2508) as Amended by  

(1) In the case of persons born in the Kingdom of Thailand

<table>
<thead>
<tr>
<th>Case</th>
<th>Status of Parents at the time of child’s birth</th>
<th>Period of time in which child was born</th>
<th>Citizenship of child</th>
<th>Applicable Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Thai Registered Thai</td>
<td>Before 26 February 1992</td>
<td>Thai</td>
<td>Article 7 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>Thailand</td>
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</tr>
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<td>2</td>
<td>Thai Unregistered Thai</td>
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<td>Thai</td>
<td>Article 7(1)/ Article 10</td>
</tr>
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<td>Thailand</td>
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</tr>
<tr>
<td>3</td>
<td>Thai Registered Alien (with residency permit)</td>
<td>Before 26 February 1992</td>
<td>Thai</td>
<td>Article 7(1)</td>
</tr>
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<td>Since 26 February 1992</td>
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<td>Article 7(1) conditional on proving relationship as per Article 7 clause two or by Article 7(2)</td>
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<td></td>
<td>Since 26 February 1992</td>
<td>Thailand</td>
<td>(same article applies)</td>
</tr>
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<td>Before 26 February 1992</td>
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<td>Article 7(1) conditional on proving relationship as per Article 7 clause two or by Article 7(2)</td>
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(1) In the case of birth within the Kingdom of Thailand (continued)

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<th>Case</th>
<th>Status of Parents at the time of child’s birth</th>
<th>Period of time in which child was born</th>
<th>Citizenship of child</th>
<th>Applicable Law</th>
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<td>Article 7(1)/ Article 10</td>
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<td></td>
<td>Since 26 February 1992 Thai</td>
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<td>Article 7 (1)</td>
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<td>Article 7(1)/ Article 10</td>
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<td>Article 7 (1)</td>
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<td>9</td>
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<td>Article 7(1)/ Article 10</td>
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<td>Article 7 (2)</td>
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<td>Article 7 (2)</td>
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<td>Since 26 February 1992 Thai</td>
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<td>Article 7 (2)</td>
</tr>
<tr>
<td>13</td>
<td>Alien (with residency permit) Registered Alien (article 7 bis.)</td>
<td>Before 26 February 1992 Thai by virtue of article 7 bis. clause two</td>
<td>Thai after birth</td>
<td>MOI directive of 6 June 1995</td>
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<td>Thai</td>
<td>Article 7 bis.</td>
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<td>Does not receive Thai citizenship</td>
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Since 26 February 1992 receive Thai citizenship Article 7 bis.

(1) In the case of birth within the Kingdom of Thailand (continued)

<table>
<thead>
<tr>
<th>Case</th>
<th>Status of Parents at the time of child’s birth</th>
<th>Period of time in which child was born</th>
<th>Citizenship of child</th>
<th>Applicable Law</th>
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</thead>
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<td><strong>Marriage</strong></td>
<td><strong>Nationality of Mother</strong></td>
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<tr>
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<tr>
<td>16</td>
<td>Alien (article 7 bis.)</td>
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<td>Alien (with residency permit)</td>
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<td>Alien (article 7 bis.)</td>
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<td>Thai citizenship was revoked by or did not receive Thai citizenship by effect of NEC 337</td>
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<td>Alien (article 7 bis.)</td>
<td>From 26 February 1992 to 27 February 2008</td>
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<td>20</td>
<td>Thai citizenship was revoked by or did not receive Thai citizenship</td>
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<td>Alien (article 7 bis.)</td>
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(1) In the case of birth within the Kingdom of Thailand (continued)

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<th>Case</th>
<th>Status of Parents at the time of child’s birth</th>
<th>Period of time in which child was born</th>
<th>Citizenship of child</th>
<th>Applicable Law</th>
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</thead>
<tbody>
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<td>21</td>
<td>Alien (article 7 bis.) Registered Citizenship was revoked by or did not receive Thai citizenship by effect of NEC 337</td>
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<td>Thai after birth</td>
<td>Article 23 (4th edition) 2008</td>
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<td>Thai by virtue of article 7 bis. clause 2</td>
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<td>Thai after birth</td>
<td>Article 23 (4th edition) 2008</td>
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<td>Thai after birth</td>
<td>Article 23 (4th edition) 2008</td>
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(2) In the case of birth outside the Kingdom of Thailand

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<th>Case</th>
<th>Status of Parents at the time of child’s birth</th>
<th>Period of time in which child was born</th>
<th>Citizenship of child</th>
<th>Applicable Law</th>
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<td>Nationality of Father</td>
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<td>Nationality of Mother</td>
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<td>Thai</td>
<td>Unregistered</td>
<td>Thai</td>
<td>Before 26 February 1992</td>
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<td></td>
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</tr>
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<td>Thai</td>
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<td>4</td>
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<td>Other</td>
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Freezing Registration Proceedings: Measures to Prevent Incorrect Personal Records

Written by Venus Seesuk
November 15th, 2009

Background

The Civil Registration Act (Second Edition) 2008 provides additional administration measures to put a freeze on registration proceedings that the registrar, after investigating, has reason to believe were unlawful, or on proceedings that conceal or misrepresent personal details. The records in question are not allowed to be transferred from the registrar where the error or inconsistency was found until the registrar’s legal proceedings are complete. This hold prevents incorrect personal records from being transmitted to other registrars, which would make checking and correcting errors much more difficult.

The aforementioned law adds to Article 10 paragraph four of the 1991 Civil Registration Act. In summary, when there is sufficient evidence to believe that reporting, receiving a report, documenting or entering a personal record was done incorrectly or concealed information in some manner, or that inaccurate statements were recorded, the registrar has the authority to refuse the report, discard the record, withdraw the civil registration evidence and proceed to correct the record. The registrar is authorized to order a freeze on all proceedings relating to the record in question until there is an explanation or some defense from the second party. In order to protect the rights of the owner of the personal record in question by preventing any unjust disturbances by the Registrar, the Ministry of Interior issued ministerial regulations (2008) defining the requirements and the procedures on how to contest or explain the facts, and explaining appeals and the consideration of an appeal of the registrar’s order. Furthermore, the Central Registration Bureau has issued regulations on civil Registration (Fifth edition) 2008 to set clear procedural guidelines.

What are the Steps to freezing Civil Registration action?

Because an order to freeze the registration proceeding for a personal record is a legal process that has ramifications on the rights of the owner of the record, the registrar must be thorough in following the conditions laid out in the law. The Central Registration
Bureau has laid out these procedures in document Mor. Tor. 0309/wor. 61 on the 14th of October 2009. This document states that when it is brought to the attention of the registrar that there have been unlawful proceedings, concealed personal details, or inaccurate records, the registrar must take the following steps. These steps must be followed regardless of whether the registrar personally found the information, or whether the information was brought to his/her attention by other means, for example through a report or a complaint filed by an individual, an organization, or the media.

The first step: Investigate the facts from the evidence used to make the record in the first place, examine the method, and contact the official who made the record in question. This is to find out whether or not the evidence was reliable, whether or not the procedure went according to the rules and regulations, whether or not the official had legal authority, and to investigate the probability of the matters in question. This is done by investigating the witnesses and surrounding evidence that were involved. In this step, the registrar may investigate facts from the owner of the evidence as well.

The second step: If, after the investigation described in step one, the registrar deems that there is reason to believe that there truly was unlawful action regarding the record under suspicion, the registrar must compile all the relevant evidence, issue an opinion, and submit it for the district officer’s consideration. The registrar may not arbitrarily order a record to be frozen.

The third step: If the district officer deems that there truly is reason to suspect, based on the present evidence, that the record was made incorrectly or illegally, this opinion must be forwarded to the registrar who may then proceed to order the record to be frozen. Conversely, if the district officer deems that there is not sufficient reason to believe that the record was illegally or incorrectly registered, the registrar may not order the record to be frozen, but s/he may compile additional evidence and submit the issue for consideration again.

The fourth step: when the registrar has ordered the record to be frozen, s/he must inform the record’s owner of the matter in writing within three days from the day that the order to withhold the record was issued. The letter to inform must contain the following information: (1) the facts or reasons that lead the registrar to believe the action was illegal; (2) relevant laws or regulations; (3) the points of consideration or supporting reasons behind the registrar’s judgment; (4) the right of the record’s owner to appoint a second party to contest or explain facts on their behalf; (5) the right to examine documents necessary for the contestation or explanation in order to protect personal rights and (6) the time allowance within which to contest or explain facts, which is set within 30 days from the day of receiving notification.

If the owner of the frozen record does not contest the registrar’s order or does not explain facts to refute the registrars’ order within the specified time or without a reasonable cause for not doing so within the time limit, or if the contestation or explanation does not specify reasons or include evidence, the registrar will be able to discard the registration record or withdraw the Civil Registration documents.
Distinctions between freezing Civil Registration action and discarding a registration record

Putting a freeze on Civil Registration action is a computer-based process dealing with personal records in the civil registration records. The computer will mark the 13-digit ID number and it will become stationary. **Nothing is done with actual civil registration documents.** Therefore, the personal record that has been frozen remains as normal. Even if a Tor. Ror. 14 record is extracted from the computer, no remark will appear that indicates that this person’s record has been frozen. A remark will appear on the computer screen only. Withholding registration action will only affect only civil registration actions, particularly change of domicile, and will have a binding effect on the owner of the registration details only. **For example, Mr. Choosak Sae-Hua’s registration record was ordered to be frozen, because after an investigation it became apparent that his name was added to a Tor. Ror. 14 house registration and registered as a Thai citizen through the use of wrong evidence.** Freezing the record only affects Mr. Choosak; he cannot move his domicile out of the house registration until the registrar overturns the order to freeze Civil Registration proceedings. However, if Mr. Choosak wishes to have a national ID card, change his name, register his marriage, report the birth of his child or add his child’s name, or any other proceeding that is not a Civil Registration action and does not have to do with his own record, he can do so during this time according to the relevant laws and regulations. As long as the registrar has not discarded his registration record, or withdrawn his Civil Registration documents, the person is still considered to have a record according to the Civil Registration evidence.

Discarding a registration record, on the other hand, is a computer-based action dealing with the Civil Registration record that affects the registration documents as well. The computer program will insert a remark near the 13-digit identification number of the said person noting why the record was discarded; e.g., the record was discarded because of unlawfully adding a name, discarded because of a double entry, and so on. The effect of discarding a personal record is that the registrar will stamp or write in the house registration book that the person has been “discarded” and will record the discard action in the house registration book as well. If a new house registration book is requested, the computer program will not allow the discarded record to be printed in the new house registration book. In the case of a request to extract a Tor. Ror. 14/1 record from the computer system, a notification will appear, indicating that the record has been discarded. Therefore, the effect of discarding a record is more drastic than freezing registration proceedings, **because, according to law, the record that has been discarded is virtually non-existent.** However, the owner of the discarded record is not entirely without recourse to restore their record. The central registrar regulations allow for restoration of discarded records only in cases where it is necessary to make a correction to bring the record in line with the facts. This could happen in the case of the record being discarded in error or discarded based on mistaken facts. For example, Mr. Manop left his house and lived elsewhere for an extended period of time without sending word home. Coincidently there was a natural disaster in the area where Mr. Manop moved, resulting in the deaths of many people there. Some corpses were recovered and some were not. His family was under the understanding that Mr. Manop was deceased, so they reported the death and the registrar discarded his record as requested. Later, the facts came to light that Mr. Manop was still living. Discarding Mr. Manop’s record was then
done by mistake. In this circumstance, Mr. Manop is entitled to the restoration of his registration record. However, if the record was discarded because of illegal actions, dishonesty, or actions that are in violation of administrative regulations, then the discard is final. The discarded record cannot be restored.

Summary

Freezing Civil Registration action is merely a measure taken by administrative authorities to prevent a registration record that a registrar suspects to be illegal or inaccurate from moving to another registrar, whether or not there were illegal activities involved. This is done so that the process of investigating the facts and interrogating the record’s owner will proceed uninterrupted until the end. The suspicious record is therefore confined to a smaller area and a short time frame of no more than thirty days, unless the record’s owner requests a time extension to contest and explain from the registrar. Furthermore, a freeze on Civil Registration record action is restricted to Civil Registration movement only, and only affects the record that is frozen. It does not affect any other action that the record’s owner desires to or is legally entitled to carry out. The owner of the record under suspicion is afforded a chance to find out information and contest the accusations before being subjected to punishment or having their record discarded.

Therefore, withholding Civil Registration action does not cause a person to become stateless or nationality-less. When it has been established that the Civil Registration record was indeed lawful, or that there was no mistake made on the registration record, the order to freeze movement is rescinded, and the person still has legal personality status according to Civil Registration.

On the other hand, if it is found that there were inaccuracies in the evidence or in the Civil Registration record, the registrar will discard that record. Two main outcomes arise from discarding a record. (1) If the incorrect and discarded record resulted from a person’s personal status incorrectly being changed, such as from a person without Thai citizenship (type 6 person) in a Tor. Ror. 13 house registration into a person with Thai citizenship (type 5 person) in a Tor. Ror. 14 house registration, the action taken to that person’s record will be to return their personal status to what it actually is according to the facts. This will happen with two types of people; 1) the owner of a record who still has residence rights in Thailand or 2) is a stateless person, which means a person without Civil Registration status. Both these circumstances can cause a person to be stateless, if there is no country to accept them as citizens. However, these persons would not be stateless because the Thai State acknowledges that they have legal personality under Thai Civil Registration law.

(2) If the incorrect registration record belongs to a person who does not have residency rights according to immigration laws, and is a person who is recorded in the registration records of an existing state, in other words, a person with a state, the registrar may discard that person’s record from the Civil Registration without taking any other action on that person’s status. This procedure is not in violation of international laws that are binding to Thailand, because it does not cause the person whose record was discarded to become stateless.
Remark: Special thanks to Dr. Pantip Kanchanajitra Saisoontorn for checking the international laws and kindly supplying this article to provide a complete summary.
17 February 2552 (2009)

Regarding: Birth registration and issuing civil registration records of persons without Thai citizenship according to the Civil Registration Act (Second Edition) B.E. 2551

ATTN.: The provincial registrar of every province and the registrar of Bangkok

References: 1. Civil Registration Act (Second Edition) B.E. 2551

2. Ministerial Regulation stipulations for persons without Thai citizenship regarding civil registration and fee stipulation B.E. 2551

3. MOI Proclamation regarding issuing household registration and civil registration records of persons not holding Thai citizenship under article 38 of the Civil Registration Act B.E. 2534, amended by the Civil Registration Act (Second Edition) B.E. 2551

4. Civil Registration Bureau Regulation on Civil Registration (Fifth Edition) B.E. 2551

Enclosures: Summarization chart regarding issuing birth certificates and civil registration of persons not holding Thai citizenship according to civil registration law

The Civil Registration Act (Second Edition) B.E. 2551 has been in effect from 23 August 2551. This act amended and revised many principles from the Civil Registration Act B.E. 2534, including solving the problem of lack of personal civil status of those residing within the Kingdom, regardless of possessing Thai citizenship or not, in regards to registering births and issuing civil registration documents, so as to be beneficial to population management of the country, investigations, supervising and proving personal identification, and is in compliance with international laws regarding human rights, of which Thailand is a signatory member, such as The Convention on Children’s Rights, and The International Covenant on Civil and Political Rights (ICCPR). This includes issuing ministerial regulations, MOI Proclamations and Civil Registration Bureau
Regulations, in order to stipulate procedural guidelines in accordance with this Act. Every district and local civil registration office has already been notified to be aware of and act according to the above referred to documents.

From the time that the Civil Registration Act (Second Edition) B.E. 2551 went into effect, the Central Registration Bureau has received many enquiries and consultation requests as to procedural guidelines regarding birth registration and the issuing of birth certificates, including the issuing of civil registration records for various types of persons without Thai citizenship who reside in Thailand. Most civil registration offices have a conflicting understanding, resulting in problems of work procedures not being in accordance to the same methods, and are unlawful. Therefore, in order that work process of civil registration in this area may proceed correctly and with clarity, provincial registration offices and the civil registration office of Bangkok are requested to notify and prepare all district and local civil registration offices to proceed as follows:

A. Registering births and issuing birth certificates

1. In the instance of registering a birth within the legally specified time limit: The registrar who receives notification of birth is able to register the birth of and issue birth certificates for all children born within the Kingdom, regardless of whether the child’s parents are aliens who legally entered the Kingdom or are illegal immigrants, or are aliens born in the Kingdom, and regardless of whether or not the child’s parents have their names and a personal record in civil registration documents, and whether or not they have a 13-digit identification number. The type of birth certificate that is issued for the child depends on the residential rights and status in the Kingdom of the child’s parents. For example, if the father is a minority group member who has a type 0 identification number\(^{15}\), and the mother is an alien with temporary permission to reside in the Kingdom (possessing a passport), the child will receive a Tor. Ror. 3 birth certificate and a type 7 identification number. Or, in the case that the father is a Burmese labourer who previously registered as a 00 type person but the time permitted to reside in the Kingdom has ended because they did not request permission to work, and the mother was surveyed as being a person with no legal personality status, as type 0 person, the child will receive a Tor. Ror. 031 birth certificate and type 0 identification number. Or, in the case that the father is an illegal immigrant with no 13-digit identification number and the mother is the child of a minority group that missed a survey, and also has no 13-digit identification number, the child will receive a Tor. Ror. 031 birth certificate and type 0 identification number. The details appear in the summarization chart regarding issuing birth certificates and civil registration of persons not holding Thai citizenship according to civil registration law that is enclosed.

2. In the instance of late birth registration of the children of aliens: The registrar who receives notification of birth is able to register the birth of and issue birth certificates by proceeding according to clause 58 of the Civil Registration Bureau Regulation on Civil Registration B.E. 2535 which stipulates to proceed in the same manner as clause 57. The registrar must review the legal personality status of the child’s

\(^{15}\) Translator’s note: “type -- identification number” refers to the first number of the 13-digit identification number, which signifies the type of person. For example, type 7 identification number means the number 7-xxxx-xxxxx-xx-x.
parents who register the birth in order to establish which group and type of alien the
mother and father belonged to at the time of the child’s birth, and subsequently issue a
birth certificate in accordance with the personal status of the mother and father at the time
of the child’s birth, in the same manner as a birth registered on time. For example, if the
father currently holds the status of an alien with a residency, and has a type 8
identification number, and the mother was surveyed as being a person with no legal
personality status, as type 0 person; however it becomes apparent that at the time of the
child’s birth the father’s status was that of being surveyed as a person with no legal
personality status, as type 0 person. Therefore, in this instance of late birth registration,
the registrar that receives notification of birth must issue a Tor. Ror 031 birth certificate
and designate the identification number as type 0. Late birth registration as referred to in
this clause is to be inclusive of cases of children born in the Kingdom to aliens before the
Civil Registration Act (Second Edition) B.E. 2551 went into effect, under the condition
that the child who requests to register the birth must be a person who has not yet received
civil registration and does not have a 13-digit identification number.

B. Issuing civil registration records and adding a name to civil registration
records: For persons without Thai citizenship who may not be added to household
registration (Tor. Ror. 14 and Tor. Ror. 13):

(1) Adding a name to the civil registration records because of registering
the birth of a child of aliens who received a Tor. Ror. 031 type birth certificate, and
having a type 0 13-digit identification number, is divided into 3 instances, as follows:

(1.1) In the case of registering the birth of a child who was born in
the registration domicile in which the parents are recorded in Tor. Ror. 38 Kor. type civil
registration records, the work operation program will specify for the registrar to add the
child’s name to the same Tor. Ror. 38 Kor. type civil registration record as the child’s
father or mother.

(1.2) In the case of registering the birth of a child who was born in
a different registration domicile from that which the parents are recorded in Tor. Ror. 38
Kor. type civil registration records, the work operation program will stipulate to issue a
Tor. Ror. 031 type birth certificate, along with one more copy for the registrar to present
to the person registering the birth. As for the copy, it is to be sent to the registrar of the
domicile in which the father or mother are recorded in the civil registration records, so
that the registrar may add the child’s name to the same Tor. Ror. 38 Kor. type civil
registration record as the child’s father or mother. It is not required to issue a receipt of
notification of moving domicile.

(1.3) In the case of registering the birth of a child whose parents do
not have a 13-digit identification number, the registrar must prepare one central Tor. Ror.
38 Kor. record for the civil registration office, using the number 0/89, and “Muu” number
according to the Muu number of the central household registration of the civil registration
office; for example, Muu 77. Then, add the child’s name corresponding to the birth
certificate to that civil registration record. If at a later time the child’s parents receive
civil registration and have a 13-digit identification number, proceed to give notification
of moving the child’s name into the same civil registration record as the father or mother.
(2) In the case that the district officer, the district director, the district registrar or the local registrar, as the case may be, is not able to prove the birth status or citizenship of the child whose birth is to be registered, or in the case of a late birth registration according to the Civil Registration Bureau regulation on civil registration clause 57 and clause 58, or birth registration for a newborn or innocent child who was abandoned, and vagrant children or children without apparent parents or abandoned by their parents, according to the Civil Registration Bureau regulation on civil registration clause 59 and 59/1, let the registrar prepare a Tor. Ror. 38 Kor. civil registration record and use the same house number as the household registration of the parents or guardian, or the house number of the household registration of the foster shelter, depending on the case. The identification number for the stated child is to be designated as 0, the same as a person without civil status. (An 89 form must be completed and kept as evidence.)

(3) In the case that a person claiming to be Thai requests a name addition in a household registration (Tor. Ror. 14) according to the Civil Registration Bureau Regulation on Civil Registration clause 93 and clause 97, but there is not sufficient evidence to prove birth status and citizenship, let the registrar prepare a Tor. Ror. 38 Kor. civil registration record and use the number of the household registration that is requesting the name addition, and designate the identification number as type 0 for the stated person, by proceeding in the same manner as for a person without civil status. (An 89 form must also be completed and kept as evidence.)

(4) In the case of a person or private foster shelter requesting to add the name of a destitute child who is in their care to the household registration according to the Civil Registration Bureau Regulation on Civil Registration clause 98, the district officer or district director, as the case may be, must prove the birth status and citizenship of the child in the same manner as late birth registration. If it is impossible to prove the birth status and citizenship of the child, then the registrar must prepare a Tor. Ror. 38 Kor. civil registration record and use the same house number as the household registration that is requesting the name addition or of the household registration of the foster shelter, depending on the case. The identification number for the stated child is to be designated as 0, by proceeding in the same manner as for a person without civil status. (An 89 form must be completed and kept as evidence.)

(5) In the case of a person without Thai citizenship for whom the registrar is unable to issue a house registration (Tor. Ror. 13), according to the Civil Registration Bureau Regulation on Civil Registration clause 105, the registrar must prepare a Tor. Ror. 38 Kor. civil registration record using the same house number as the household registration that is requesting the name addition. The identification number for the stated person is to be designated as type 0, by proceeding in the same manner as for a person without civil status. (An 89 form must be completed and kept as evidence.)

C. Designating identification numbers for persons who registered births as per clause A and received civil registration records as per clause B will receive type 0 person 13-digit numbers, general group. That is to say, the sixth and seventh place digits will

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16 Translator’s note: in the original, the word “khet” is used here to refer to the provincial divisions in Bangkok, as opposed to “amphoe”, meaning the district division in other provinces; however, this distinction is not clear in English.
begin with the number 00 (0 xxxx 00xxx xx x), which differs from the group of people without civil status who were surveyed for registration in congruence with the Strategy for Management of Legal Status and Rights of the Cabinet Resolution on the 18th of January, B.E. 2548 (2005), who are type 0 persons, group 89 (the sixth and seventh place digits are 89).

Consequently, please inform all district and local civil registration offices to adhere to these procedures.

Respectfully,

(Mr. Wongsak Sawatdipanicht)
Director, Central Civil Registration Bureau
19 June 2009

Regarding: Reporting death and issuing confirmation of death evidence
ATTN.: The provincial registrar of every province and the registrar of Bangkok
References:
2. Ministerial Regulation on Procedural Stipulations for Persons without Thai Citizenship Regarding Civil Registration and Fees 2008
3. Civil Registration Bureau Regulations on Civil Registration 1992
Enclosures: Summarization chart regarding issuing death certificates according to the rules and regulations on civil registration

The Central Registration Bureau has received many enquiries and consultation requests from working civil registration officials of various registration bureaus, including agencies in the private and government sectors whose work is involved with legal status, as to procedural guidelines regarding accepting death reports and the issuing of death certificates in various instances. Most civil registration offices have a conflicting understanding, resulting in problems of work procedures not being in accordance to the same methods, and are unlawful. For example, refusing to accept death reports in cases where the deceased is in a war refugee center or an alien who illegally entered the Kingdom, issuing death certificates for the person reporting a death without a corpse, in which case the Civil Registration Bureau Regulations stipulates to only issue a receipt of notification of death. This also includes issuing death certificates by using the type of form that is incongruent with the legal status of the deceased, such as issuing a death certificate after the Tor. Ror. 5 format for the deceased who is an alien that possesses a residency permit or an alien registration book, and so forth.

Therefore, in order that work process of civil registration in this area may proceed correctly and with clarity, provincial registration offices and the civil registration
office of Bangkok are requested to notify and prepare all district and local civil registration offices to proceed as follows:

1. **Accepting notification of death:** Article 21 of the Civil Registration Act of 1991 stipulates that when a person dies, notification of death is made to the registrar. In the case of a death that took place within a house, the household head is to make the report, except if there is no household head, in which case the person who found the corpse must make the report. However, if the death took place outside the home, the person who went with the deceased or the person who found the corpse must make the report. Clause 3 of the Ministerial Regulation on Procedural Stipulations for Persons without Thai Citizenship Regarding Civil Registration and Fees 2008 stipulates that when a person without Thai citizenship passes away, a person according to Article 21 must report the death. This Ministerial regulation determines that the definition of persons without Thai citizenship is inclusive of aliens who entered the Kingdom in violation of immigration laws. Therefore, **when a death is reported, regardless of whether the deceased or the corpse that was found was a Thai national or any type of alien,** for example, an alien that is registered in a house registration (Tor. Ror. 13), national identification number beginning with 6 or 7, or an alien registered in the Civil Registration Records (Tor. Ror. 38), national identification number beginning with 00, or a person with no legal status who is registered in the Civil Registration Records (Tor. Ror. 38 Kor.), national identification number beginning with 0, or an alien that illegally entered the Kingdom and is not registered in the Civil Registration documents, and so forth, **if the death took place in the Kingdom, the registrar must accept the death report.** If the death occurred in an area that has a village headman, the person responsible for reporting the death may report to the village headman in the capacity of the village registrar. When s/he has received the Tor. Ror. 4 Ton Na (front part) receipt of death notification, s/he may proceed to take this document along with the evidence to notify the district or local registrar in order to request a death certificate. Alternately, the person responsible for reporting the death may report the death directly to the local or district registrar at the registration bureau where the death took place or the corpse was found.

2. **Issuing confirmation of death evidence:** The Civil Registration Bureau Regulations on Civil Registration 1992 stipulates procedural guidelines for accepting notification of death and issuing confirmation of death evidence classified according to the manner of death and the facts of the case, for example, in reporting a death that occurs in the house and the deceased is known, according to the Regulations clause 61 and clause 62, the registrar is to issue a death certificate for the person reporting the death; or, in the case of reporting a death that the deceased is unknown, according to Regulations clause 65, or reporting a death in which it is believed that a death occurred but the corpse was not found according to Regulations clause 66, the registrar must issue a receipt of death notification (Tor. Ror. 4 front part) for the person reporting the death; or reporting an unnatural death according to Regulations clause 68 the registrar is to issue a receipt of death notification and must notify the administrative officials or police. When results of the autopsy have been received, then a death certificate is to be issued for the person reporting the death. According to these regulations, when it can be concluded that a death report is a report of death in which the body was not found, or the deceased is not
known, the registrar will issue a receipt of notification of death in Tor. Ror. 4 Ton Na (front part) format, for the person reporting the death only, and does not have to issue a death certificate until the body is found or the deceased is identified. The registrar is requested to study the regulations and act accordingly.

As for the death certificate form that the registrar will issue for the person reporting the death, it must be congruent with the legal status of the deceased. For example, if the deceased is a Thai national or alien with a permanent residency in the Kingdom who has their name in a Tor. Ror. 14 house registration, the Tor. Ror. 4 form of death certificate is to be issued. If the deceased is claimed to be Thai but does not have their name in a house registration and does not have a national identification number, but has documents that indicate the deceased is a Thai citizen, such as civil registration records or the version of national identification card that does not have a national identification number, military record (Sor. Dor. 9), passport, or education records, then a death certificate after the Tor. Ror. 4 format must be issued without filling in the 13-digit identification number of the deceased. However, if the deceased is claimed to be Thai but does not have their name in a house registration, does not have a 13-digit identification number and does not have other documents that can reference the citizenship of the deceased, then a death certificate after the Tor. Ror. 051 format must be issued. In the case of a person with no civil status, in which it is not necessary to fill in the 13-digit identification number and so forth, the details appear on the summarization chart regarding issuing death certificates according to the rules and regulations on civil registration which is enclosed with this document.

Respectfully,

(Mr. Wongsak Sawatdipanicht)
Director, Central Civil Registration Bureau

Registration Administration Bureau
Civil Registration Division
Tel. 0-2791-7313-6
### Summarization chart regarding issuing death certificates according to the rules and regulations on civil registration

<table>
<thead>
<tr>
<th>Legal status of deceased</th>
<th>Evidence of the deceased</th>
<th>Type of Death certificate to be issued</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Thai person with 13-digit number beginning with 1, 2, 3, 4, 5, or 8</td>
<td>- Tor. Ror. 14 house registration/ ID card</td>
<td>Tor. Ror. 4 death certificate</td>
<td>- Civil Registration Bureau Regulations on Civil Registration 1992</td>
</tr>
<tr>
<td>2. Claimed to be Thai, without 13-digit number but having other documents to reference citizenship</td>
<td>- Government documents which indicate the person has Thai citizenship, such as Civil Registration Sor. Dor. 9, education records, passport</td>
<td>Tor. Ror. 4 death certificate</td>
<td>- do not have to fill in the 13-digit number of the deceased</td>
</tr>
<tr>
<td>3. Claimed to be Thai but lacking 13-digit number and other documents</td>
<td>- no evidence</td>
<td>Tor. Ror. 051 death certificate</td>
<td>- do not have to fill in the 13-digit number of the deceased</td>
</tr>
<tr>
<td>4. Alien, 13-digit number beginning with 3, 4, 5, or 8</td>
<td>- Tor. Ror. 14 house registration</td>
<td>Tor. Ror. 4 death certificate</td>
<td>- 2004 Regulations</td>
</tr>
<tr>
<td>5. Alien, 13-digit number beginning with 6 or 7</td>
<td>- Tor. Ror. 13 house registration/ ID card</td>
<td>Tor. Ror. 4 death certificate</td>
<td>- 2005 Regulations</td>
</tr>
<tr>
<td>6. Alien, 13-digit number beginning with 0</td>
<td>- Tor. Ror. 38/1/ ID card</td>
<td>Tor. Ror. 5 death certificate</td>
<td>- do not have to fill in the 13-digit number of the deceased</td>
</tr>
<tr>
<td>7. Person with no legal status, 13-digit number beginning with 0</td>
<td>- Tor. Ror. 38 Khor/ ID card</td>
<td>Tor. Ror. 05 death certificate</td>
<td>- do not have to fill in the 13-digit number of the deceased</td>
</tr>
<tr>
<td>8. Alien with residency permit, no 13-digit number but possessing reference documents</td>
<td>- residency permit or alien registration book</td>
<td>Tor. Ror. 051 death certificate</td>
<td>- 2005 Regulations</td>
</tr>
<tr>
<td>9. Aliens who are minority groups, previously surveyed, lacking 13-digit number, but possessing reference documents</td>
<td>- Civil registration records/ old version of ID card</td>
<td>Tor. Ror. 4 death certificate</td>
<td>- do not have to fill in the 13-digit number of the deceased</td>
</tr>
<tr>
<td>10. Aliens without 13-digit number and lacking any other documents, including those who entered the country illegally</td>
<td>- no evidence</td>
<td>Tor. Ror. 051 death certificate</td>
<td>- do not have to fill in the 13-digit number of the deceased</td>
</tr>
</tbody>
</table>
(19)

Chart Displaying Groups Receiving Thai Nationality
According to Article 23 of the Nationality Act (fourth edition) 2008
(Effective as of 28 February 2008)

A. Persons whose citizenship was revoked by or did not receive Thai citizenship by effect of NEC 337

<table>
<thead>
<tr>
<th>Group</th>
<th>Place of Birth</th>
<th>Time Period of Birth</th>
<th>Details of Parents</th>
<th>Status according to NEC 337</th>
<th>Status according to Article 23</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Father</td>
<td>Marriage</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>In the Kingdom</td>
<td>Before 26 February 1992</td>
<td>Alien not meeting conditions</td>
<td>Unregistered</td>
<td>Alien meeting conditions</td>
</tr>
<tr>
<td>2</td>
<td>In the Kingdom</td>
<td>Before 26 February 1992</td>
<td>Alien not meeting conditions</td>
<td>Registered</td>
<td>Alien meeting conditions</td>
</tr>
</tbody>
</table>
In the Kingdom
Before 26 February 1992
Alien meeting conditions
Registered/Unregistered
Alien meeting conditions

<table>
<thead>
<tr>
<th>Group</th>
<th>Place of Birth</th>
<th>Time Period of Birth</th>
<th>Details of Parents</th>
<th>Status according to NEC 337</th>
<th>Status according to Article 23</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>In the Kingdom</td>
<td>Before 26 February 1992</td>
<td>Alien meeting conditions</td>
<td>Born before 14 December 1972: citizenship revoked</td>
<td>Thai</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Registered/Unregistered</td>
<td>Born after 13 December 1972: did not receive Thai citizenship</td>
<td></td>
</tr>
</tbody>
</table>

B. Persons whose citizenship was revoked by or did not receive Thai citizenship by effect of NEC 337

<table>
<thead>
<tr>
<th>Group</th>
<th>Place of Birth</th>
<th>Time Period of Birth</th>
<th>Details of Parents</th>
<th>Status according to NEC 337</th>
<th>Status according to Article 23</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>In the Kingdom</td>
<td>Between 14 December 1972 to 27 February 2008</td>
<td>Citizenship was revoked or did not receive</td>
<td>Unregistered</td>
<td>Alien meeting conditions Did not receive Thai citizenship</td>
</tr>
<tr>
<td>No</td>
<td>Country</td>
<td>Period</td>
<td>Citizenship Type</td>
<td>Citizenship Status</td>
<td>Nationality</td>
</tr>
<tr>
<td>----</td>
<td>------------------</td>
<td>---------------------------------</td>
<td>-----------------------------------</td>
<td>-----------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>2</td>
<td>In the Kingdom</td>
<td>Between 14 December 1972 to 27 February 2008</td>
<td>Alien meeting conditions</td>
<td>Registered</td>
<td>Did not receive Thai citizenship</td>
</tr>
<tr>
<td>3</td>
<td>In the Kingdom</td>
<td>Between 14 December 1972 to 27 February 2008</td>
<td>Citizenship was revoked or did not receive citizenship</td>
<td>Registered/Unregistered</td>
<td>Did not receive Thai citizenship</td>
</tr>
</tbody>
</table>
A. The case of persons whose Thai citizenship was revoked by effect of NEC 337

<table>
<thead>
<tr>
<th>Group</th>
<th>Place of Birth</th>
<th>Time Period of Birth</th>
<th>Details of Parents</th>
<th>Status according to NEC 337</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>In the Kingdom</td>
<td>Before 14 December 1972</td>
<td><strong>Alien</strong> with the following characteristics: 1) having a residency permit or 2) having an alien registration book or 3) was born in Thailand</td>
<td><strong>Alien</strong> who: 1) had been granted leniency for temporary residence in Kingdom as a special case; or 2) had been granted temporary residence in the Kingdom or 3) illegally entered the Kingdom</td>
</tr>
<tr>
<td>2</td>
<td>In the Kingdom</td>
<td>Before 14 December 1972</td>
<td><strong>Alien</strong> who: 1) had been granted leniency for temporary residence in Kingdom as a special case; or 2) had been granted</td>
<td>Registered</td>
</tr>
<tr>
<td>Group</td>
<td>Place of Birth</td>
<td>Time Period of Birth</td>
<td>Details of Parents</td>
<td>Status according to NEC 337</td>
</tr>
<tr>
<td>-------</td>
<td>----------------</td>
<td>----------------------</td>
<td>--------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>1</td>
<td>In the Kingdom</td>
<td>Between 14 December 1972 to 25</td>
<td><strong>Alien</strong> with the following characteristics: 1)</td>
<td>Did not receive Thai citizenship</td>
</tr>
</tbody>
</table>

B. In the case of persons who did not receive Thai citizenship by effect of NEC 337

<table>
<thead>
<tr>
<th>Group</th>
<th>Place of Birth</th>
<th>Time Period of Birth</th>
<th>Details of Parents</th>
<th>Status according to NEC 337</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Alien who: 1) had been given leniency for temporary residence in Kingdom as a special case; or 2) having been permitted to temporarily reside in the Kingdom or 3) illegally entered the Kingdom</td>
<td>Citizenship was revoked</td>
</tr>
</tbody>
</table>

Registered/Unregistered Alien who: 1) had been granted leniency for temporary residence in Kingdom as a special case; or 2) had been granted temporary residence in the Kingdom or 3) illegally entered the Kingdom

Citizenship was revoked
<table>
<thead>
<tr>
<th>Number</th>
<th>In the Kingdom</th>
<th>Date</th>
<th>Characteristics</th>
<th>Registered/Unregistered</th>
<th>Did not receive Thai citizenship</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>February 1992</td>
<td>Having a residency permit or 2) having an alien registration book or 3) was born in Thailand</td>
<td>Residence in Kingdom as a special case; or 2) had been granted temporary residence in the Kingdom or 3) illegally entered the Kingdom</td>
<td>Alien who: 1) had been granted leniency for temporary residence in Kingdom as a special case; or 2) had been granted temporary residence in the Kingdom or 3) illegally entered the Kingdom</td>
<td>Did not receive Thai citizenship</td>
</tr>
<tr>
<td>3</td>
<td>In the Kingdom</td>
<td>Between 14 December 1972 to 25 February 1992</td>
<td>Alien who: 1) had been granted leniency for temporary residence in Kingdom as a special case; or 2)</td>
<td>Alien who: 1) had been granted leniency for temporary residence in Kingdom as a special case; or 2)</td>
<td>Did not receive Thai citizenship</td>
</tr>
</tbody>
</table>
C. The case of children of persons whose citizenship was revoked by or did not receive Thai citizenship by effect of NEC 337

<table>
<thead>
<tr>
<th>Group</th>
<th>Place of Birth</th>
<th>Time Period of Birth</th>
<th>Details of Parents</th>
<th>Legal status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>In the Kingdom</td>
<td>Between 14 December 1972 to 27 February 2008</td>
<td>Citizenship was revoked or did not receive Thai citizenship</td>
<td>Alien who: 1) had been granted leniency for temporary residence in Kingdom as a special case; or 2) had been granted temporary residence in the Kingdom or 3) illegally entered the Kingdom</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Unregistered (Only in the case of those born before 26 February 1992)</td>
<td>If born before 26 February 1992, did not receive Thai citizenship by effect of NEC 337. If born since 26 February 1992, did not receive Thai citizenship by effect of Article 7 bis. clause one.</td>
</tr>
<tr>
<td>2</td>
<td>In the Kingdom</td>
<td>Between 14 December</td>
<td>Alien who: 1) had been granted leniency</td>
<td>Citizenship was revoked or did</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Registered (only in the case</td>
<td>If born before 26 February 1992, did not receive Thai citizenship by effect of NEC</td>
</tr>
<tr>
<td>1972 to 27 February 2008</td>
<td>for temporary residence in Kingdom as a special case; or 2) had been granted temporary residence in the Kingdom or 3) illegally entered the Kingdom</td>
<td>of those born before 26 February 1992)</td>
<td>not receive Thai citizenship</td>
<td>337. If born since 26 February 1992, did not receive Thai citizenship by effect of Article 7 bis. clause one.</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------------------</td>
<td>-----------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>In the Kingdom</td>
<td>Between 26 February 1992 to 27 February 2008</td>
<td>Citizenship was revoked or did not receive Thai citizenship</td>
<td>Registered/Unregistered Citizenship was revoked or did not receive Thai citizenship</td>
<td>Did not receive Thai citizenship by effect of Article 7 bis. clause one.</td>
</tr>
</tbody>
</table>
Manual for Capacity Building on Birth Registration and Citizenship in Thailand

Over forty years ago, lack of legal status—citizenship and birth registration—for highland peoples was identified as a major social development issue for Thailand. Today that analysis still remains cogent, despite the gradual increase of highland minorities’ rights. In order to streamline the citizenship and registration process for Thailand’s ethnic minorities, UNESCO Bangkok and FACE, with the support of the British Embassy, Bangkok, have teamed up to create the Citizenship Manual. As both a capacity building tool and compilation of Thai laws pertaining to the citizenship and birth registration issues, the Citizenship Manual serves as a comprehensive guide for local government officials, NGOs and activists who want to ensure that highland peoples’ rights are fully guaranteed and recognized according to the law.


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