

CHILD AND YOUTH DEVELOPMENT PROMOTION ACT,  
B.E. 2550 (2007)<sup>1</sup>

BHUMIBOL ADULYADEJ, REX;

Given on the 30<sup>th</sup> Day of December B.E. 2550;

Being the 62<sup>nd</sup> Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim;

Whereas it is expedient to improve the law on national child and youth development promotion and coordination;

Be it, therefore, enacted by the King, by and with the advice and consent of the National Legislative Council, as follows:

**Section 1.** This Act is called the “Child and Youth Development Promotion Act, B.E. 2550 (2007)”

**Section 2.** This Act shall come into force after the expiration of ninety days from the date of its publication in the Government Gazette

**Section 3.** The Child and Youth Development Promotion Act, B.E. 2521 (1978) shall be repealed.

**Section 4.** In this Act,

“Child” means a person being less than eighteen years of age.

“Youth” means a person being between eighteen to twenty five years of age.

“Commission” means the National Child and Youth Development Promotion Commission.

“Executive Commission” means the Council of *Amphoe’s* Child and Youth Executive Commission, the Council of *Changwat’s* Child and Youth Executive Commission,

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<sup>1</sup> Translated by *Siam City Law Offices Limited* under contract for the Office of the Council of State of Thailand's Law for ASEAN project.- Initial version- pending review and approval.

the Council of Bangkok's Child and Youth Executive Commission and the Council of Thailand's Child and Youth Executive Commission.

"Office" means the Office of Promotion and Protection of Children, Youth, the Elderly and Vulnerable Groups.

"Director" means the Director of the Office of Promotion and Protection of Children, Youth, the Elderly and Vulnerable Groups.

"Minister" means the Minister having charge and control of the execution of this Act.

**Section 5.** The Minister of Social Development and Human Security shall have charge and control of the execution of this Act and shall have the power to issue Ministerial Regulations and Rules for the execution of this Act.

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

## CHAPTER 1 GENERAL PROVISION

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**Section 6.** The Ministry of Social Development and Human Security shall have the duty to develop the Child and Youth, including resolving the problems which may negatively affect the Child and Youth according to the following principles:

- (1) the Child and Youth development, the enforcement and execution of any provision of this Act, or other related laws to Child and Youth shall take into account the best interest of Child and Youth as the first priority;
- (2) all Child and Youth have the right to receive education and to receive the basic education with the highest quality as prescribed by the Constitution;
- (3) disabled Child, Child with limited educational capacity, and Child with special capability have the right to receive special education which the government has provided which is appropriate to the characteristic of such Child's type;
- (4) the Child and Youth have the right to receive the public health services of the highest standard of quality available for such services;
- (5) the Child and Youth have the right to play, relaxation time and involvement in the recreational activities which are appropriate to the age of such Child and Youth, as well as free participation in culture and arts;

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The performance under the first paragraph shall be conducted under the following guidance:

- (1) the Child and Youth shall be bonded to the family, be proud of Thai heritage, democratic lifestyle, able to live safely and learn to respect other person's rights including the rules and regulations of the society;
- (2) to have strong health and physique, know how to protect himself or herself from illness and narcotics;
- (3) to have the emotional quotient appropriate to the age, ethics and fairness;
- (4) to have good skills and attitude for work, to have integrity and pride in honest works;
- (5) to know reasoned thinking and aims to continuously improve himself or herself;
- (6) to know how to help other person with generosity and volunteering, including taking part in the social and national development;
- (7) to be responsible for himself or herself, others and to the public as appropriate for his or her age.

**Section 7.** All Child and Youth shall have the right to his or her birth registration, development, protection and opportunity to participate under the provision of this Act or other relevant equivalent laws, without unfair discriminatory treatment due to difference in the birthplace, ethnicity, language, sex, age, disability, physical quality or health, personal status, economic or social status, religious belief and culture, education and training, political opinion, birth or other status of the Child and Youth, father and mother or guardian.

**Section 8.** The Office or the *Changwat's* Office of Promotion and Protection of Children, Youth, the Elderly and Vulnerable Groups, shall cooperate, promote and coordinate with local administration and other related unit for creation of the local Child and Youth development plan which shall be consistent with the national Child and Youth development plan. Also, the local administration shall create a budget for development of Child and Youth in their responsible areas.

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Creation of the Child and Youth development plan pursuant to the first paragraph shall take into account the principles and guidance in having public and local community participation.

**Section 9.** For the benefit of the Child and Youth development, the related government unit and private sector shall provide cooperation, promotion and support of the performance of the Council of *Amphoe's* Child and Youth Executive Commission, the Council of *Changwat's* Child and Youth Executive Commission, the Council of Bangkok's Child and Youth Executive Commission and the Council of Thailand's Child and Youth Executive Commission.

## CHAPTER 2

### NATIONAL CHILD AND YOUTH DEVELOPMENT PROMOTION COMMISSION

**Section 10.** The National Child and Youth Development Promotion Commission shall consist of:

- (1) The Prime Minister or Deputy Prime Minister whom the Prime Minister has assigned as the President;
- (2) The Minister of Social Development and Human Security shall be the Vice-President, first person;
- (3) The Minister of Education shall be the Vice-President, second person;
- (4) Members by post include Secretary of Ministry of Defence, Secretary of Ministry of Tourism and Sports, Secretary of Ministry of Social Development and Human Security, Secretary of Ministry of Interior, Secretary of Ministry of Justice, Secretary of Ministry of Labour, Secretary of Ministry of Culture, Secretary of Ministry of Education, Secretary of Ministry of Public Health and the President of the Child and Youth Development Organisation Council;
- (5) Qualified members which the Prime Minister appoints from a pool of psychologist, social worker and person with renowned knowledge, skills, expertise and experience in the Child and Youth Development, who shall be practitioners in the private sector, of not less than five persons;
- (6) Local administration representative, which is selected locally, of one person;

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(7) Child and Youth Development representatives who are selected from Thailand's Child and Youth Council, of two persons, consisting of one male and one female;

The Director shall be a member and secretary and the Director shall appoint an official of the Office of not less than two persons as the assistant secretary;

The criteria and method of appointing the qualified member shall be in accordance with the Ministerial Regulations;

**Section 11.** The Commission has the duties and powers as follows:

(1) Proposing the policy and plan for national Child and Youth development to the cabinet for approval consideration by taking into account the existing international treaties of Thailand;

(2) Proposing reform of the laws, rules and regulations concerning the Child and Youth development to the cabinet;

(3) Setting the rules and practice concerning the assistance, promotion, support and development of the quality of life for Child and Youth to the relevant government unit and private sector for providing help on academic matters, research and development, subsidy, facilities or various services, broadly and fairly;

(4) Promoting and supporting the formation of the National Child and Youth Development Promotion Assembly at least once a year for analysis of the situation concerning the Child and Youth, revise the work mechanism and process and develop the knowledge, skills and attitude regarding the National Child and Youth Development Promotion;

(5) Creating assessment of the performance results and proposing the report on the National Child and Youth Development Promotion to the cabinet and parliament at least once a year;

(6) Performing other acts as prescribed by law or assigned by the cabinet.

**Section 12.** The qualified members shall have qualifications and not be under the prohibitions, as follows:

(1) being of Thai nationality;

(2) not being less than thirty years of age;

(3) being a practitioner in the private sector with renowned knowledge, skill, expertise and experience in the Child and Youth development;

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(4) not being bankrupt, an incompetent person or quasi-incompetent person;

(5) not having been sentenced by a final judgement to imprisonment, except for an offence committed through negligence or petty offence;

(6) not having been ordered by a judgement or an order of the Court that his or her assets shall vest in the State on the grounds of unusual wealth or unusual increase of assets;

(7) not having been expelled, dismissed or terminated from an official service or private sector on the grounds of dishonest performance of duties;

(8) not being a person having interest in the affairs conducted with the Office.

**Section 13.**The qualified members shall serve a term of three years starting from the date of appointment. The members who vacates the office upon expiration of his or her term may be reappointed, but not for more than two consecutive terms.

Upon the expiration of the member's term of office, if a new member has not yet been appointed, the member whose term of office has expired shall be in office to continue to perform his or her duties until a new member has been appointed.

**Section 14.**Apart from the completion of the member's term and such member has ceased to hold office, the qualified member shall cease to hold office in the following cases:

- (1) death;
- (2) resignation;
- (3) being dismissed by the Prime Minister due to disgraceful behavior or incapability;
- (4) being disqualified and being under any of the prohibitions under section 12.

**Section 15.**In case the qualified member has ceased to hold office prior to term completion, the appointed replacement member shall retain office only for the unexpired period of office of the member he or she replaces.

**Section 16.**The provisions of section 13, section 14 (1) and (2) and section 15 shall apply to the member's holding of office under section 10 (6) and (7), *mutatis mutandis*.

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**Section 17.** At a meeting of the Commission, the presence of not less than one-half of members is required to constitute a quorum.

If the President is not present at the meeting or is unable to perform his or her duties, the Vice-President, first person shall preside over the meeting. If the Vice-President, second person is not present at the meeting or is unable to perform his or her duties, the Vice-President, second person shall preside over the meeting. If both Vice-Presidents are not present at the meeting or are unable to perform their duties, the members present at the meeting shall elect one member among themselves to preside over the meeting.

A decision of the meeting shall be made by a majority of votes. Each member shall have one vote. In case of an equality of votes, the presiding member shall have an additional vote as the casting vote.

There shall be a Commission meeting at least four times a year.

**Section 18.** The Commission shall have the power to appoint an advisor to the Council of Thailand's Child and Youth Executive Commission, Sub-Commission, or Working Commission for consideration or action as they may be, according to the Commission's assignment.

The provisions of section 17 shall be applied to the meeting of the Sub-Commission and the Working Commission, *mutatis mutandis*.

**Section 19.** The Office shall have the powers and duties to conduct the Child and Youth development promotion and be responsible for administrative and academic works of the Commission, including having the powers and duties as follows:

- (1) create a policy and plan for the national Child and Youth development for proposal to the Commission;
- (2) set the plan for Child and Youth development in various fields, in alignment with the national Child and Youth development, set the practice guideline on such policy and plan, as well as coordinate, follow-up, and assess the results, both for the public and private sectors in order to achieve performance according to the national Child and Youth development policy;

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- (3) develop the capacity of the Child and Youth personnel, as well as promote, support and cooperate with the private sector in developing such personnel's potential;
- (4) research or support the research on the Child and Youth development;
- (5) survey, study, gather information, analyse, follow-up, and assess the results concerning the rights and benefits of Child and Youth according to the protocol on Children's rights and the international treaties in which Thailand is a member, as well as the domestic laws, in order to create a database and collect opinions of Child and Youth;
- (6) support and coordinate with the domestic and foreign units to cooperate in Child and Youth development, including the promotion of the affairs performance of all levels of the Child and Youth Council;
- (7) promote the media, schools, in forming the learning process to create the conscience in giving and volunteering of the Child and Youth;
- (8) act as the center in coordination, dissemination and public relations for the work and affairs of Child and Youth development;
- (9) study, analyse, and laydown the budget and expense for the Child and Youth development with other units, including consider the appropriation of the subsidy to private organisation or communal organisation according to section 42;
- (10) conduct the national Child and Youth assembly with the Council of Thailand's Child and Youth at least once a year as a venue for the Child and Youth's exchange and learning in various fields;
- (11) perform any other action as prescribed by law, the Commission's resolution or as assigned by the cabinet.

**Section 20.** The Office shall prepare a report on Child and Youth development for proposing to the Commission and for further consideration in proposing to the cabinet at least once a year with the material substance as follows:

- (1) the expending of the budget for the Child and Youth development;
- (2) the Council of Thailand's Child and Youth performance results;
- (3) the current situation and projection on the Child and Youth problems;
- (4) the performance results to resolve the Child and Youth development problems as well as the problems and obstacles from such performance;

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(5) the guideline on resolving the Child and Youth development problems.

**Section 21.** To perform action pursuant to this Act, the Commission, the Sub-Commission, or the Office may invite any person to provide facts, explanation, advice or academic opinion, as appropriate, and may ask for cooperation from any person in order to obtain facts or survey any matters which may have an impact against the Child and Youth;

### CHAPTER 3

#### MEASURES IN PROMOTING THE PERFORMANCE OF THE CHILD AND YOUTH DEVELOPMENT

##### Part 1

##### Council of Child and Youth

**Section 22.** The Office of *Changwat's* Social Development and Human Security shall ensure that there be an *Amphoe's* Council of Child and Youth. The member shall consist of Child and Youth who reside in such *Amphoe*.

*Amphoe's* Child and Youth Executive Commission shall consist of one President and executives of not exceeding fifteen persons who shall be selected from the representatives of pupils or students from the schools in accordance with the law on national education in such *Amphoe*, from the lower secondary school level onwards as well as the representatives of Child and Youth who is not within the domain of schools.

*Amphoe's* Child and Youth Executive Commission shall jointly discuss in order to set guideline on the preparation of activities regarding the Child and Youth development in the *Amphoe* areas as well as perform other necessary acts to achieve the objectives in establishing the *Amphoe's* Council of Child and Youth.

The *Changwat's* Social Development and Human Security, the Director of the educational area which supervises such *Amphoe*, the local administration's representatives and the representatives of the private organisation or the communal organisation with the activities or works on the Child and Youth development shall be the advisors of *Amphoe's* Council of Child and Youth.

On the initial agenda, there shall be an establishment of *Amphoe's* Council of Child and Youth within ninety days from the date which this Act comes into force.

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**Section 23.**The meeting and conduct of the *Amphoe's* Child and Youth Executive Commission shall be in accordance with the rules prescribed by the *Amphoe's* Child and Youth Executive Commission. However, there shall be a general meeting at least once a year.

**Section 24.**The *Amphoe's* Council of Child and Youth shall have the following duties:

- (1) promote, support, and act as the learning center for the academic matter and activities concerning education, sports, and culture in the local community of the Child and Youth;
- (2) hold various activities for the promotion and development of the local Child and Youth's knowledge, skills and ethics;
- (3) suggest and provide an opinion to *Changwat's* Council of Child and Youth regarding the local Child and Youth development.

**Section 25.**There shall be the *Changwat's* Council of Child and Youth, which has member comprising of the *Amphoe's* Child and Youth Executive Commission representatives of not exceeding five persons from each *Amphoe's* Council of Child and Youth in the *Changwat*.

On the initial agenda, there shall be establishment of *Changwat's* Council of Child and Youth within one hundred and eighty days from the date which this Act comes into force.

**Section 26.**There shall be a Council of *Changwat's* Child and Youth Executive Commission, which its member shall consist of one President and executives of not exceeding twenty persons who shall be selected from the members of *Changwat's* Council of Child and Youth. They shall have the duties of general administration of the Council as well as perform other necessary acts to achieve the objectives in establishing the *Changwat's* Council of Child and Youth.

The *Changwat's* Governor, the director of the *Changwat's* educational area in *Changwat's* Social Development and Human Security, which supervises such *Amphoe*, the local administration's representatives and the representatives of the private organisation or the communal organisation with the President Executive of *Changwat's* Administrative Organisation, and representatives of the private organisation or communal organisation with

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the activities or works relating to Child and Youth development which *Changwat's* Governor has appointed of not exceeding five persons as the advisor to the Council of *Changwat's* Child and Youth Executive Commission.

**Section 27.** The meeting and conduct of the *Changwat's* Council of Child and Youth and the Council of *Changwat's* Child and Youth Executive Commission shall be in accordance with the rules prescribed by the *Changwat's* Council of Child and Youth. However, there shall be a general meeting at least once a year.

**Section 28.** Bangkok's Council of Child and Youth's members shall consist of:

(1) the representatives of pupils or students from the schools in accordance with the law on national education in Bangkok as follows:

a) the representatives of pupils from the secondary school level;  
b) the representatives of pupils or students from vocational education level in which the vocational education commission has selected of not exceeding twenty persons;

c) the representatives of students from higher education level in which the higher education commission has selected of not exceeding twenty persons;

(2) The representatives Child and Youth who are not within the domain of schools which the Office has selected from the Child and Youth residing in Bangkok area, of not exceeding forty persons.

On the initial agenda, there shall be establishment of Bangkok's Council of Child and Youth within one hundred and eighty days from the date which this Act comes into force.

**Section 29.** There shall be a Council of Bangkok Child and Youth Executive Commission, which its member shall consist of one President and executives of not exceeding twenty persons who shall be selected from the members of Bangkok's Council of Child and Youth. They shall have the duties of general administration of the Council as well as perform other necessary acts to achieve the objectives in establishing the Bangkok's Council of Child and Youth.

The Bangkok Governor, the representative of the Bangkok educational area office, the representative of the vocational education commission office, the representative

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of the higher education commission office, the Office's representatives and representatives of the private organisation or communal organisation with the activities or works relating to Child and Youth development which the Bangkok Governor has appointed of not exceeding five persons as the advisor to the Bangkok's Council of Child and Youth Executive Commission.

**Section 30.**The meeting and conduct of the Bangkok's Council of Child and Youth and the Council of Bangkok's Child and Youth Executive Commission shall be in accordance with the rules prescribed by the Bangkok's Council of Child and Youth. However, there shall be a general meeting at least once a year.

**Section 31.**The *Changwat's* Council of Child and Youth and the Bangkok's Council of Child and Youth shall have the powers and duties as follows:

- (1) coordinate with the *Amphoe's* Council of Child and Youth and exchange knowledge and experience in various fields concerning the *Changwat's* Council of Child and Youth and the Bangkok's Council of Child and Youth, as the case may be;
- (2) act as a center for learning and dissemination of academic matter, education, sports and culture;
- (3) promote and support *Amphoe's* Council of Child and Youth and the schools in the areas of *Changwat* or Bangkok, as the case may be, hold various activities which benefit to promote and develop Child and Youth;
- (4) issue regulations concerning the meeting and performance according to its powers and duties.

**Section 32.**Thailand's Council of Child and Youth's members shall consist of:

- (1) Presidents of all *Changwat's* Council of Child and Youth;
- (2) President of Bangkok's Council of Child and Youth;
- (3) representatives of Child and Youth who shall be selected from the registered Child and Youth group according to the prescribed Ministerial Regulations, taking into account the diversity of the Child and Youth group, of thirty eight persons.

On the initial agenda, there shall be establishment of Thailand's Council of Child and Youth within two hundred and seventy days from the date which this Act comes into force.

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**Section 33.**Thailand’s Council of Child and Youth shall have the following powers and duties:

- (1) act as the center of coordination for performing activities concerning Child and Youth development in various *Changwat*;
- (2) provide cooperation in the performance of the government and private organisation or communal organisation in Child and Youth development;
- (3) provide an opinion on setting of the policy, plan and budget of the government unit for Child and Youth development.
- (4) provide an opinion on activities which may create an impact against Child and Youth;
- (5) propose to the Commission concerning the performance of the government unit and private organisation or communal organisation;
- (6) issue regulations concerning the meeting and performance according to its powers and duties.

**Section 34.**There shall be a Council of Thailand’s Child and Youth Executive Commission, which its member shall consist of one President and executives of not exceeding twenty five persons who shall be selected from the members of Thailand’s Council of Child and Youth. They shall have the duties of general administration of the Council, and propose the plan or practice guideline on Child and Youth development in various fields to the Office for the benefit for forming the national Child and Youth development, as well as act as a representative or consider the selection of the national Child and Youth representative who will conduct activities in the Child and Youth development on the national and international levels, as well as performing other necessary acts to achieve the objectives in establishing the Thailand’s Council of Child and Youth.

**Section 35.**The meeting and performance of Thailand’s Child and Youth Council and the Council of Thailand’s Child and Youth Executive Commission shall comply with the regulations prescribed by Thailand’s Child and Youth Council.

**Section 36.**The Executive Commission shall have qualifications and not be under the prohibitions, as follows:

- (1) not being less than twenty five years of age;

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(2) not being a person holding political position, a member of or a person holding any position responsible for the administration of a political party or an advisor or official of a political party, a member of a political party, a member of a local assembly or local administrator.

**Section 37.**The Executive Commission has a term of two years starting from the date of appointment. The President or executive who has completed his or her term and has ceased to hold office may be reappointed but he or she cannot hold more than two consecutive terms.

In case the Executive Commission has completed its term and has ceased to hold office but there is yet to be an appointment of a new Executive Commission, such Executive Commission shall continue to perform its duty until there is an appointment of a new Executive Commission.

**Section 38.**Apart from the office's term completion, the President or executive shall cease to hold office in the following cases:

- (1) death;
- (2) resignation;
- (3) being disqualified and being under any of the prohibitions of section 36.

**Section 39.**In case the President or executive has ceased to hold office prior to term completion, the appointed replacement President or executive shall retain office only for the unexpired period of office of the President or executive he or she replaces.

**Section 40.**The Office shall promote, support and coordinate on the establishment and performance of Thailand's Child and Youth Council, and Bangkok's Child and Youth Council.

In other *Changwat*, the Office of Social Development and Human Security in such *Changwat* shall promote, support and coordinate on the establishment and performance of *Amphoe's* Child and Youth Council, and *Changwat's* Child and Youth Council.

## Part 2

### Promotion of the Roles of the Private Organisation or Communal Organisation

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## in the Child and Youth Development

**Section 41.** In order to support the participation of the people in the Child and Youth promotion and development, the private organisation or communal organisation which has activities or works regarding Child and Youth development and has no political or profitable objectives from such activities is entitled to apply for registration as a private organisation or communal organisation on the Child and Youth development with the Minister of Social Development and Human Security, according to the criteria, method and conditions prescribed by the Ministerial Regulations.

**Section 42.** The private organisation or communal organisation which is registered under section 41 may receive subsidy, assistance or support from the government for the following actions:

- (1) prepare volunteers to assist the performance of Child and Youth development works under this Act or other related laws on the Child and Youth protection and development;
- (2) conduct public relations, disseminate information or news to create correct public conscience on the Child and Youth development;
- (3) create or perform project or activities for Child and Youth development;
- (4) study and research on Child and Youth development;
- (5) provide assistance or support in other matters for the Child and Youth whose rights have been violated, such as, providing legal, medical, therapeutic, social welfare assistance to such Child and Youth;

The criteria, method and conditions on providing subsidy, assistance or support from the government under the first paragraph are prescribed by the Ministerial Regulations.

**Section 43.** The private organisation or communal organisation which receives assistance or support from the government pursuant to section 42 has the duty to provide a report on its work performance to the Office in accordance with the Ministerial Regulations.

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**Section 44.**The private organisation or communal organisation which has been registered and has conducted action which may cause chaos or is against public order or morale, has not conducted appropriate Child and Youth development, or has no work performance according to the standard which the Minister prescribed, the Minister has the power to revoke the registration or suspend subsidy, assistance or support previously provided to such private organisation or communal organisation.

#### TRANSITIONAL CHAPTER

**Section 45.**During the period which there is yet to be an appointment of the National Child and Youth Development Promotion Commission under this Act, the National Child and Youth Development Promotion Commission under the Child and Youth Development Promotion Act, B.E. 2521 (1978), which still holds the position on the date which this Act comes into force shall act as the National Child and Youth Development Promotion Commission under this Act until the newly appointed Commission enters into office, but, shall not exceed three hundred days from the date which this Act comes into force.

Countersigned by

General SurayudChulanont  
Prime Minister

Note :- The reason for notification of this Act is that the Child and Youth Development Promotion Act, B.E. 2521 (1978) has been enforced for a long period of time. It is thus appropriate to set the guideline and improvement on the method of promoting Child and Youth development to be appropriate and consistent to current social situation. There is a requirement for an establishment of *Changwat's* Child and Youth center, Child and Youth Council, to enable and enhance the Child and Youth promotion and development. Also, the private organisation and local administration can participate in the Child and Youth promotion and development. It is therefore necessary to enact this Act.

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