

# Summary of the Constitutional Court Ruling No. 29/2544

Dated 6<sup>th</sup> September B.E. 2544 (2001) \*

**Re: Political Party Registrar's application for an order to dissolve Chaorai  
Chaona Thai Party**

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## 1. Background and summarized facts

The political party registrar submitted an application to the Constitutional Court for an order to dissolve Chaorai Chaona Thai Party under section 65 paragraph two of the Organic Act on Political Parties, B.E. 2541 (1998), since Chaorai Chaona Thai Party had not comply with section 29 of the Organic Act on Political Parties, B.E. 2541 (1998) within the period of one hundred and eighty days from the date the registrar had acknowledged its establishment. This was to amplify that the said Party had not completely prepared to have at least one branch of the political party in each of four Regions. This constituted a cause for the dissolution of a political party under section 65 paragraph one subparagraph (5) of the Organic Act on Political Parties, B.E. 2541 (1998). The Leader of Chaorai Chaona Thai Party submitted the letter of statement to the Constitutional Court accepting facts under the application and having no objection to such an allegation.

## 2. Preliminary issue

The Constitutional Court ordered the acceptance of the application for hearing and adjudication.

## 3. The issue considered by the Constitutional Court

The issue which had to be considered was whether there was a cause for the dissolution of Chaorai Chaona Thai Party pursuant to the application made by the political party registrar.

The Constitutional Court held that the political party registrar submitted the application to the Constitutional Court for an order to dissolve Chaorai Chaona Thai Party, because such Party failed to comply with section 29 of the Organic Act on Political Parties, B.E. 2541 (1998), which provides that "Within one hundred and eighty days from the date the registrar has acknowledged the establishment of a political party, such political party shall

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prepare to have not less than five thousand members, which shall comprise those from each Region according to the list of Regions and Changwats notified by the registrar and shall have at least one branch of the political party in each Region.” Under section 65 paragraph one of the Organic Act on Political Parties, B.E. 2541 (1998) which provides that “A political party is dissolved upon any of the following grounds: ... (5) failure to comply with section 25, section 26, section 29, section 35 or section 62” and section 65 paragraph two of the said Organic Act which provides that “If it appears to the registrar that any political party is under the circumstance specified in (1), (2), (3) or (5), the registrar shall submit an application to the Constitutional Court for the dissolution of such political party within fifteen days as from the date of the appearance of such circumstance. If the Constitutional Court considers that the political party is under such circumstance as applied by the registrar, the Constitutional Court shall issue an order dissolving such political party,” when it appeared that Chaorai Chaona Thai Party had not completely prepared to have at least one branch in each of four regions under section 29 of the Organic Act on Political Parties, B.E. 2541 (1998), the case therefore constituted a cause for the dissolution of Chaorai Chaona Thai Party under section 65 paragraph one subparagraph (5) of the said Organic Act.

#### **4. Ruling of the Constitutional Court**

By virtue of section 65 paragraph two of the Organic Act on Political Parties, B.E. 2541 (1998), the Constitutional Court ordered the dissolution of Chaorai Chaona Thai Party.

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