Draft of an Act to Manage Gatherings in Public Places in the Year … (Unspecified)

Article 1 This act is called “The Act to Manage Gatherings in Public Places in the Year (Unspecified)”

Article 2 This act will come into effect thirty days after its appearance in the Royal Gazette.

Article 3 Within this act, the word “gathering” refers to a group of people who gather in the same place with the objective of showing their collective opinions in order to make a demand, ask for justice, protest, offer moral support, show objection or opposition, or for other reasons, in order to compel individuals, groups, organizations, or working bodies to engage or refrain from engaging in any action. “Gathering” means any place that the state provides to the people to use for the general good, including locations that people have the right to enter.

“Gathering organizers” means those who submit requests for permission to gather together, including speakers, advisors, assistants, those who persuade and provoke, and other auxiliary participants.

“Chairperson” means the head of an examining committee who makes decisions about requests to hold gatherings in public places.

“Committee” means the examining committee that makes decisions about requests to hold gatherings in public places.

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“The head of the police station” means the head of the police station that maintains jurisdiction over the area in question.

At a gathering in public space, anything in the following categories is forbidden except with the permission of the Committee defined in Article 8:

1. The use of vehicle lanes or other traffic surfaces
2. The construction of stages for speaking in a manner that blocks traffic or public routes
3. The use of speakers, projectors for still photographs or movies, or other tools for broadcasting at gatherings
4. The use of vehicles
5. Movement of the gathering from one location to another

Not covered under article 5 are the following:

1. Gatherings of a type covered under other acts
2. Gatherings arranged by the government itself

Applications of permission to gather in public places under article 5 must follow the criteria and conditions prescribed by ministerial order.

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**Article 8**
There shall be a separate committee in each province to examine requests for permission to gather in public space. As such:

(1) The Committee that examines requests to gather in public spaces in Bangkok shall be comprised of the commissioner general of the Metropolitan Police as president, a representative of the Ministry of Interior as vice president, a representative of the office of the Armed Forces Security Center, an agent of the Special Branch of the Royal Thai Police, the commander of the division of the Metropolitan Police responsible for the district where the gathering occurs, the commander of Special Operations division of the police force, an agent of the BMA, the commander of the general staff division for the Metropolitan Police, and finally the secretary.

(2) The Examining Committee in provinces other than Bangkok shall be composed of the provincial governor as president, the commander of the provincial police, the elected administrator (mayor), the district attorney, the district chief who is responsible for the area under question, and the deputy provincial governor. This is the committee, along with the secretary.

**Article 9**
Under Article 8, the Examining Committee has the power and authority to examine requests for permission to gather, following Article 5, in the district for which it is responsible, according to the methods, administrative procedures, and conditions of the ministerial regulations.

Requests to the Committee for permission to gather in public space considered under article 8 shall apply only to the area in which permission is requested. If
the gathering grows or moves into other districts, by law permission must be requested again from the Committee in accordance with Article 8.

Article 11
The results of the examination by the Committee shall be considered final. ผลการพิจารณาของคณะกรรมการตามมาตรา 8 ให้ถือเป็นที่สุด

Article 12
For gatherings in public spaces under the authority of Article 5 that do not have permission, it will be assumed that the organizer of the gathering is the speaker, including his advisors, assistants, those who persuade and provoke, and other auxiliary participants.

Article 13
All gatherings in public places shall be subject to the mandates of Article 5, whether permission has been received or not. If the gathering does not follow the criteria of the permit, if it causes problems for other individuals or the general public, or if there is reason to believe it may come to disturb the peace, the organizer of the gathering or the assumed organizer (depending on the case) must announce the end of the gathering, and report with all due haste to the head of the police station responsible for the district, and cooperate with all responsible authorities, in order to end the gathering as quickly as possible.

When the head of the police station receives the report described in the above paragraph, he must quickly report to the president of the Examining Committee to make a decision as described in Article 14.

Article 14
The president of the examining committee has the authority to stop a gathering in a public place for the following reasons:

(1) If there is no organizer taking care of the gathering

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(2) If a gathering creates problems for other individuals or the general public, or if there is reason to suspect it may become disruptive.
(3) If the gathering violates the terms of this act

The cessation of a gathering is the responsibility of whoever has the duty to keep order, to report in person at the site of the gathering, or use other communication systems to inform those in attendance about the end of the event.

When the president of the Examining Committee stops a gathering, the gathering shall be considered illegal and without permission, and violators will be punishable under Article 18.

Article 15
If the organizer of a gathering in a public place announces the end of the event in accordance with Article 13, and participants fail to disperse in violation of the order, the president of the Examining Committee will have the authority to maintain general peace by dispersing the gathering.

Article 16
The authorities, or those who use their power to disperse gatherings according to Article 15, shall have no civil or criminal liability because it is their performing duty to disperse the gathering, as long as action is taken in good faith and is not excessive. But the right is retained for those who may have been injured to seek damages from the government according to laws of violation of official duty.

Article 17
Anyone who organizes a gathering in public space under the authority of Article 5 without asking for permission may be punished by a maximum of six months in jail or a fine not in excess of 10,000 baht, or both.

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Anyone who organizes a gathering as specified in paragraph 1 that leads to disorder, or if there is reason to believe there may be disorder, even if the gathering is stopped under Article 13, will be subject to a maximum of one year in jail, a fine of a maximum of 20,000 baht, or both.

Anyone who organizes a gathering as specified in paragraph 1 that leads to a situation of disorder, or in which there is reason to believe that disorder may occur, even if they have acted in accordance with Article 13, may be subject to a maximum of 3 years in prison, a maximum of 60,000 baht, or both.

Article 18
Those who violate the law by arranging a gathering in a public place after failing to receive permission from the Examining Committee, even if there is no disorder, still may be subject to a maximum of 6 months in prison and/or a maximum fine of 20,000 baht.

Those who violate the law by arranging a gathering in violation of paragraph 1 that leads to a situation of disorder, or in which there is reason to believe that disorder may occur, even if they have acted in accordance with Article 13, may be subject to a maximum of 1 year in prison and/or a maximum fine of 60,000 baht.

Those who violate the law by arranging a gathering in violation of paragraph 1 that leads to a situation of disorder, or in which there is reason to believe that disorder may occur, if they have not acted in accordance with Article 13 may be subject to a maximum of 3 years in prison and/or a maximum fine of 100,000 baht.

Article 19
As to gatherings in public places under the authority of Article 5, whether or not permission has been requested, organizers who fail to control the event and keep the peace by neglecting the crowd they have assembled shall face criminal and civil penalties in accordance with laws pertaining to them, and may be subject to a maximum of 6 months in prison and/or 10,000 baht.

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Article 20
The prime minister is the chief authority for this Act, and has the power under the ministry to execute it according to federal regulations.

The ministry can enforce the law once it is announced in the Royal Gazette.