

**NOTE**  
**RE. THE BUREAU OF THE ASSEMBLY**  
**OF PEOPLE'S REPRESENTATIVES**

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1. The President of the Assembly of the People's Representatives is desirous to know which is the legal Status of the Bureau of the Assembly and if the filling up of vacancies in the Bureau is or is not within the powers of the Civil Service Committee.

2. In come foreign countries, there are as a fact 2 Bureaus of the Chambers.

a) one bureau being composed of members of the chamber elected by their colleagues as Secretaries, questors, etc. end having to deal with questions relating to the agenda of the Assembly, etc.; elections of such members are periodical, and as a rule for one session only. This has nothing to do with the Civil Service.

b) one Bureau consisting of a permanent staff of officials. Including the very important office of Secretary-General of the Presidency of the Chamber. They are all officials, and recruited according to the existing rules of Civil Service (for instance, competition for posts of dactyl graphs, secretaries, etc.)

3. In Siam, it is assumed that under the rules of the Assembly there is no elected Bureau composed of members of the Assembly. The Bureau which is mentioned in Chapter X (sect. 21) of the Act. 9<sup>th</sup>. December B.E. 2476 is composed of a staff of permanent officials.

4. Under Section 4 of the said Act the Bureau seems to be a "public body the status of which is equivalent to a Ministry". Under Section 21, it is "under the Assembly of the People's Representatives" and "under the control of the President of the Assembly". This wording is to be interpreted, but it seems to mean that the Bureau is, in connection with the Assembly and its President, in the same position and relation as is a Department (also Public body) in connection with the Ministry to which it belongs and its Minister.

5. But, when interpreting as above Sections 4 and 31 of the Act 9<sup>th</sup>. December B.E. 2476, it may be said that they contain nothing special as to the appointment of officials of the Bureau, either at the beginning or when vacancies will have to be filled up.

The consequence is that such officials should, as well as any officials of Departments, be governed by the same general rules (qualification, Promotions, etc.) as the rules For officials of the Civil Service, and are consequently within the usual competency of the Civil service committee.

This would be coherent with the rules of Civil Service abroad, which apply to officials of the permanent staff of the Bureau of a Legislative Assembly in other countries. It should be so also in Siam as long as no special rules are specified somewhere for the said staff.

3<sup>rd</sup>.February 1934

**Tentative Translation**

**ACT  
ON LEGISLATIVE AND JUDICIAL COUNCIL  
B.E.2476**

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Prajadhipok Rex.

BY THE KING'S MOST EXCELLENT MAJESTY,

WHEREAS, by the resolution of the Assembly of the People's Representatives, it is deemed expedient to organize a Legislative and Judicial Council for the Preparation of Legislative work and the examination of administrative cases,

IT IS HEREBY ENACTED, by and with the advice and consent of the said Assembly, as follows:

Section 1. – This Act shall be called the “Act on Legislative and Judicial Council B.E 2475”.

Section 2. – It shall come into force on and from the day of its publication in the Government Gazette.

Section 3. – All laws and regulations in so far as they are inconsistent with this Act are hereby repealed.

Section 4. – All works and competent officials of the Department of Legislative Redaction are hereby transferred to be under the Legislative and Judicial council.

Section 5. – The Legislative and Judicial Council shall have the duty

- (1) to prepare, upon directions of the Assembly of the People's Representatives or of the State Council, as the case may be, the draft laws or regulations,
- (2) to give advice to the Government on legal matters,
- (3) to try and adjudicate the administrative cases as may be duly ascribed to the competency of the Legislative and judicial Council by law.

Section 6. – The Legislative and Judicial council shall comprise:  
The President  
The Councillors  
The Secretary- General.

Section 7. – The President of the State Council is ex-officio President of the Legislative and Judicial Council and shall have power and duty to take charge and control of all works of the Council.

Section 8. – There shall be, in this council, two categories of Councillors namely:

(1) The Councillors-Justice, whose duties are to prepare the draft laws, to give advice to the Government on legal matters, to try and adjudicate the administrative cases.

(2) The Legislative Redaction councilors whose duties are to prepare the draft laws, to give advice to the Government on legal matters.

Section 9. - The Councillors-Justice are divided into Ordinary councilors-Justice and Extraordinary Councillors-Justice.

The Ordinary Councillors-Justice and Secretary-General shall be appointed by His Majesty the King upon Proposal made by the State Council and approved of by the Assembly of People's Representative.

The Secretary-General shall be ex-officio Ordinary Councillors-Justice.

The State councilors are ex-officio Extraordinary councilors-Justice.

Section 10. - The Legislative Redaction Councillors shall be appointed by His Majesty upon recommendation of the State Council.

Section 11. - The Secretary-General shall have charge and control of the administration of the Council and shall be responsible directly to the President.

Section 12. - A person eligible for appointment as ordinary Councillors-Justice shall possess and of the following qualifications:

(1) holding or has held the function of Legislative Redaction Councillors:

(2) holding or has held the function of the Committee of the Dika Court:

(3) holding or has held the function of professors of law.

Section 13. - A person eligible for appointment as Legislative Redaction Councillors shall possess and of the following qualifications:

(1) holding or has held the judicial function of a rank not lower than judge of the Appeal Court:

(2) serving or has served in the civil service of a rank not lower than Director-General:

(3) being or has been lecturer of the Law School for a period of not less than five years:

(4) possessing knowledge in the work of legislative redaction or has been employed in the Legislative Redaction work and possessed experience and ability which are useful to the work of this section.

Section 14. - In all matters put to vote, it shall be decided by majority of votes: in case of a tie, it shall be submitted to the President for decision.

Section 15. - In the case where the Council sit for the trial and adjudication of administrative cases, at least four Ordinary Councillors-Justice and at least one and not more than three extraordinary councilors-Justice shall be necessary to form a quorum to try and adjudicate any case submitted thereto.

Section 16. – A State Councillor in charge of a Ministry or Dabuang, and State Councillor designated to assist in the management of a Ministry or Dabuang shall not sit as Councillor-Justice in the case where the recourse is against the decision of the Ministry or Dabuang of which he is in charge.

Given on the 9<sup>th</sup>. December B.E. 2476, being the 9<sup>th</sup>.year of the Present Reign.

Countersigned by  
Colonel phya Bahol Balabayuhasena,  
President of the State Council