



**National Child and Youth Development
Promotion Act B.E. 2550 (2007)**



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(Unofficial Translation)

This publication is developed for the purpose of dissemination to the public and concerned officers in similar content to that which is written in “National Child and Youth Development Promotion Act B.E. 2550 (2007)”. Any reference to be made for legal purposes or interpretation should follow the original language of the Act.

National Child and Youth Development

Promotion Act B.E. 2550 (2007)

BHUMIBOL ADULYADEJ, REX.

Given on the 30th day of December, B.E. 2550 (2007)

Being the 62nd Year of the Present Reign

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:

Whereas it is deemed appropriate to revise the law governing the national youth promotion and coordination.

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

Article 1 This Act shall be referred to as the “National Child and Youth Development Promotion Act B.E. 2550 (2007)”.

Article 2 This Act shall enter into force ninety days from the date of its publication in the Government Gazette.

Article 3 The National Youth Promotion and Coordination Act of 1978 shall be repealed.

Article 4 In the Act,

“*Child*” means a person below 18 years of age.

“*Youth*” means a person between 18 to 25 years of age.

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

“*Administration*” means the Administration of the District Child and Youth Council, the Administration of the Provincial Child and Youth Council, the Administration of the Bangkok Metropolitan Child and Youth Council and the Administration of the Child and Youth Council of Thailand.

“*Office*” means Office of Welfare Promotion, Protection and Empowerment of Vulnerable Groups.

“*Director*” means Director - General of the Office of Welfare Promotion, Protection and Empowerment of Vulnerable Groups.

“*Minister*” means the Minister in charge of the enforcement of this Act.

Article 5 The Minister of Social Development and Human Security shall be responsible for the enforcement of this Act, and shall have the power to issue ministerial regulations and rules to enable the implementation of this Act.

The ministerial regulations and rules shall be enforced from the time of its publication in the Government Gazette.

Chapter 1

General Provisions

Article 6 The Ministry of Social Development and Human Security shall be responsible for the development of children and youth and for finding solutions to problems that may impact adversely upon their development, based on the following principles:

(1) Development of children and youth, enforcement and implementation of provisions under this Act or other acts relating to children and youth in any case shall give primary importance to the best interests of the child;

(2) Every child and youth has the rights to education and to receive basic education of the highest quality as stipulated under the Constitution;

(3) Children with disabilities, children with learning difficulties, and gifted children have the rights to education specially provided by the state that is appropriate to their needs and characters;

(4) Children and youth have the rights to receive healthcare services of the highest available standard;

(5) Children and youth have the rights to play, rest and participate in recreational activities that are appropriate to their age and maturity and to participate freely in culture and art;

In the implementation of the above clause, the following guidelines shall be applied:

(1) Instill in children and youth a sense of familial bonding, pride in Thai identity and democratic way of life, enable them to lead their lives safely as well as respect the rights of others and society's rules and regulations;

(2) Ensure healthiness and knowledge of self - protection against diseases and addictive substances;

(3) Ensure emotional maturity appropriate to age, ethics and morality;

(4) Develop skills and positive attitudes to doing work as well as dignity and pride in honest work;

(5) Enhance rational thinking and determination to continuously improve oneself;

(6) Enhance awareness on giving, volunteerism and participation in the development of community and nation;

(7) Enhance age - appropriate sense of responsibility towards oneself and others.

Article 7 Children and youth shall have the rights to be registered at birth, the rights to development, the rights to acknowledgement, and the rights to protection and participation as provided by this Act or any other related acts, equally and without unjust discrimination on the grounds of origin, race, language, gender, age, disability, physical or health condition, personal or economic or social status, religious belief and culture, education, political opinion, birth or any other status of the children, youth, their parents or guardians.

Article 8 The Office or the Provincial Social Development and Human Security Office shall collaborate, promote and coordinate with local administrative organizations and other relevant agencies for the formulation of local child and youth development plans in pursuant to the National Child and Youth Development Plan.

Local administrative organizations shall allocate budget specifically for the development of children and youth in their respective areas.

In the implementation of the above clause, due regard shall be given to the principle and directions of local and civil society participation.

Article 9 For the benefits of child and youth development, all relevant agencies in the public and private sectors shall collaborate, promote and support the efforts of District Child and Youth Councils, Provincial Child and Youth Councils, Bangkok Metropolitan Child and Youth Council and Child and Youth Council of Thailand.

Chapter 2

National Commission on the Promotion of Child and Youth Development

Article 10 There shall be a National Commission on the Promotion of Child and Youth Development comprised of:

(1) Prime Minister or Deputy Prime Minister designated by the Prime Minister as the Chairperson ;

(2) Minister of Social Development and Human Security as the First Vice Chairperson;

(3) Minister of Education as the Second Vice Chairperson;

(4) Members comprising the Permanent Secretary to the Ministry of Defense, of Tourism and Sports, of Social Development and Human Security, of Interior, of Justice, of Labour, of Culture, of Education, of Public Health, and the President of National Council for Child and Youth Development under the Royal Patronage of H.R.H. Princess Maha Chakri Sirindhorn;

(5) No more than five distinguished members appointed by the Prime Minister from psychologists, social workers and persons who are knowledgeable and skilled and who have extensive experiences in child and youth development in the private sector;

(6) One representative of the local administrative organizations elected among themselves;

(7) Two child and youth representatives, one male and one female, elected by the Child and Youth Council of Thailand.

The Director shall serve as Member and Secretary of the Commission and may appoint no more than two civil servants from the Office to serve as Assistant Secretary of the Commission.

The criteria and procedures in appointing the distinguished members of the Commission shall follow the regulations set forth by the Minister.

Article 11 The Commission shall have the following authority and duties:

(1) To propose policies and plans on child and youth development to the Cabinet for approval, taking into consideration existing international obligations of Thailand;

(2) To propose guidelines for improving laws, regulations and rules relating to child and youth development to the Cabinet;

(3) To determine procedures and practices for both public and private agencies relating to the assistance and support for the improvement of quality of life of child and youth, to provide technical assistance, research and development, subsidies, facilities and other services on an equitable and just basis;

(4) To support the organization of the National Assembly on Child and Youth Development at least once a year to analyze situations of child and youth, review systems and mechanisms, and develop knowledge, skills and perspectives on child and youth development;

(5) To evaluate and prepare report on the national promotion of child and youth development for the Cabinet and the Parliament, at least once a year;

(6) To perform other work in accordance with the resolutions of, or as assigned by the Cabinet.

Article 12 The distinguished members shall have qualifications and shall not have forbidden qualifications as follows:

- (1) Have Thai nationality;
- (2) Age not less than 30 years;
- (3) Be practitioners in the private sector and demonstrably knowledgeable, skilled and experienced on the development of children and youth;
- (4) Not be declared bankrupt or be an incompetent or quasi-incompetent person;
- (5) Not be sentenced to imprisonment under a final judgment to a term of imprisonment;
- (6) Not be sentenced to have assets seized due to unusual wealth;
- (7) Not be removed by the government or private sector due to dishonesty or misconduct;
- (8) Not be a stakeholder in the affairs of the Office.

Article 13 The distinguished members of the Commission shall serve for a period of three years per term from the date of appointment. When a distinguished member vacates the Commission upon expiry of his or her term, he or she may be reappointed, but not for more than two consecutive terms.

In case a commission member vacates upon expiry of his or her term and a new one has not yet been appointed, the outgoing commission member shall continue to perform his or her duties pro tempore.

Article 14 In addition to the vacation upon expiry of term, a distinguished member of the Commission will vacate upon:

- (1) Death;
- (2) Resignation;
- (3) Being removed by the Prime Minister due to failure to perform duties, or misconduct;
- (4) Lack of qualifications or having forbidden qualifications as stipulated under Article 12.

Article 15 When a distinguished member of the Commission vacates before expiry of his or her term, a person appointed as the replacement shall serve for a period equal to the remainder of the term of the commission member whom he or she replaced.

Article 16 The provisions under Article 13, Article 14 (1) and (2) and Article 15 shall be applied mutatis mutandis to the assumption of the office of the commission members under Article 10 (6) and (7).

Article 17 In every meeting of the commission, the quorum shall consist of at least half the number of the members.

If the Chairperson is absent or not present in the meeting, the First Vice Chairperson shall act as chairperson of the meeting. If the First Vice Chairperson is absent or unable to perform the duty, the Second Vice Chairperson shall act as chairperson of the meeting. If both of the Vice Chairpersons are absent or unable to perform the duty, the participating members shall elect one of the participating members to act as chairperson of the meeting.

The resolutions of the meeting shall be passed by majority votes. Each member shall have one vote. If there is an equality of the votes, the Chairperson of the meeting shall have a casting vote.

The Commission shall meet at least four times a year.

Article 18 The Commission has the authority to appoint advisors to the Administration of the Child and Youth Council of Thailand, any sub - committees or working groups to review or perform any duty assigned by the Commission.

The Provision under Article 17 shall be applied mutatis mutandis to the meeting of the sub - committees and working groups.

Article 19 The Office shall have the authority and duties to promote and improve the quality of life of child and youth and to be responsible for performing administrative and technical work of the Commission as well as to have the authority and duties as follows:

(1) To develop National Policy and Plan on Child and Youth Development for submission to the Commission;

(2) To formulate child and youth development plans in various aspects consistent with the National Policy and Plan on Child and Youth Development and set guidelines for the implementation of the plans as well as to coordinate, monitor and evaluate implementation of both governmental and non - governmental organizations according to the National Policy;

(3) To build capacities of personnel involved in child and youth development as well as promote support and cooperate with the private sector in such capacity-building;

(4) To conduct or support researches and studies on the development of child and youth;

(5) To survey, study, gather information, analyze, monitor and evaluate the rights and interests of children in pursuant to the Convention on the Rights of the Child and other international agreements to which Thailand is party as well as domestic laws, in order to develop a database and gather opinions of children and youth as well as prepare reports to provide policy guidelines for the development of child and youth;

(6) To support and coordinate with national and international agencies for the development of child and youth as well as promote the activities of child and youth councils at all levels;

(7) To support the involvement of media and academic institutes in the development of learning process to build civic conscience and volunteerism among children and youth;

(8) To act as a central body to coordinate, publicize and disseminate work and activities relating to child and youth development;

(9) To study, analyze and plan budget and expenditures for the development of child and youth in collaboration with other agencies, including allocation of

subsidies to private and community organizations as stipulated under Article 42;

(10) To organize the National Child and Youth Forum in collaboration with the Child and Youth Council of Thailand at least once a year, in order to facilitate knowledge sharing among children and youth in various aspects;

(11) To perform other duties as required by law and by resolutions of the Commission or as assigned by the Cabinet.

Article 20 The Office shall prepare a report on child and youth development at least once a year for submission to the Cabinet, covering key issues as follows:

(1) Utilisation of budget for child and youth development ;

(2) Outcome of actions of the Child and Youth Council of Thailand;

(3) Situation and trends concerning problems of child and youth;

(4) Outcome of interventions to address the problems as well as obstacles;

(5) Directions for actions for problem solving and child and youth development.

Article 21 In performing duties in pursuant to this Act, the Commission, Sub - Committees or the Office may invite any person to provide facts, explanation, advice or opinions of academic nature as deemed appropriate and may seek cooperation with any person to obtain facts or examine any affairs which may have an impact on children and youth.

Chapter 3

Measures to Promote Implementations

Section 1

Child and Youth Council

Article 22 The Provincial Social Development and Human Security Office shall establish District Child and Youth Council, comprising children and youth in the districts.

There shall be an Administration for the District Child and Youth Council, consisting of one chairperson of the council and other executives of not more than 15 people who are elected among themselves from student representatives of educational institutes defined by the National Education Act, that are located in the district, from lower secondary level upwards, and representatives of out of school child and youth.

The Administration of the District Child and Youth Council shall consult among itself and formulate guidelines for organizing activities relating to child and youth development in their district and to take other necessary actions to fulfil the objectives of its establishment.

The Provincial Social Development and Human Security Chief Officer, Director of Area Education Office in the district, representatives of local administrative organizations and representatives of private organizations or community organizations with extensive experiences in child and youth development shall be advisors to the Administration.

As an initial term, the District Child and Youth Councils shall be established within ninety days from the day this Act becomes effective.

Article 23 The meeting and execution of duties of the Administration of the District Child and Youth Councils shall follow the regulations set forth by the Administration. There shall be at least one annual general meeting.

Article 24 District Child and Youth Council shall have the following functions:

- (1) To promote, support, and serve as a centre for learning and organization of activities relating to education, sports and culture in the locality;
- (2) To organize various activities to promote and develop local children and youth to have knowledge, skills and morality;

(3) To give recommendations and opinions to Provincial Child and Youth Council regarding the development of children and youth in the locality.

Article 25 There shall be Provincial Child and Youth Councils, members consisting of representatives from the administration of the District Child and Youth Councils of not more than five persons from each District Child and Youth Council within the province.

As an initial term, a Provincial Child and Youth Council shall be established within one hundred and eighty days from the day this Act becomes effective.

Article 26 An Administration of a Provincial Child and Youth Council shall be established, consisting of one chairperson of the Council and not more than 20 executives elected from members of the Provincial Child and Youth Council. The Administration shall be responsible for general administration of the council and carrying out activities for the development of children and youth in the province as well as undertaking necessary actions to fulfil the objectives of its establishment.

The Provincial Governor, Director of Area Educational Office, Provincial Social Development and Human Security Chief Officer, President of Provincial

Administrative Organization, and not more than five representatives of private organizations or community organizations with extensive experiences in child and youth development appointed by the Governor shall be advisors to the Administration.

Article 27 The meeting and execution of duties of Provincial Child and Youth Council and its Administration shall follow the regulations prescribed by the Administration. There shall be at least one annual general meeting.

Article 28 There shall be the Bangkok Metropolitan Child and Youth Council, members consisting of:

(1) Representatives of students from educational institutes as defined by the National Education Act in Bangkok Metropolitan:

- (a) No more than 20 representatives of secondary school students selected by the Area Education Office;
- (b) No more than 20 representatives of vocational students selected by the Office of the Vocational Education Commission;
- (c) No more than 20 representatives of students in higher education selected by the Office of the Higher Education Commission.

(2) No more than 40 representatives of out of school child and youth selected from children and youth in Bangkok Metropolitan.

As an initial term, the Bangkok Metropolitan Child and Youth Council shall be established within one hundred and eighty days from the day this Act becomes effective.

Article 29 An Administration of Bangkok Metropolitan Child and Youth Council shall be established, consisting of one chairperson of the council and not more than 20 executives elected from members of Bangkok Metropolitan Child and Youth Council. The Administration shall be responsible for general administration of the council and for carrying out activities for the development of children and youth in Bangkok as well as for undertaking necessary actions to fulfil the objectives of its establishment.

The Bangkok Governor, Representative of Bangkok Metropolitan Educational Office, Representative of the Office of Vocational Education Commission, Representative of Office of Higher Education Commission, Representative of Office and not more than five representatives of private organizations or community organizations with extensive experiences in child and youth development appointed by the Bangkok Governor shall be advisors to the Administration.

Article 30 The meeting and execution of duties of the Bangkok Metropolitan Child and Youth Council and its administration shall follow the regulations prescribed by the Bangkok Metropolitan Child and Youth Council. There shall be at least one annual general meeting.

Article 31 The Provincial Child and Youth Council and the Bangkok Metropolitan Child and Youth Council shall have the following duties:

(1) Coordinate with District Child and Youth Councils and facilitate the exchange of knowledge and experience among children and youth in the provinces or in Bangkok Metropolitan as the case may be;

(2) Serve as a centre for learning and dissemination of technical knowledge, education, sports and culture;

(3) Promote and support District Child and Youth Council, educational institutes in provinces or Bangkok Metropolitan, as the case may be, in the organization of activities concerning child and youth development;

(4) Prescribe rules for the meeting and execution of duties.

Article 32 There shall be the Child and Youth Council of Thailand, members consisting of:

(1) Chairpersons of all Provincial Child and Youth Councils;

(2) Chairperson of the Bangkok Metropolitan Child and Youth Council;

(3) Thirty eight representatives of children and youth selected by children and youth groups registered according to the Ministerial regulation, with due consideration to variety and representativeness of children and youth groups.

As an initial term, the Child and Youth Council of Thailand shall be established within two hundred and seventy days from the day this Act becomes effective.

Article 33 The Child and Youth Council of Thailand shall have the following duties:

(1) To act as the central coordinating body for the development of children and youth in provinces;

(2) To collaborate with governmental, non - governmental and community organizations in the implementation of child and youth development ;

(3) To provide opinions on policies, plans and budget appropriations of governmental agencies for child and youth development purposes;

(4) To recommend development activities that may have impact on children and youth;

(5) To provide opinions to the Commission on actions taken by governmental agencies, non - governmental organizations or community organizations;

(6) To prescribe rules for the meeting and execution of duties.

There shall be at least one annual general meeting of the Child and Youth Council of Thailand.

Article 34 An Administration of Child and Youth Council of Thailand shall be established, consisting of one chairperson and not more than 25 executives elected among themselves from members of the Child and Youth Council of Thailand. The Administration shall be responsible for general administration of the Council, proposing plans or guidelines for the development of child and youth to the Office for the benefit of the formulation of the National Child and Youth Development Plan, and representing children and youth, or selecting child and youth representatives to participate in activities relating to child and youth development at the national and international levels as well as taking other necessary actions to fulfil the objectives of its establishment.

Article 35 The meeting and execution of duties of the Child and Youth Council of Thailand shall follow the regulations prescribed by the Child and Youth Council of Thailand.

Article 36 The Administration shall have the qualifications, and shall not have the forbidden qualifications, as follows:

(1) Age not more than 25 years;

(2) Not assume any public office, administrative position, advisory position, official position, or be member of any political parties, or be member or executive of local councils.

Article 37 The Administration shall serve for a period of two years per term from the date of appointment. When the chairperson or member of Administration vacates upon expiry of his or her term, he or she may be reappointed, but not for more than two consecutive terms.

When the Administration vacates upon expiry of its term, an election must be organized within sixty days. While a new Administration has not yet been appointed, the outgoing Administration shall continue to perform its duties pro tempore.

Article 38 In addition to the vacation upon expiry of term, the chairperson and member of the Administration will vacate upon:

- 1) Death;
- 2) Resignation;
- 3) Lack of qualifications or having forbidden qualifications as stipulated under Article 36.

Article 39 In case a member of the Administration vacates before expiry of his or her term, a replacement shall be appointed, except when the remaining term of the Administration is less than ninety days, the person appointed as the replacement member shall serve for a period equal to the remainder of the term of the member whom he or she replaced.

Article 40 The Office shall promote, support and coordinate the establishment and execution of duties of the Child and Youth Council of Thailand and the Bangkok Metropolitan Child and Youth Council.

In other provinces, the Provincial Social Development and Human Security Offices shall promote, support and coordinate the establishment and execution of duties of the District and Provincial Child and Youth Councils.

Section 2

Promotion of the Role of Non - Governmental Organizations or Community Organizations (in Child and Youth Development)

Article 41 To promote public participation in the development of child and youth, non - governmental organizations or community organizations which have demonstrable experience in child and youth development and no political or commercial agenda may register with the Ministry of Social Development and Human Security as private organizations or community organizations for child and youth development in accordance with the criteria, procedures and conditions prescribed in the ministerial regulations.

Article 42 Private organizations or community organizations registered in accordance with Article 41 may receive subsidies or assistance from the state for actions as follows:

(1) Recruitment of volunteers to assist in the implementation of child and youth development activities under this Act or other relevant laws;

(2) Public relations and disseminations of information to build appropriate conscience and awareness in relation to child and youth development;

(3) Creation or implementation of activities for the development of children and youth;

(4) Research and studies on child and youth development;

(5) Other assistance and support for child and youth whose rights have been violated, such as legal, medical, rehabilitation and welfare assistance to children and youth.

Criteria, procedures and conditions in the provision of subsidies, assistance and support according to paragraph one shall follow the regulations prescribed by the Minister.

Article 43 Private organizations or community organizations receiving assistance or support under Article 42 have the duty to prepare reports on their implementations to be submitted to the Office according to the regulations prescribed by the Minister.

Article 44 The Minister shall have the authority to revoke their registration or suspend subsidies, assistance or support any registered private organizations or

community organizations that conduct their affairs in the manner that causes nuisance, or is in conflict with the good public order or morality, or is inappropriate to the development of child and youth, or fails to conform to the standard prescribed by the Minister.

Transitional Provision

Article 45 During such time when the National Commission on the Promotion of Child and Youth Development is yet to be established by virtue of this Act, the National Youth Commission established under the National Youth Promotion and Coordination Act of 1978 shall assume the duties of the National Commission on the Promotion of Child and Youth Development under this Act until such time when the new Commission assumes duties but no longer than three hundred days after this Act comes into force.

Counter - signed
General Surayud Chulanont
Prime Minister

Remarks:

The rationale for the promulgation of this Act is as follows: the National Youth Promotion and Coordination Act of 1978 has been in force for a long time. It is deemed appropriate to define procedures and amend methods in promoting the development of child and youth to better correspond with the present situation through the establishment of district child and youth centers and child and youth councils to improve efforts in child and youth development. It is deemed appropriate to encourage participation of private organizations and local administrative organizations in child and youth development. It is therefore deemed necessary to promulgate this Act.



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