

PRESS RELEASE



Office of the Election Commission of Thailand
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ECT Clarifies: “Section 96(4)” Is Not a Criterion for the 2024 Senatorial Selection Confirms That the Two Systems Are Distinct – Do Not Confuse the 250-Member Senate with the 200-Member Senate

The Office of the Election Commission of Thailand (OECT) clarified the dissemination of information concerning Section 96(4) of the Organic Act on the Acquisition of Senators B.E. 2561 (2018), which stated that if a candidate does not receive votes amounting to at least 10 percent, a new election may be required.

The Office of the Election Commission of Thailand clarified that Section 96 is a provision under the transitional provisions concerning the acquisition of Senators for the initial term and is not a criterion applicable to the 2024 Senatorial Selection. The details are as follows:

1. Acquisition of Senators for the initial term: The 250 Senators were acquired through a process prescribed under the transitional provisions of the Constitution B.E. 2560 (2017), which provided the basis for the provisions under Section 96(1)–(4).
2. 2024 Senatorials Selection: The 200 Senators were selected in accordance with the system prescribed by law through a method of “candidates voting among themselves,” divided into 20 groups and conducted at three levels: district, provincial, and national levels. The national-level selection was conducted in accordance with Section 42 of the Organic Act on the Acquisition of Senators B.E. 2561 (2018).

Therefore, applying the criterion under the transitional provision of Section 96(4), which states that a new election must be held if a candidate does not receive votes amounting to at least 10 percent, to the 2024 Senatorial Selection is incorrect and inconsistent with the law. Section 96 is a transitional provision applicable to the acquisition of 250 Senators for the initial term, which took place during a different period and under a different system from the 2024 Senatorials Selection for 200 Senators.



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It should be noted that the fact that Section 96(4) does not apply to the 2024 Senatorial Selection does not mean that the Senatorial Selection process was without oversight. During the 2024 national-level Senatorial Selection, the Office of the Election Commission established complaint reception points and assigned inquiry officers to receive complaints and verify the facts. Observers of the Senatorial Selection were also present to receive information, complaints, and evidence concerning fraud or conduct that may constitute a violation of the law, and to take action in accordance with the duties and powers prescribed by law, in order to ensure that the Senatorial Selection was conducted honestly and fairly.

In Summary

250 Senators → Initial term → Transitional provisions → **Section 96 applies**

200 Senators in 2024 → Candidates vote among themselves → 20 groups → **Section 42 applies as the principal provision**

“Different periods, different systems, different criteria.”

Members of the public can follow news and information concerning the Senatorial Selection and relevant laws through the website of the Office of the Election Commission of Thailand at www.ect.go.th or contact the Election Commission Hotline at 1444.



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