

UNOFFICIAL TRANSLATION

THE REGULATION OF THE ELECTION COMMISSION

ON

**THE ELECTION OF SENATORS
B.E 2550**

By virtue of Section 236 (1) of the Constitution of Thailand in conjunction with Section 5, Section 10 (2), Section 13, Section 14, Section 19 and Section 20 of the Organic Act on the Election Commission, B.E 2550 and Section 117, Section 118, Section 110, Section 120, Section 121, and Section 122 of the Organic Act on the Election of Members of the House of Representatives and the Installation of Senators, B.E 2550, by the approval of the Election Commission (EC) at its Meeting No. 115/2550 dated 19 December 2007, the Election Commission hereby issues the Regulation of the Election Commission on The Election of Senators, B.E 2550 as follows.

Clause 1 This Regulation shall be called the ‘Regulation of the Election Commission on the Election of Senators, B.E 2550’.

Clause 2 This Regulation shall come into force as from the day following the day of its publication in the Government Gazette.

Clause 3 All rules, regulations, orders, resolutions adopted by the Election Commission that are issued by the Organic Act on the Election Commission, B.E 2541 (1998) and the Organic Act on the Election of Members of the House of Representatives and Senators, B.E 2541 (1998) and the amended shall be repealed.

Clause 4 In this Regulation,

‘electoral constituency’ shall mean an area designated as a constituency for the election of members of House of Representatives, either on the basis of the constituency system or the proportional representation system, as the case may be;

‘polling unit’ shall mean a local area designated for voting;

‘polling station’ shall mean a place designated as a voting place and this shall include designated areas around the polling station;

‘voters’ shall mean those having rights to vote for a senator;

‘candidate’ shall mean a candidate running in an election for senators;

‘election day’ means a day designated as an election date according to the Royal Decree on the Election of Senators;

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‘central registration director’ means the central registration director according to the laws governing household registration;

‘district registrar’ means a district registrar according to the laws governing household registration;

‘local registrar’ means a local registrar according to the laws on household registration;

‘provincial governor’ shall include City Clerk of Bangkok Metropolitan Administration;

‘district chief’ shall include director of *khet* and district clerk who is chief of the *king amphoe*;

‘province’ shall include Bangkok;

‘district’ shall include *king amphoe* and *khet*;

‘tambon’ shall include *kwaeng*;

‘provincial hall’ shall include Bangkok Metropolitan Administration’s City Hall;

‘district office’ shall include offices of *Khet* and offices of the *king amphoe*;

‘municipality’ shall include Pattaya City;

‘municipality hall’ shall include Pattaya City Hall

Chapter 1 Electoral Constituencies, Polling Units and Polling Stations

Part I Electoral Constituencies

Electoral Constituencies for the Election of Senators

Clause 5 The Election Commission shall announce to the public in advance the number of senators and the number of constituencies in each province for the election as determined by the Constitution.

Clause 6 When the Royal Decree designating an election of senators in a general election is promulgated, the Election Commission shall determine and announce the demarcation of the electoral constituencies according to Form Sor Wor 1, where constituencies determined and announced according to Clause 5 shall apply.

Part II Polling Units and Polling Stations

Clause 7 The provisions under Part II: Polling Units and Part III: Polling Stations in Chapter 1: Electoral Constituencies, Polling Units, and Polling Stations of the Regulation of the Election Commission on the Election of Members of the House of Representatives B.E. 2550 shall be applied for the determination of polling units, polling stations of polling units and central polling stations for the election of senators *mutatis mutandis*.

Chapter 2 Election Officials

Clause 8 The provisions under Chapter 2: Election Officers of the Regulation of the Election Commission on the Election of Members of the House of Representatives B.E. 2550 not relating to political parties shall be applied to the appointment and function of the Provincial Election Commissions, the Constituency Election Director, the Constituency Election Commissions, Directors of Polling Units, Polling Unit Committee, security officers, Central Polling Station Officials and the training of Election Officials for the election of senators *mutatis mutandis*.

Clause 9 When the Royal Decree calling for the election of senators is promulgated or in cases where the Election Commission orders a re-election, the Election Commission shall appoint the Provincial Election Commission as the Constituency Election Commission and the Provincial Election Director as the Constituency Election Director; the Regulation of the Election Commission on the Constituency Election Director and the Constituency Election Commission only in parts relating to responsibility, authority, function and the exemption from office shall be applied *mutatis mutandis*.

For the benefits of the election of senators, the Constituency Election Commission may appoint the Constituency Election Sub-committee or the District Sub-committee or other sub-committee or group of persons to assist with its function accordingly to criteria or budget as determined by the Election Commission.

Clause 10 Election Officials and those appointed to assist with the function in the election of senators as laid out in Clause 8 and Clause 9 shall be remunerated according to the Regulation of the Election Commission on the Remuneration for the Constituency Election Director, the Constituency Election Commission, the District Sub-committee, the Polling Unit Committee and Other Persons Appointed to Assist with the Function in the Election of Members of the House of Representatives and the Installation of Senators B.E. 2550.

Chapter 3 Voters and List of Voters

Clause 11 The provisions under Chapter 3: Voters and List of Voters of the Regulation of the Election Commission on the Election of Members of the House of Representatives B.E. 2550 shall be applied to qualifications, prohibitions, an obligation to vote, a notification of reasons causing inability to vote, persons receiving notification of reasons, the adjudication of inability to vote, the announcement of names of voters who failed vote and to notify of such inability or did notify but the reasons claimed were unsound, the making of list of

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voters, the adding of voter's name in a list of voters, the withdrawal of voter's name from a list of voters, and the revocation of electoral rights for the election of senators *mutatis mutandis*.

Chapter 4 The Application for Candidacy

Clause 12 The provisions under Part I: the Announcement of the Dates of the Application for Candidacy and Location for the Application, Part II: the Eligible Person to Apply for Candidacy, Part III: the Application for Candidacy in the Election of Members of the House of Representatives on a Constituency Basis, Part V: Lot Drawing for the Submission of Application for Candidacy and Part VI: the Application for Candidacy in the By-Election of Members of the House of Representatives to Replace Vacancy of Chapter 4 of the Regulation of the Election Commission on the Election of Members of the House of Representatives B.E. 2550 shall be applied *mutatis mutandis* so far as they do not contravene or contradict the application for candidacy in the election of senators.

Chapter 5 The Proceeding of the Election

Clause 13 The Provisions under Part I: Voting Ballots, Part II Ballot Boxes, Part III: Function Prior to Election Day; Part IV: Function on Election Day; Part V: Voting, Part VI: the Proceeding after the Close of Voting of Chapter 5: the Proceeding of the Election of the Regulation of the Election Commission on the Election of Members of the House of Representatives B.E. 2550 shall be applied *mutatis mutandis*.

Chapter 6 Vote Counting at Polling Stations

Clause 14 The provisions under Chapter 6: Vote Counting at Polling Stations of the Regulation of the Election Commission on the Election of Members of the House of Representatives B.E. 2550 and the amendment shall be applied *mutatis mutandis*.

Chapter 7 Voting Outside Electoral Constituency of Household

Clause 15 The provisions under Part I: Voting at a Central Polling Station within the Electoral Constituency of Household, Part II: Voting at a Central Poling Station Outside the Province of Household, Part III: Vote-counting at Central Polling Stations of Chapter 7: Voting Outside Electoral Constituency of Household of the Regulation of the Election Commission on the Election of Members of the House of Representatives B.E. 2550 shall be applied *mutatis mutandis*.

Chapter 8
The Announcement of the Election Results

Clause 16 The provisions under Part I: the Accumulation of Vote-counting Results and the Announcement of Accumulated Election Result, Part II: the Announcement of the Election Results of Chapter 8: The Announcement of the Election Results of the Regulation of the Election Commission on the Election of Members of the House of Representatives B.E. 2550 shall be applied *mutatis mutandis*.

Chapter 9
Changing of Polling Station, Voting in a Re-election, Vote-counting in a Re-election and a Re-election before the Announcement of the Election Results

Clause 17 The provisions under Part I: Changing of Polling Station and Voting in a Re-election, Part II: Vote-counting in a Re-election, Part III: a Re-election before the Announcement of the Election Results of Chapter 9: Changing of Polling Station, Voting in a Re-election, Vote-counting in a Re-election and a Re-election before the Announcement of the Election Results of the Regulation of the Election Commission on the Election of Members of the House of Representatives B.E. 2550.

Chapter 10
Keeping and Destroying Ballots and Election-related Documents

Clause 18 The provisions under Chapter 10: Keeping and Destroying Ballots and Election-related Documents of the Regulation of the Election Commission on the Election of Members of the House of Representatives B.E. 2550 *mutatis mutandis*.

Chapter 11
Samples of Ballot, Ballot Boxes, Plans of Polling Station and Forms

Clause 19 Samples of ballot, ballot boxes, plans of polling station and forms for the usage in the election of senators shall be in accordance with samples and forms attached to this regulation *mutatis mutandis*.

Announced on the 24th of December B.E. 2550

(Mr. Apichart Sukhaggonond)
Chairman of the Election Commission