

Article 21. Sont abrogés la loi N° 98 du 21 Mai 1951, l'arrêté N° 2825 du 20 août 1924 et l'arrêté N° 16/S du 19 Janvier 1925 ainsi que toutes les dispositions législatives antérieures relatives à la nationalité syrienne.

75. Thailand¹

(a) NATIONALITY ACT OF 31 JANUARY 1952 (B. E. 2495).

Section 1. This Act shall be called the "Nationality Act, B. E. 2495".

Section 2. This Act shall come into force on the next day after the date of its publication in the Government Gazette.

Section 3. The Nationality Act, B. E. 2456 and the Naturalization Act, R. S. 130 shall be repealed.

CHAPTER 1

General provisions

Section 4. In this Act:

"Minister" means the Minister responsible for the application of this Act;

"Competent official" means the person appointed by the Minister to administer the provisions of this Act;

"Thai" means a person who has Thai nationality;

"Alien" means a person who has not Thai nationality.

Section 5. In special cases the Minister may at his discretion allow a rebate or exemption in respect of the fees for applications for naturalization or certificates of naturalization.

Section 6. The Minister of Interior shall be responsible for the application of this Act, and shall have the power to issue Ministerial Regulations to fix the rates of fees for applications for naturalization not exceeding five thousand baht and for issuing certificates of naturalization or substitutes therefor not exceeding five hundred baht, and to make provision for other matters for the execution of this Act.

Such Ministerial Regulations shall come into force upon their publication in the Government Gazette.

CHAPTER 2

Acquisition of Thai nationality

*Section 7.*² The following persons acquire Thai nationality by birth:

(1) Persons born of Thai fathers, whether born in the Kingdom or elsewhere;

(2) Persons born of Thai mothers, whether in the Kingdom or elsewhere, whose lawful fathers are not known or have no nationality;

(3) Persons born of Thai mothers in the Kingdom.

¹ Texts based on the English translation received from the Ministry for Foreign Affairs of Thailand.

² As amended by Section 3 of the Nationality Act (No. 2) B. E. 2496.

Section 8. An alien woman who marries a Thai shall thereby acquire Thai nationality.

Section 9. Aliens who satisfy the following conditions may apply for Thai naturalization, namely:

(1) They must have attained the age of *sui juris* in accordance with Thai laws and the laws of their nationality;

(2) They must be of good behaviour and have a regular occupation;

(3) They must have been domiciled in the Thai Kingdom continuously for not less than ten years up to the day of filing the application for naturalization;

(4) They must have a knowledge of the Thai language as prescribed in the Ministerial Regulations.

Section 10. The provisions of Section 9 (3) shall not apply if the applicants for naturalization:

(1) Have rendered special services to Thailand;

(2) Are children of persons who are naturalized Thais or have reacquired Thai nationality and attained the age of *sui juris* at the time when the fathers were naturalized or reacquired Thai nationality;

(3) Are persons who have had Thai nationality.

Section 11. If a person is desirous of applying for naturalization as a Thai, he shall submit an application to the Minister according to the rules and in the manner prescribed in the Ministerial Regulations.

Naturalization and the refusal of naturalization shall be at the discretion of the Minister. If the Minister is of opinion that permission should be given, he shall submit the matter to the King for permission. If the King grants permission, the applicant shall make an affirmation of loyalty to Thailand.

The naturalization shall not be effective until publication thereof in the Government Gazette.

A naturalized Thai is entitled to apply for a certificate of naturalization.

Section 12. The effects of naturalization shall be personal.

CHAPTER 3

Loss of Thai nationality

Section 13. Thai women who marry aliens shall lose Thai nationality provided that according to the laws of the country of their husbands they may acquire the nationality of their husbands, and that they have declared their intention to the Marriage Registrar to lose Thai nationality.

Section 14. A person who was born in the Kingdom of an alien father and thus acquired Thai nationality shall be entitled to renounce Thai nationality in order to acquire the nationality of the father, provided that the law of the country of nationality of the father allows him to acquire such nationality, by submitting an application in writing to the official of a Thai Legation or Consulate abroad or the competent official within one year from the day on which he attained the age of 20 years.

If, after having considered the applications mentioned in the foregoing paragraph, the Minister is of opinion that there is good and sufficient cause, he shall issue an order allowing the renunciation of Thai nationality. The renunciation of Thai nationality shall not be effective until published in the Government Gazette.

Section 15. If a person has Thai nationality and also the nationality of another country according to the laws of that country he shall, if he desires to renounce Thai nationality, submit an application to the Minister according to the rules and in the manner prescribed in the Ministerial Regulations.

Permission to renounce Thai nationality and the refusal of such permission shall be at the discretion of the Minister.

The renunciation of Thai nationality shall not be effective until published in the Government Gazette.

The effects of renunciation shall be personal.

Section 16. The Court may upon an application made by the public prosecutor's office withdraw Thai nationality from a person who was born in the Kingdom of an alien father and has thus acquired Thai nationality, provided that he has lived in the country of which his father is a national continuously for over ten years from the age of *sui juris*, and that there is evidence to show that he still keeps the nationality of his father, or that he has committed an act endangering the safety of the State or contrary to the national interest or rights of Thailand, or that he has committed an act contrary to public well-being. The order of the Court shall be published in the Government Gazette.

Section 17. A Thai who has become a naturalized alien shall lose Thai nationality.

Section 18. A person who has acquired Thai nationality by naturalization may have the nationality revoked if:

- (1) The naturalization was the result of fraud or concealment of facts;
- (2) There is evidence to show that the naturalized person still keeps his former nationality;
- (3) The naturalized person has committed any act endangering the safety of the State, or contrary to the national interests or rights or the honour of Thailand;
- (4) The naturalized person has committed any act contrary to public well-being;
- (5) The naturalized person has left Thailand and lived abroad, without having a domicile in Thailand, for not less than seven years;
- (6) The naturalized person retains the nationality of a country making war on Thailand.

A Committee shall be established to consider the revocation of nationality according to this section, comprising the Under-Secretary of the Ministry of Interior, as chairman, and four other members, namely: the Director-General of the Public Prosecution Department, the Director-General of the Police Department, the Director-General of the Department of the Interior, and the representative of the Ministry of Foreign Affairs.

If it should appear that circumstances are such as to entail the withdrawal of nationality, the competent official shall submit the matter to the Committee for consideration. If the Committee is of opinion that an order should be issued for the withdrawal of nationality, it shall refer the matter to the Minister. If the Minister should issue an order for the withdrawal of nationality, the case shall be reported to the King.

Section 19. Withdrawal of nationality under section 18 may be extended to the wife and the children who have not attained the age of *sui juris* of the person whose nationality is withdrawn, provided that the wife and

children acquired Thai nationality by the effect of his naturalization, except where the wife had already Thai nationality before marriage.

Withdrawal of Thai nationality shall not be effective until published in the Government Gazette.

CHAPTER 4

Resumption of Thai nationality

Section 20. If a Thai subject who has lost Thai nationality for any reason whatsoever desires to resume Thai nationality, he shall make an application to the Minister in the manner prescribed in the Ministerial Regulations.

Permission to resume Thai nationality and the refusal of such permission shall be at the discretion of the Minister; but in the following cases the applicant has the right to resume Thai nationality, viz:

(1) Where the applicant is a Thai woman who has lost Thai nationality by marriage with a foreigner, and her marriage has been dissolved for any reason whatsoever;

(2) Where the applicant is a Thai who has automatically lost Thai nationality with his father or mother at the time when he was not *sui juris*, and the application is made within two years of his becoming *sui juris*.

Resumption of Thai nationality shall not be effective until published in the Government Gazette.

(b) NATIONALITY ACT NO. 2 OF 24 JANUARY 1953 (B. E. 2496).

Section 1. This Act shall be called the "Nationality Act, (No. 2) B. E. 2496".

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

Section 3. Section 7 of the Nationality Act B. E. 2495 is repealed and replaced by the following:

"*Section 7.* The following persons acquire Thai nationality by birth:

"(1) Persons born of Thai fathers, whether born in the Kingdom or outside;

"(2) Persons born of Thai mothers elsewhere than in the Kingdom, whose lawful fathers are not known or have no nationality;

"(3) Persons born of Thai mothers in the Kingdom."

Section 4. The provisions of section 7 of the Nationality Act B. E. 2495 as amended by this Act do not affect persons who acquire Thai nationality before the coming into force of this Act.

Section 5. The following shall be inserted after section 16 of the Nationality Act B. E. 2495 and shall constitute section 16 bis thereof:

"*Section 16 bis.* Persons who have acquired Thai nationality on the ground that they were born in the Kingdom of alien fathers shall lose that nationality if, whether before or after the coming into force of this Act, identity-cards are delivered to them in accordance with the Alien Registration Act."

Section 6. The Minister of Interior shall be responsible for the application of this Act.