

**NATIONALITY ACT,  
B.E. 2508 (1965)\*\***

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BHUMIBOL ADULYADEJ, REX;  
Given on the 21<sup>st</sup> Day of July B.E. 2508;  
Being the 20<sup>th</sup> Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:  
Whereas it is expedient to revise the law on nationality;  
Be it, therefore, enacted by the King, by and with the advice and consent of  
the Constituent Assembly in the capacity of the National Assembly, as follows:

**Section 1.** This Act is called the “Nationality Act, B.E. 2508 (1965)”.

**Section 2.**<sup>1</sup> This Act shall come into force as from the day following the date  
of its publication in the Government Gazette.

**Section 3.** The following shall be repealed:

- (1) Nationality Act, B.E. 2495 (1952);
- (2) Nationality Act (No. 2), B.E. 2496 (1953);
- (3) Nationality Act (No. 3), B.E. 2499 (1956);
- (4) Nationality Act (No. 4) B.E. 2503 (1960).

**Section 4.** In this Act,

“Alien” means a person who does not have Thai nationality;

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\* Translated by Ms. Mattanee Kaewpanya and reviewed by Prof. Phijaisakdi Horayangkura under contract for the Office of the Council of State of Thailand's Law for ASEAN project. – Initial Version – pending review and approval by the Office of the Council of State.

\*\* As amended up to the Nationality Act (No. 5), B.E. 2555 (2012).

<sup>1</sup> Published in the Government Gazette, Vol.82, Part 63, Special Edition, Page 1, dated 4<sup>th</sup> August B.E. 2508 (1965).

“Displaced Thai”<sup>2</sup> means an ethnic Thai, who becomes a subject of another State due to changes in the territories of the Kingdom of Thailand in the past, but at present does not have a nationality of another country. He or she must immigrate into and reside in the Kingdom for certain period of time and observe the Thai ways of life, as well as be verified and registered in accordance with the law on civil registration in conformity with criteria and conditions prescribed by the Council of Ministers; or possess other comparable characters set forth in Ministerial Regulation;

“Committee”<sup>3</sup> means the Review Committee on Nationality;

“competent official” means a person appointed by the Minister for the execution of this Act;

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

**Section 5.**<sup>4</sup> The acquisition of Thai nationality under section 9, section 12 or section 12/1; the loss of Thai nationality under Chapter 2; or the resumption of Thai nationality under Chapter 3, shall be effective upon the publication in the Government Gazette and shall have an individual effect.

**Section 6.**<sup>5</sup> The Minister of Interior shall have charge and control of the execution of this Act and shall have the power to appoint competent officials and issue Ministerial Regulation for the execution of this Act. He or she shall prescribe fees, not exceeding the rates annexed to this Act, and exempt fees for the following applications and documentations for any person either in general or as a specific case, as deemed appropriate:

- (1) application for naturalization as a Thai citizen;
- (2) certificate of naturalization as a Thai citizen;
- (3) application for resumption of Thai nationality.

Such Ministerial Regulation shall become effective upon its publication in the Government Gazette.

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<sup>2</sup> Section 4 Definition of “Displaced Thai” is added by the Nationality Act (No. 5), B.E. 2555 (2012).

<sup>3</sup> Section 4 Definition of “Committee” is added by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>4</sup> Section 5 is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>5</sup> Section 6 is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

CHAPTER I  
ACQUISITION OF THAI NATIONALITY

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**Section 7.**<sup>6</sup> The following persons shall acquire Thai nationality by birth:

- (1) a person born of a father or a mother of Thai nationality, whether inside or outside the Kingdom of Thailand;
- (2) a person born in the Kingdom of Thailand, except those under section 7 *bis* paragraph one.

The word “father” in (1) shall include a person having been proved, in conformity with procedures prescribed in Ministerial Regulation, that he is a father of the newborn, even if he does not register marriage with the mother of the newborn, nor register the newborn as a legitimated child.<sup>7</sup>

**Section 7 *bis*.**<sup>8</sup> A person born in the Kingdom of Thailand of alien parents shall not acquire Thai nationality if at the time of birth, his or her legitimate father or a father who does not marry the mother, or his or her mother is:

- (1) a person having been granted leniency for temporary residence in the Kingdom of Thailand as a specific case;
- (2) a person having been granted permission for temporary stay in the Kingdom of Thailand; or
- (3) a person having entered and resided in the Kingdom of Thailand without permission under the law on immigration.

The Minister, if deemed appropriate, may consider and issue a specific or general order granting Thai nationality for the person under paragraph one, in accordance with criteria prescribed by the Council of Ministers.<sup>9</sup>

The person born in the Kingdom of Thailand, who does not have Thai nationality under paragraph one, shall reside in the Kingdom of Thailand in certain status and under conditions set forth in Ministerial Regulation, based on the principles of national security and human rights. Pending the existence of such Ministerial Regulation, that person shall be

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<sup>6</sup> Section 7 is amended by the Nationality Act (No. 2), B.E. 2535 (1992).

<sup>7</sup> Section 7 paragraph two is added by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>8</sup> Section 7 *bis* is added by the Nationality Act (No. 2), B.E. 2535 (1992).

<sup>9</sup> Section 7 *bis* paragraph two is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

deemed to have entered and resided in the Kingdom of Thailand without permission under the law on immigration.<sup>10</sup>

**Section 8.** A person born in the Kingdom of Thailand of alien parents shall not have Thai nationality if at the time of birth, his or her father or mother is:

- (1) Head of a diplomatic mission or a member thereof;
- (2) Head of a consular mission or a member thereof;
- (3) an officer or expert of an international organization;
- (4) a family member, either a relative under the patronage or a servant, who travels from abroad to reside with the person under (1), (2) or (3).

**Section 9.** An alien woman, who marries a Thai citizen and wishes to acquire Thai nationality, shall file an application with the competent official according to form and in the manner prescribed in Ministerial Regulation.

The permission or refusal for acquisition of Thai nationality shall be the discretion of the Minister.

**Section 9/1.**<sup>11</sup> The Committee on Recognition of the Displaced Thai shall be set up and consist of:

- (1) the Permanent Secretary of the Ministry of Interior as Chairperson;
- (2) representatives from the Ministry of Defense, the Ministry of Foreign Affairs, the Ministry of Justice, the Office of National Intelligence Agency, the Office of National Security Council, and the Office of Royal Thai Police as *ex officio* members;
- (3) seven to nine qualified members appointed by the Minister of Interior, which shall include researchers or academicians specializing in the law on nationality or legal status of individuals, sociology or anthropology, history or ethnicity, and representatives from non-governmental organizations and civil society as members;

The Director-General of the Department of Provincial Administration shall be member and secretary of the Committee. The Director-General shall appoint two officials from the Department of Provincial Administration to be assistant secretaries.

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<sup>10</sup> Section 7 *bis* paragraph three is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>11</sup> Section 9/1 is added by the Nationality Act (No. 5), B.E. 2555 (2012).

**Section 9/2.**<sup>12</sup> The qualified members under section 9/1 (3) shall hold office for a term of two years and may be reappointed, but not more than two consecutive terms.

**Section 9/3.**<sup>13</sup> The Committee on Recognition of the Displaced Thai shall have the following authorities:

- (1) to consider and give recognition on status of a Displaced Thai;
- (2) to recommend and give opinions to the Minister in enacting Ministerial Regulation or any action relating to the Displaced Thai, without following the procedures under section 27;
- (3) to perform any other function as specified by the Minister.

**Section 9/4.**<sup>14</sup> The provisions on the Committee on Administrative Consideration under the Law on Administrative Procedure shall apply *mutatis mutandis* to appointment and completion of terms of the qualified persons and meetings of the Committee on Recognition of the Displaced Thai.

**Section 9/5.**<sup>15</sup> A person claiming to be a displaced Thai and desiring to be recognized as a Displaced Thai, shall file an application with the competent official.

The competent official, upon receiving the application, shall submit it to the Committee on Recognition of the Displaced Thai for consideration.

Verification and recognition of the Displaced Thai shall be in conformity with criteria and conditions stipulated in Ministerial Regulation.

**Section 9/6.**<sup>16</sup> A person recognized as a Displaced Thai by the Committee on Recognition of the Displaced Thai shall be deemed as having Thai nationality by birth.

A child of the Displaced Thais who acquire Thai nationality under paragraph one shall have Thai nationality by birth, unless he or she has another nationality.

**Section 9/7.**<sup>17</sup> Section 9/6 paragraph two shall be applied to a child of the Displaced Thais, who already acquires Thai nationality before his or her parents are recognized as the Displaced Thais by virtue of section 9/6 paragraph one.

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<sup>12</sup> Section 9/2 is added by the Nationality Act (No. 5), B.E. 2555 (2012).

<sup>13</sup> Section 9/3 is added by the Nationality Act (No. 5), B.E. 2555 (2012).

<sup>14</sup> Section 9/4 is added by the Nationality Act (No. 5), B.E. 2555 (2012).

<sup>15</sup> Section 9/5 is added by the Nationality Act (No. 5), B.E. 2555 (2012).

<sup>16</sup> Section 9/6 is added by the Nationality Act (No. 5), B.E. 2555 (2012).

**Section 10.** An alien, who has all of the following qualifications, may apply for naturalization as a Thai citizen:

- (1) becoming *sui juris* in accordance with the Thai law and the law of the country of his or her nationality;
- (2) having good behaviors;
- (3) having well found occupation;
- (4) having a domicile in the Kingdom of Thailand for a consecutive period of not less than five years until the date of filing the naturalization application;
- (5) having knowledge of Thai language as stipulated in Ministerial Regulation.

**Section 11.** The provisions of section 10 (4) and (5) shall not apply if the applicant for naturalization as a Thai citizen:

- (1) renders distinguished service to Thailand or commits deeds beneficial to the Thai authority, as deemed appropriate by the Minister;
- (2)<sup>18</sup> is a child, wife, or husband of a naturalized or resumed Thai citizen;
- (3) is a person who used to have Thai nationality;
- (4)<sup>19</sup> is a husband of a Thai citizen.

**Section 12.** Any person desiring to apply for naturalization as a Thai citizen, shall file an application with the competent official according to form and in the manners prescribed in Ministerial Regulation.

Should the applicant for the naturalization under paragraph one have an underage child under Thai laws, and that child has a domicile in Thailand, he or she may apply for naturalization as a Thai citizen for his or her child concurrently. In this case, the child shall be exempted from the qualification requirements under section 10 (1), (3), (4) and (5).

The permission or refusal of the naturalization shall be the discretion of the Minister. In case the Minister deems appropriate to grant such permission, he or she shall submit the matter to the King for Royal Assent. After the Royal Assent is granted, the applicant shall take the oath of allegiance to Thailand.

When the publication under section 5 is made, the competent official shall issue the certificate of naturalization for that person as a proof.<sup>20</sup>

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<sup>17</sup> Section 9/7 is added by the Nationality Act (No. 5), B.E. 2555 (2012).

<sup>18</sup> Section 11 (2) is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>19</sup> Section 11 (4) is added by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>20</sup> Section 12 paragraph four is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

**Section 12/1.**<sup>21</sup> For the application for naturalization under section 12, other persons may file an application for a person who does not have Thai nationality but having residence in Thailand, in the following cases:

(1) a guardian under the Court order may apply for naturalization as a Thai citizen for the incompetent who has proofs of his or her birth in the Kingdom of Thailand. In this case, the incompetent shall be exempted from the qualification requirements under section 10 (3) and (5) and the Minister may exempt him or her from taking the Oath of Allegiance;

(2) a principal of public foster home prescribed by the Minister may, with a permission of the minor, apply for naturalization as a Thai citizen for the minor who has been under the care of the foster home for not less than ten years. In this case, the minor shall be exempted from the qualification requirements under section 10 (1) and (3);

(3) a Thai citizen, who adopts a child, may apply for naturalization as a Thai citizen for the underage adopted child, who has been registered for adoption for not less than five years, and has evidence demonstrating that he or she was born in the Kingdom of Thailand. In this case, the adopted child shall be exempted from the qualification requirements under section 10 (1) and (3)

The application for the naturalization for other persons under paragraph one shall be in conformity with rules, procedures and conditions prescribed in Ministerial Regulation.

## CHAPTER II LOSS OF THAI NATIONALITY

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**Section 13.**<sup>22</sup> A Thai man or woman, who marries an alien and may hold nationality of the wife or husband according to the law on nationality of the wife or husband, shall, if desiring to renounce the Thai nationality, make a declaration of his or her intention to the competent official in accordance with forms and in the manners prescribed in Ministerial Regulation.

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<sup>21</sup> Section 12/1 is added by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>22</sup> Section 13 is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

**Section 14.**<sup>23</sup> A Thai citizen, who is born of an alien father or mother and acquires nationality of his or her father or mother according to the law on nationality of his or her father or mother; or a person who acquires Thai nationality by virtue of section 12 paragraph two or section 12/1 (2) and (3), is required, if desiring to retain the other nationality, to make a declaration of his or her intention to renounce the Thai nationality within one year from the date attaining twenty years of age and in accordance with forms and in the manners prescribed in Ministerial Regulation.

The Minister, after considering the declaration of intention and being of the view that there is reasonable ground to believe that such person is actually able to hold the nationality of his or her father or mother or other nationality, may grant permission for renunciation of Thai nationality, except during the time where Thailand is engaged in armed conflicts or in state of war, the Minister may order suspension of any renunciation of Thai nationality.

**Section 15.** In addition to the cases under section 14, a person who has Thai and other nationalities or acquires Thai nationality by naturalization, shall, if desiring to renounce Thai nationality, file an application with the competent official in accordance with forms and in the manners prescribed in Ministerial Regulation.<sup>24</sup>

The permission or refusal of renunciation of Thai nationality shall be the discretion of the Minister.

**Section 16.** A woman, who is an alien and acquires Thai nationality by marriage, may be revoked of her Thai nationality, if it appears that:

- (1) the marriage is effected by concealment of facts or making false statement of essential facts;
- (2) having committed any act that prejudicial to the national security or conflicting with the interests of the State or amounting to an insult to the nation;
- (3) having committed any act in contrary to the public order or good morals.

The revocation of Thai nationality in paragraph one shall be the discretion of the Minister.<sup>25</sup>

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<sup>23</sup> Section 14 is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>24</sup> Section 15 paragraph one is amended by the Nationality Act (No. 2), B.E. 2535 (1992).

<sup>25</sup> Section 16 paragraph two is added by the Nationality Act (No. 4), B.E. 2551 (2008).



**Section 17.**<sup>26</sup> A person, who hold Thai nationality by birth in the Kingdom of Thailand and has an alien father or mother, may be revoked of his or her Thai nationality, if it appears that:

(1) he or she resides in a foreign country, where his or her father or mother has or used to have nationality, for a consecutive period of more than five years from the date of his or her becoming *sui juris*;

(2) there is evidence indicating that he or she uses the nationality of his or her father or mother or other nationality, or has inclined towards the nationality of his or her father or mother, or other nationality;

(3) having committed any act prejudicial to the national security or conflicting with the interests of the State or amounting to an insult to the nation;

(4) having committed any act in contrary to the public order or good morals.

The Minister shall order the revocation of Thai nationality in cases of (1) or (2). A Court, upon request from the Public Prosecutor, shall order the revocation in cases of (3) or (4).

**Section 18.**<sup>27</sup> The Minister shall have the power to revoke Thai nationality of a person who acquires Thai nationality under section 7 *bis* paragraph two, if there is reasonable ground for the protection of national security or interests of the State.

**Section 19.** The Minister shall have the power to revoke Thai nationality of a person who acquires Thai nationality by naturalization, if it appears that:

(1) the naturalization is effected by concealment of facts or making false statement of essential facts;

(2) there is evidence indicating that the naturalized person still uses his or her former nationality;

(3) having committed any act prejudicial to the national security or conflicting with the interests of the State or amounting to an insult to the nation;

(4) having committed any act in contrary to the public order or good morals;

(5) having resided aboard without having a domicile in Thailand for more than five years;

(6) having retained the nationality of the country at war with Thailand.

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<sup>26</sup> Section 17 is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>27</sup> Section 18 is amended by the Nationality Act (No. 2), B.E. 2535 (1992).

The revocation of Thai nationality under this section may be extended to a child of the person whose Thai nationality is revoked when the child is not *sui juris* and acquires Thai nationality in accordance with section 12 paragraph two. The Minister, after issuing the revocation order, shall respectfully submit the matter to the King for information.

**Section 20.**<sup>28</sup> (repealed)

**Section 21.**<sup>29</sup> A Thai citizen, who is born of an alien father or mother and may acquire the nationality of his or her father or mother according to the law on nationality of his or her father or mother, shall lose Thai nationality when he or she obtains an identification card for aliens according to the law on registration of aliens.

**Section 22.** A Thai citizen, who is naturalized as an alien or renounces his or her Thai nationality or whose Thai nationality is revoked, shall lose Thai nationality.

### CHAPTER III RESUMPTION OF THAI NATIONALITY

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**Section 23.** A Thai man or woman, who renounces his or her Thai nationality by marrying to an alien in accordance with section 13, and whose marriage is terminated by whatsoever reason, may apply for resumption of Thai nationality<sup>30</sup>.

The application for resumption of Thai nationality shall be filed with the competent official in accordance with forms and in the manners prescribed in Ministerial Regulation.

**Section 24.** A person, while is not *sui juris*, who had and later lose his or her Thai nationality following his or her father or mother, if desiring to resume Thai nationality, shall file an application with the competent official in accordance with forms and in the manners prescribed in Ministerial Regulation within two years from the date of becoming *sui juris* under the Thai laws and the law of the country he or she has nationality.

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<sup>28</sup> Section 20 is repealed by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>29</sup> Section 21 is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>30</sup> Section 23 paragraph one is amended by the Nationality Act (No. 4), B.E. 2551 (2008).

The permission or refusal of resumption of Thai nationality shall be the discretion of the Minister.

**CHAPTER IV**  
**THE REVIEW COMMITTEE ON NATIONALITY<sup>31</sup>**

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**Section 25.**<sup>32</sup> The Review Committee on Nationality shall be set up and consist of:

- (1) the Permanent Secretary of the Ministry of Interior as Chairperson;
- (2) representatives from the Ministry of Defense, the Ministry of Foreign Affairs, the Ministry of Social Development and Human Security, the Ministry of Justice, the Ministry of Labour, the Office of National Security Council, the Office of Attorney General, the Office of Royal Thai Police, the Office of National Intelligence Agency, the Office of the Narcotics Control Board, and the Internal Security Operations Command as *ex officio* members;
- (3) not more than six qualified members appointed by the Minister from persons having knowledge and working experience on nationality as members.

The Director-General of the Department of Provincial Administration shall be member and secretary of the Committee. The Director-General shall appoint two officials from Department of Provincial Administration to be assistant secretaries.

**Section 26.**<sup>33</sup> The qualified members shall hold office for a term of two years and may be reappointed, but not more than two consecutive terms.

**Section 27.**<sup>34</sup> The Committee shall give recommendations and advise the Minister in exercising the powers under section 7 *bis*, section 9, section 11, section 12, section 12/1, section 14, section 15, section 16, section 17, section 18, section 19, and section 24, in enactment of Ministerial Regulations under this Act. In executing those powers, the Minister shall take into consideration the recommendations and advices of the Committee.

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<sup>31</sup> Chapter 4 Review Committee on Nationality, section 25 to section 29 were added by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>32</sup> Section 25 is added by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>33</sup> Section 26 is added by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>34</sup> Section 27 is added by the Nationality Act (No. 4), B.E. 2551 (2008).

**Section 28.**<sup>35</sup> The Committee shall have the power to appoint Sub-committees to perform functions as assigned by the Committee.

**Section 29.**<sup>36</sup> The provisions on the Committee on Administrative Consideration under the Law on Administrative Procedure shall apply *mutatis mutandis* to appointment and completion of terms of the qualified persons and meetings of the Committee and the Sub-committees.

Countersigned by

Field Marshal Thanom Kittikachorn

Prime Minister

Office of the Council of State

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<sup>35</sup> Section 28 is added by the Nationality Act (No. 4), B.E. 2551 (2008).

<sup>36</sup> Section 29 is added by the Nationality Act (No. 4), B.E. 2551 (2008).

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