

Presentation on the House of Representatives of Thailand
by Mr. Pitoon Pumhiran, Secretary General
of the House of Representatives of Thailand

Good morning Mr. President and my dear colleagues, I am very pleased to welcome all of you to Thailand. As the tradition of our Association, this morning I and Mrs. Suvimol Phumisingharaj, Secretary General of the Senate, will present you the system of the House of Representatives and the Senate, respectively. For my presentation shall take just about 10 minutes from now.

The National Assembly of Thailand was established in 1932 after the adoption of the first Constitution of the Kingdom of Thailand which changed our country from absolute monarchy to constitutional monarchy. Through seventy-seven years of democracy in Thailand, eighteen charters and constitutions were promulgated. The present Constitution, or the eighteenth, was drafted by the Constitution Drafting Assembly and was approved through the national referendum in August 2007 (2550). This referendum process was held the first ever in the Thai political history.

House of Representatives of Thailand

The first seventy temporary members of the House had their first parliamentary sitting on the 28th of June 1932 right away after the regime in Thailand was turned to democracy. Up to present, there have been twenty-three tenures of the House of Representatives. The current twenty-third House, subject to the new Constitution 2007, consists of four hundred and eighty members, four hundred of whom are from the election on a constituency basis and eighty of whom are from the election on a proportional representation basis. The length of time serving in the office is four years from the election day and membership of the House also commences on that day.

Member of the House of Representatives: All of members of the House of Representatives reach their position by election via direct suffrage and secret ballot. In terms of the qualifications of a person who has the right to be a candidate in an election of members of the House, that person is basically required to be Thai nationality by birth and must be at least twenty-five years of age on the election day. The members of the House are required by the Constitution to be a member of a political party.

In the election of members of the House of Representatives on a constituency basis, there are 157 constituencies throughout the country. Each constituency shall have 1 - 3 members of the House upon the calculation of number of inhabitants in that constituency, approximately one hundred and fifty-five thousand people per one member of the House of Representatives. For the election of members of the House on a proportional representation basis, the area of entire country shall be divided into eight groups of provinces, each group shall be regarded as a constituency and each constituency shall form ten members of the House of Representatives. A political party will prepare the list of its candidates and the voters can select only one political party. There is a slogan for the voters when they cast a ballot that, "Choose a person you love and choose a party you like". For the age of the voters, they must be over eighteen years of age on the first of January of the year the election is held.

The members of the House are not prohibited to hold another Minister position. However, that Minister must abstain from voting on a matter concerning with the holding of his office or the performance of duties or having any interest in the matter. Also, members of the House are not allowed to hold any position in any Government agency, State agency, State enterprise or hold a position of member of a local assembly, local administrator or local government official. They shall prevent from receiving, interfering with or intervening in any concession from the agency mentioned above or becoming a party to a contract of a monopolistic nature with the referred agency whether directly or indirectly. As persons holding the political position, members of the House of Representatives must not own or hold shares in a newspaper, radio or television broadcasting or telecommunication business. Furthermore, they are required to submit an account showing particulars of assets and liabilities of themselves, their spouses and children who are under 20 years of age to the National Counter Corruption Commission on an occasion of taking and vacating office.

Regarding the termination of the membership of House, it shall terminate upon expiration of the term or dissolution of the House, death, resignation, being disqualified or acting in contravention of any prohibition under the provisions specified in the Constitution or resignation from membership of his or her political party. Moreover, if he or she is absent for more than one-fourth of the number of meeting days in a session the length of which is not less than one hundred and twenty days without permission of the Speaker of the House of Representatives, his or her membership shall be terminated as well.

Powers and duties of the House of Representatives

1. Power to make law : Legislative Process

The members of the House of not less than twenty members can introduce a bill with an explanatory note summarizing essential contents of the bill. In case where such bill is a money bill, the endorsement of the Prime Minister is needed.

There are three readings in consideration of the bill before submitting to the Senate. In the first reading, the House shall consider whether it shall accept the principle of the bill or not. Provided that the House resolves to accept the principle of which, the next consideration shall be proceeded further in the second reading. At the second reading, the bill shall be considered by the committee established by the House or the committee of the whole House. In case of consideration of a bill by the committee established by the House, the House may entrust a standing committee or an ad-hoc committee to make such consideration. At this stage, the committee may add a new section or delete or amend an existing section but it must not be contrary to the principle of such bill. Having finished the consideration of the bill at the second reading in the committee, the bill shall be proceeded to the third reading. At the third reading, the House shall resolve whether to approve the bill. No debate shall be made at this reading. If the House passes a resolution approving the bill, such bill shall be submitted to the Senate. The Senate must finish the consideration of such bill within sixty days, but if it is a money bill, the consideration thereof must be finished within thirty days. After the bill has already been approved by the National Assembly, the Prime Minister shall present it to the King for signature and it shall come into force upon its publication in the Government Gazette.

2. The scrutiny of administration of the State affairs

The procedure to scrutinize the government administration starts with policy statement of the Council of Ministers making to the National Assembly within fifteen days from the date it takes office. Subsequently, the House shall monitor the Council of Ministers' performance by interpellating Minister on any matter within the scope of his or her authority. By this means, the interpellation and the answer to the interpellation may be made once a week. Another oversight method is the submission of a motion for a general debate for the purpose of passing a vote of no-confidence in the Prime Minister or an individual Minister. This may lead to the termination of the ministership of that Minister. This kind of impeachment can create the balance of power between the Executives and the Legislature.

3. The scrutiny of unconstitutionality of enactment

If the members of the House are of the opinion that the bill approved by the National Assembly is contrary to or inconsistent with the Constitution / or is enacted contrary to the provisions of the Constitution, before the Prime Minister presents it to the King for signature, they may submit their opinion to the Speaker of the House which then will refer the Constitutional Court for decision. In case where the Constitutional Court decides that the provisions of such bill are contrary to or inconsistent with the Constitution or enacted contrary to the provisions of the Constitution, that bill shall lapse.

4. The right to refer the complaint to the Senate to remove a person holding a position specified in the Constitution

Members of the House may submit a complaint in order to request the Senate to remove Prime Minister, Minister, member of the House of Representatives, senator, the President of the Supreme Court of Justice, the President of the Constitutional Court, the President of the Supreme Administrative Court, Prosecutor General, judge of the Constitutional Court, Election Commissioner, Ombudsman, member of the State Audit Commission, judge, public prosecutor, or high-ranking official from office if he/she is under the circumstance of unusual wealthiness, or appears to commit corruption, malfeasance in office, malfeasance in judicial office or an intentional exercise of power contrary to the provisions of the Constitution or law, severely violates or fails to observe ethical standards. Be noted that members of the House have merely the right to lodge the complaint to the President of Senate. The power to remove the said persons is hinged on the Senate.

Additionally, members of the House also have the right to submit the complaint to the President of the National Assembly about disqualification of an Election Committee and have the right to lodge with the President of the Senate a complaint that any member of the National Counter Corruption Commission has acted unjustly, intentionally violated the Constitution or laws or has been under any circumstance which is seriously detrimental to the dignity of the holding of office.

Secretariat of the House of Representatives

The Secretariat of the House of Representatives began with only seven officials on the 28th of June, 1932, the same day that the first sitting of the first House of Representatives was held. With seventy-seven years passed, we now have 1,706 parliamentary officials, sixty-five percent of whom is woman.

The Secretary General is the head of the Secretariat, having a power to control the operation of the House in accordance with the Order issued by the Speaker of the House. However, Secretary General has another seven Deputy Secretaries General to assist and supervise the various works of the House. Besides this, there are advisors to give an advice or suggestion on particular matters. For educational background of the officials, there are 781 persons graduated Bachelor degree, 467 got Master Degree and 3 got Doctorate.

The Secretariat is composed of twenty bureaus and four divisions. The main function of the Secretariat is to generally support the works of the House which involves administrative works, the sitting of the House, the works of the committees, foreign affairs, information technology service and security of the persons and compound. For other duties relating to the sitting, according to the Rules of Procedure, the Secretary General has to convene the sitting and the first meeting of a committee, assist the Presiding Officer to control the counting of votes, prepare the minute of proceedings and record the voting, confirm the resolution of the House to the person concerned, keep all the archives and audio-visual equipment of the House and do other acts as entrusted by the Speaker.

As an autonomous sector, the Secretariat has its own personnel administration. The Parliamentary Officials Commission, chaired by the President of the National Assembly, was set up to carry out the works under the Parliamentary Officials Acts B.E. 2518 (1975) which involved making regulation to implement the above-referred Acts by holding the principle of human resource development, that is to recruit a parliamentary staff, retain database of their records and control their retirement to be complied with the pension law. That means the Secretariat shall be responsible for the parliamentary staff starting from the selection of the staff, improvement of their knowledge and skills through many ways such as training, and offering scholarship, keeping them on track as they are an official and retain all database of their records as well as taking care of them until their retirement.

**Mr. President,
Colleagues,**

In subsequent stage, Mrs. Suvimol Phumisingharaj, the Secretary General of the Senate, will take the floor to present you the upper House of the Kingdom of Thailand. Anyhow, for more information about the National Assembly and the House of Representatives of Thailand, we have prepared DVD and pamphlets for distribution which you can pick up at the documentation desk in front of this room, or you can visit our website, www.parliament.go.th

Before I finish my presentation, I wish you have a nice stay in Bangkok and hope you enjoy Thai food and shopping many of our skilled local products. If you have any queries, no matter what it is, please do not hesitate to let us know. And please accept our sincere apology if there is any inconvenience may cause you.

Thank you.