

Tentative Translation*

**NATIONAL REFORM PLANS AND PROCEDURES ACT,
B.E. 2560 (2017)**

HIS MAJESTY KING MAHA VAJIRALONGKORN BODINDRADEBAYAVARANGKUN;
Given on the 26th Day of July B.E. 2560;
Being the 2nd Year of the Present Reign.

His Majesty King Maha Vajiralongkorn Bodindradebayavarangkun is graciously pleased to proclaim that:

Whereas it is expedient to have the law on national reform plans and procedures;
Be it, therefore, enacted by the King, by and with the advice and consent of the National Legislative Assembly serving as the National Assembly, as follows.

Section 1. This Act is called the “National Reform Plans and Procedures Act, B.E. 2560 (2017)”.

Section 2.¹ This Act shall come into force on the day following the date of its publication in the Government Gazette.

Section 3. In this Act:
“national strategies” means the national strategies under the law on national strategies preparation”;
“master plans” means the master plans under the law on national strategies preparation”;

* Translated by Associate Professor Dr. Pinai Nanakorn under contract for the Office of the Council of State of Thailand's Law for ASEAN project. – Tentative Version – subject to final authorisation by the Office of the Council of State.

¹ Published in Government Gazette, Vol. 134, Part 79a, dated 31st July 2017.

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“National Strategies Board” means the National Strategies Board under the law on national strategies preparation”;

“reform committee” the reform committee in each area and shall also include the national reform committee in the case where a particular area is split into a particular matter under section 8 paragraph three;

“reform member” means a member of the reform committee;

“joint meeting” means the joint meeting under section 17;

“State agency” means a State-owned agency, whether it is a Government agency, a State enterprise, a public organisation or an agency in any other form and whether it is an executive, legislative or judicial organ or it is an independent organ or a Public Prosecution organ;

“head of a State agency” means the person holding office as follows:

(1) head of a Government agency which is a juristic person or Local Administrator, Director or Chief Executive Officer called by any other name of a State enterprise or a public organisation or head or Chief Executive Officer of a State agency in any other form, with respect to State agencies in the executive;

(2) President of the House of Representatives, President of the Senate or head of an agency, with respect to the House of Representatives, the Senate or an agency which is a juristic person under supervision of the President of the National Assembly, as the case may be;

(3) President of the Supreme Court, President of the Supreme Administrative Court or President of the Constitutional Court, with respect to judicial organs;

(4) a tribunal or a group of persons which is an independent organ and Auditor-General, with respect to independent organs;

(5) Attorney-General, with respect to Public Prosecution organs;

“Office” means the Office of the National Economic and Social Development Board;

“Secretary-General” means Secretary-General of the National Economic and Social Development Board.

Section 4. The Prime Minister shall have charge and control of the execution of this Act.

CHAPTER I
NATIONAL REFORM

Section 5. National reform must be carried out with a view to achieving the goals as provided in the Constitution, as follows:

(1) the national achieves peace and order, harmony and conciliation, sustainable development along the line of the sufficiency economy philosophy and the balance of material development and spiritual development;

(2) society achieves happiness, fairness and equal opportunities in the interest of eradication of disparities;

(3) the people achieve happiness, a good quality of life and participation in national development as well as the democratic regime of government with the King as Head of the State.

National reform must be in conformity with and proceed in the same direction as in the national strategies.

Section 6. There shall be national reform plans setting out mechanisms, methods and procedures for national reform in each area under section 8 and intended outcomes of the national reform in such area, in accordance with the periods of time determined therein.

Preparation of national reform plans in each area may be made as a single plan or as separate plans for each area or several areas altogether, provided that the plans must be consistent with the master plans and, upon being approved by the Council of Ministers and reported to the National Assembly for information, shall be published in the Government Gazette and enter into force.

All State agencies are obligated to take action in the implementation of the national reform plans to ensure that the national reform shall achieve its results in accordance with the periods of time determined in the national reform plans.

It shall be the duty of the Council of Ministers to supervise and support all State agencies to ensure their compliance with paragraph three.

In the case where any State agency is a legislative or judicial organ or an independent organ or a Public Prosecution organ, the supervision under paragraph four shall

include co-ordination and the giving of advice and recommendations to the head of the State agency of such organ.

Section 7. National reform plans must at least consist of:

(1) plans, procedures and methods for national reform as well as intended outcomes in the area in which the reform is to be carried out, provided that they shall be consistent with the outcomes provided in the Constitution and the national strategies;

(2) periods of time in which action is to be taken in each procedure in respective order and in an integrated manner, with key performance indicators for national reform in each area;

(3) the determination of State agencies or persons in charge of the action under (1) and (2);

(4) amounts of money expected to be required for the national reform in each area or in each matter under section 8, as the case may be, together with estimates of sources of funds;

(5) results of the national reform expected to be achieved within a period of five years;

(6) recommendations for enactment or amendment of law necessary for the implementation of national reform plans.

In preparing national reform plans under paragraph one, there shall be taken into consideration urgency of the national reform in each area for the purpose of determining the respective order and procedures therefor, and regard shall also be had to readiness of personnel and finance of the country.

Section 8. National reform plans shall be prepared in the following areas:

(1) politics;

(2) public administration;

(3) law;

(4) justice administration;

(5) education;

(6) economy;

(7) natural resources and environment;

(8) public health;

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- (9) mass communication and information technology;
- (10) society;
- (11) other areas as determined by the Council of Ministers.

The joint meeting may, with the approval of the Council of Ministers, split the areas under paragraph one, other than the area in (5), into different matters.

There shall be a reform committee in each area for preparing the national reform plan under paragraph one and performing other duties entrusted by the National Strategies Board. In the case where any area is split into matters under paragraph two, there shall be separate national reform committees for such matters.

In the national reform in the justice administration area in respect of amendment of law under section 258 d. (4) and in the education area under section 258 e. Education, of the Constitution, the committee appointed by the Council of Ministers under section 260 or section 261 of the Constitution, as the case may be, shall be in charge thereof.

The preparation of draft national reform plans under paragraph one shall be in accordance with the rules, procedures and conditions prescribed by the joint meeting with the approval of the National Strategies Board. In this regard, there shall be determined matters in connection with hearings of opinions of the public and State agencies concerned under section 11 paragraph two, and hearings of opinions or recommendations of judicial organs shall also be consulted to assist the preparation of draft national reform plans in relation to judicial organs.

Section 9. In the case where the Council of Ministers deems it appropriate to put in place national reform in any other area under section 8 (11), the matter shall be referred to the joint meeting for determining intended outcomes of the national reform in such area, and further proceeding shall be carried out in accordance with section 11.

Section 10. National reform in each area shall be carried out in accordance with the procedures as follows:

- (1) the Council of Ministers shall appoint reform committees under section 8;
- (2) the joint meeting shall complete the prescription of rules, procedures and conditions for the preparation of draft national reform plans within thirty days as from the date of the appointment of the national reform committees under (1) and submit the same to the National Strategies Board for consideration and approval within fifteen days; and

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(3) the preparation of national reform plans shall be commenced in accordance with the procedures and periods of time specified in section 11.

Section 11. Preparation of national reform plans shall be pursued in accordance with the procedures as follows:

(1) the reform committees shall complete preparation of draft national reform plans in the areas for which they are responsible within ninety days as from the date of the expiration of the time under section 10 (2) and submit the same to the joint meeting for consideration and approval within thirty days;

(2) the joint meeting shall, upon consideration and approval of the draft national reform plans, submit the same to the National Strategies Board for considering conformity with the national strategies and master plans, provided that such consideration must be completed within thirty days as from the date of receipt of the drafts;

(3) the National Strategies Board shall submit draft national reform plans already approved to the Council of Ministers for consideration and approval within thirty days and proceed in accordance with section 6 paragraph two.

In taking action under (1), the reform committees shall invite State agencies concerned with national reform in respective areas to give explanations or express opinions for assisting the action and shall put in place public hearings by procedures through which members of the public can have access thereto and express opinions or recommendations in a convenient and comprehensive manner. In this regard, information must also be so sufficiently provided as to enable public understanding as well as expression of opinions.

In the case where the Council of Ministers appoints any reform committee after the expiration of the time under section 10 (2), the computation of the time as specified in (1) shall be made by allowing the time to begin to run as from the date of the appointment of such reform committee.

The periods of time as specified in paragraph one may be extended by the Council of Ministers upon recommendation of the National Strategies Board, as is necessary.

Section 12. In carrying out national reform in the justice administration area and the education area under section 8 paragraph four, the committee under such section shall proceed independently in the direction deemed appropriate, and the recommendations or draft legislation for the purpose of amendment of law in pursuit of section 258 d. Justice Administration

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(4) or e. Education of the Constitution, as the case may be, shall also be directed to the National Strategies Board for consideration and opinions as to conformity with the visions, goals and strategies specified in national strategies and conformity as well as integration with national reform plans in other areas to assist the consideration by the Council of Ministers, and the State agencies concerned shall, when the Council of Ministers has given approval thereto, forthwith take action in the implementation of such recommendations, in accordance with the periods of time provided in section 260 or section 261 of the Constitution, as the case may be.

Section 13. In the case where it is necessary for revision of national reform plans in any particular area on account of revision of national strategies or master plans or any other cause, the Council of Ministers shall notify the reform committee in such area for revising national reform plans in such area expeditiously. In this regard, the provisions of section 11 shall apply *mutatis mutandis*.

The revision of national reform plans under paragraph one must not be contrary to or inconsistent with the outcomes as provided in section 258 of the Constitution.

CHAPTER II NATIONAL REFORM COMMITTEES

Section 14. Subject to section 8 paragraph three and paragraph four, the national reform committee in each area shall consist of one or several committees as determined by the Council of Ministers. Each committee shall consist of a chairperson and not more than thirteen reform members appointed by the Council of Ministers from persons possessing knowledge, expertise or experience in the area in which the reform is intended to be carried out, having regard to the diversity of experienced persons in the public, private or civil-society sectors concerned.

The Council of Ministers shall appoint reform members and a secretary upon recommendation of the Secretary-General and the Secretary-General may appoint assistant secretaries as may be appropriate.

A reform member must be of Thai nationality by birth and must be of not over seventy-five years of age.

Section 15. A reform member shall hold office for a term of five years.

The reform members who vacate office upon the expiration of the term shall remain in office in the interest of the continuance of the performance of duties until the members newly appointed take office.

A reform member who vacates office upon the expiration of the term may be re-appointed.

Section 16. In addition to the vacation of office upon the expiration of the term, a reform member vacates office upon:

- (1) death;
- (2) resignation;
- (3) being disqualified under section 14 paragraph three;
- (4) failure to complete the action under section 11 within the periods of time;
- (5) being removed by the Council of Ministers on the ground of neglect of duties, misbehaviour or lack of competence.

Section 17. There shall be a joint meeting of chairpersons of all reform committees for considering national reform plans in each area to ensure integration and conformity with master plans and taking other action as provided in this Act. A member of the National Strategies Board as entrusted by the National Strategies Board shall preside over the joint meeting.

The Secretary-General shall be the secretary and the Secretary-General may appoint assistant secretaries as may be appropriate.

Chairpersons of reform committees under paragraph one shall include chairpersons of committees under section 8 paragraph four.

Section 18. For the purpose of national reform, the joint meeting shall have the duties and powers as follows:

- (1) to prescribe rules, procedures and conditions for the preparation of draft national reform plans with the approval of the National Strategies Board;
- (2) to consider and approve draft national reform plans under section 11 (1);
- (3) to prescribe procedures for participation by the public and State agencies concerned in the preparation of national reform plans as well as participation in the monitoring,

examination and assessment of the implementation of national reform plans and measures for promoting and encouraging members of the public in all sectors to take action in conformity with national reform plans;

(4) to submit opinions on the implementation of national reform plans to the National Strategies Board for submission to the National Assembly, the Council of Ministers or State agencies concerned;

(5) to determine key performance indicators of successful results of the implementation of national reform plans, for use by State agencies concerned therewith in conducting the assessment;

(6) to perform other duties as provided in this Act or other laws or as entrusted by the National Strategies Board.

Section 19. Reform committees shall have the power to appoint sub-committees for assisting them in taking action under section 18 (3) as determined by the reform committees.

Section 20. A meeting of the joint meeting, a reform committee and a sub-committee shall be in accordance with the rules prescribed by the joint meeting.

Section 21. The chairperson of the joint meeting, chairpersons of reform committees, reform members and members of sub-committees under section 19 shall be entitled to remuneration, expenses and other benefits prescribed by the Council of Ministers.

Section 22. In the case where a reform committee needs to acquire information or requires a study on any matter, it may request the Office to employ a person, an educational institution or an institution which has the object of carrying out studies and research to conduct a study or research and prepare a report on such matter.

The procedure for employment, remuneration and other benefits of the person or institution under paragraph one shall be in accordance with the rule prescribed by the joint meeting with the approval of the National Strategies Board.

Section 23. The Office of the National Economic and Social Development Board shall serve as the secretariat of reform committees, with duties and powers as follows:

(1) to be responsible for clerical work of reform committees and sub-committees;

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(2) to study, gather and analyse data and opinions for the purpose of considering and determining national reform plans and procedures, and procure as well as develop data to support technical work for reform committees and sub-committees;

(3) to co-ordinate with State agencies and public members in varying sectors in connection with the execution of this Act;

(4) to facilitate participation by public members and State agencies concerned under section 11 paragraph two;

(5) to disseminate national reform plans and take any other action necessary for steering national reform plans;

(6) to be responsible for the proceeding concerning the assessment of the implementation of national reform plans and the preparation of reports under section 25, section 27 and section 28 paragraph two;

(7) to perform other duties as provided in this Act or as entrusted by national reform committees or the joint meeting.

The provisions of section 22 shall apply *mutatis mutandis* to the pursuit of the action under (2).

CHAPTER III

MONITORING, EXAMINATION AND ASSESSMENT

Section 24. The Council of Ministers shall lay down the Rule in connection with rules and procedures for the monitoring, examination and assessment of the implementation of national reform plans, in accordance with the recommendations of the National Strategies Board.

In making the recommendations on the laying down of the Rule under paragraph one insofar as they deal with work operation of legislative or judicial organs, independent organs or Public Prosecution organs, the National Strategies Board shall also co-ordinate with and consult heads of State agencies of such organs.

Section 25. For the purpose of monitoring results of the implementation of national reform plans, State agencies shall report such results to the Office within such time and in accordance with such particulars as determined by of the Office.

The Office shall prepare a report summarising annual operations for submission to the joint meeting for approval and, upon its approval thereto, the Office shall submit the report to the National Strategies Board, the Council of Ministers, heads of State agencies under section 24 paragraph two and the National Assembly for information within ninety days as from the date of receipt thereof from the agencies under paragraph one.

The report under paragraph two must at least indicate the progress of the national reform, problems, obstacles and recommendations on resolution of problems.

Section 26. In the case where it is apparent to any reform committee that any action of a State agency is not in conformity with national reform plans, the following proceeding shall be pursued:

(1) in the case of a State agency in the executive, such reform committee shall co-ordinate with or consult such State agency or the minister who is in charge of it or exercises oversight of it for rectifying such non-conformity; provided that in the case where no mutual agreement can be achieved, the reform committee shall notify the National Strategies Board in writing for consideration and, when the National Strategies Board passes a resolution to any effect, the State agency shall take action in accordance therewith;

(2) in the case of a State agency under section 24 paragraph two, such reform committee shall co-ordinate with or consult the head of the State agency under section 24 paragraph two for rectifying such non-conformity and action shall be taken in accordance with mutual agreement and it shall be reported to the National Strategies Board for information.

Section 27. In the case of a problem or obstacle preventing the implementation of national reform plans and it is a matter of urgency or in the case of any other cause involving specific urgency, the Office shall, with the approval of the reform committee concerned, urgently report problems, obstacles and recommendations on resolution of problems to the Council of Ministers, the National Strategies Board, heads of State agencies under section 24 paragraph two or the National Assembly for considering action to be further taken within the duties and powers.

Section 28. The Office shall put in place public dissemination of the reports received from State agencies, reports summarising annual operations under section 25 and reports on specific matters under section 27 via information technology systems of the Office.

In the interest of public participation, the Office shall make available means by which a member of the public who finds or considers that any particular State agency fails to take action in conformity with national reform plans may notify it to the Office in a convenient and expeditious manner.

TRANSITORY PROVISIONS

Section 29. At the initial stage, the Council of Ministers shall complete the appointment of reform committees under section 8 within fifteen days as from the date on which this Act comes into force.

During the preparation of draft national reform plans under section 11, at the initial stage, if the Council of Ministers deems it appropriate for the purpose of accelerating such action to ensure achievement of objectives and completion within the periods of time specified, the Council of Ministers may pass a resolution removing any reform member from office, provided that section 16 (5) shall not apply.

Section 30. For the purpose of the performance of the duty of the joint meeting under section 10 (2), in the case where the appointment of reform committees has been made under section 29 paragraph one but there is no National Strategies Board under the law on national strategies preparation, the joint meeting under section 17 shall consist of chairpersons of all reform committees under section 29 paragraph one. In this regard, chairpersons of reform committees shall elect amongst themselves one chairperson of reform committees to preside over the meeting.

Section 31. For the purpose of enabling the proceedings to meet the timeframes provided in Chapter XVI, National Reform, of the Constitution, the periods of time for carrying out national reform in each area under section 7 must be fixed in a manner requiring the commencement thereof to take place within one year as from the date of promulgation of the Constitution, provided that successful results expected to be achieved within a period of five years must also be specified, unless otherwise provided by the Constitution.

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At the initial stage, in extending the periods of time for the preparation of national reform plans under section 11 paragraph four, regard shall be had to the periods of time provided in the Constitution.

Section 32. Reports on studies and recommendations in connection with national reform as prepared by the National Council for Peace and Order, the National Legislative Assembly, the National Reform Council, National Reform Steering Assembly, the Commission on the Administration of State Affairs under the frameworks on national reform, national strategies and harmony, the Ministry of Defence and the Office of the National Economic and Social Development Board prior to the date on which this Act comes into force shall also be consulted to assist the preparation of draft national reform plans and it shall be deemed that the hearings of opinions on recommendations as regards national reform held by such State organs or agencies for hearing opinions from State agencies and members of the public are part of public hearings in the preparation of national reform plans under section 11 paragraph two.

Section 33. During the period of time in which the Council of Ministers is required to report the progress of the implementation of national reform plans to the National Assembly at three-month intervals under section 270 of the Constitution, it shall be the duty of the Office to prepare such report for submission to the Council of Ministers no later than ten days prior to the expiry of such three-month period.

Countersigned by:

General Prayut Chan-o-cha
Prime Minister