

THE ACT ON THE APPLICATION OF CRIMINAL PROCEDURE IN DISTRICT COURTS  
TO PROVINCIAL COURTS  
B.E. 2520

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BHUMIBOL ADULYADEJ, REX.

Given on the 5<sup>th</sup> Day of March B.E. 2520  
Being the 32<sup>nd</sup> Year of the Present Reign

His Majesty King Bhumibol Adulyadej has the Royal Proclamation to announce that:

Whereas it is expedient to apply the criminal procedure in district courts to provincial courts for criminal cases within the jurisdiction of district courts in localities where district courts have not yet been inaugurated.

Therefore, His Majesty the King Bhumibol Adulyadej has graciously been pleased to enact this Act, with the advice and consent of the National Administrative Reform Assembly, as follows:

**Section 1** This Act shall be called the “Act on the Application of Criminal Procedure in District Courts to Provincial Courts B.E. 2520”.

**Section 2**<sup>1</sup> This Act shall come into force as from the date following the date of its publication in the Government Gazette onwards, except for Section 3 which shall be applicable to criminal cases having occurred in any locality and at any time, then, it shall be enacted as the Royal Decree.

**Section 3**<sup>2</sup> In any locality where district courts have not yet been inaugurated, the criminal procedure under the provisions of law governing the establishment of district courts and application of criminal procedure in district courts to provincial courts for criminal cases with maximum punishment as prescribed by law, with the imprisonment of not exceeding 3 years or fines of not exceeding 60,000 Baht or both.

**Section 4** In the event that the provincial court, the criminal court or the Thonburi Criminal Court has accepted a criminal case which is within the jurisdiction of district courts for trial under the provisions of Section 14 of the Charter of the Courts of Justice, then, the criminal procedure under the provisions of the law governing the establishment of district courts and application of criminal procedure in district courts shall apply to such criminal cases.

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<sup>1</sup> The Government Gazette, Volume 94 Section 18 Special Edition, p.1 (1977, March 11).

<sup>2</sup> Section 3 was amended by the “Act on the Application of Criminal Procedure in District Courts to Provincial Courts (No.2) B.E.2523”.

**Section 5** The Minister of Justice shall be in charge under this Act.

Counter-Signature:

Mr. Tanin Kraivixien

Prime Minister

**Note:-** Reason for promulgation of this Act: Whereas, at present, there are different procedures relating to the trial of criminal cases with maximum punishment as prescribed by law, with the imprisonment of not exceeding 3 years or fines of not exceeding 6,000 Baht or both, in district courts and in provincial courts because, in district courts, the procedures under the law governing the establishment of district courts and criminal procedure in district courts shall apply, but in provincial courts, the procedures under the Criminal Procedure Code shall apply; as a result, people within the jurisdiction of district courts and provincial courts have received different case practice, therefore, it is deemed expedient to correct such provisions by applying the criminal procedure in district courts to provincial courts for criminal cases which are within the jurisdiction of district courts in localities where district courts have not yet been inaugurated so that people shall receive equal case practice and for more

convenient and speedier inquiry and trial in courts, therefore, it is necessary to enact this Act.

The Act on the Application of Criminal Procedure in District Courts to Provincial Courts (No.2) B.E.2523<sup>3</sup>

**Note:-** Reason for promulgation of this Act: Whereas, the Charter of Courts of Justice, as amended by the Act on Amendment of the Charter of Courts of Justice (No.7) B.E.2522, has amended the powers of trial of criminal cases of the district courts and has increased the amount of fines from 6,000 Baht to 60,000 Baht, therefore, it is deemed expedient to amend the Act by applying the criminal procedure in district courts to provincial courts B.E.2520 to be in conformity with the Act on Amendment of the Charter of Courts of Justice (No.7) B.E.2522 so that criminal cases of provincial courts and district courts which are forbidden to appeal judgments in questions of fact with equivalent rates of penalties, and criminal cases of provincial courts shall apply the criminal procedure in district courts to cases with the same rates of penalties to cases which are within the jurisdiction of district courts; as a result, people who are residing within the jurisdiction of district courts and provincial courts shall be entitled to lodge an appeal in an equal manner and to receive the same case practice therefore, it is necessary to enact this Act.

Corrected by: Nattaporn

Checked by: Wasin

6<sup>th</sup> October 2010

Revised by: Napaporn

13<sup>th</sup> November 2013

Checked by: Nattaporn

21<sup>st</sup> November 2013

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<sup>3</sup> The Government Gazette, Volume 97 Section 109 Special Edition, p.4 (1980, July 16).