

# Thailand

## National Child Protection Legislation

### National Legislation

- Age of Child: **varies**  
[Criminal Code of Thailand](#)  
Not expressly defined, but any person over the age of 15 but not yet 18 is referred to as a minor.  
  
[Child Protection Act 2003](#)  
**Sec. 4**  
"Child" means a person below 18 years of age, but does not include those who have attained majority through marriage.  
  
[Anti-Trafficking in Persons Act B.E. 2551 \(2008\)](#)  
**Sec. 4**  
"Child" means any person under eighteen years of age.
  
- Age of Consent: **15 years old**  
[Criminal Code of Thailand](#)  
**Sec. 277**  
Whoever, has sexual intercourse with a girl not yet over fifteen years of age and not being his own wife, whether such girl shall consent or not, shall be punished with imprisonment of four to twenty years and fined of eight thousand to forty thousand Baht. If the commission of the offence according to the first paragraph is committed against a girl not yet over thirteen years of age, the offender shall be punished with imprisonment of seven to twenty years and fined of fourteen thousand to forty thousand Baht, or imprisonment for life.
  
- Age of Marriage: **17 years old**  
[Thailand Commercial and Civil Code – Book V – Family](#)  
**Sec. 1435**  
A betrothal can be affected only when the man and the woman have completed their seventeenth year of age.  
  
The betrothal contrary to the provision of paragraph one is void.  
  
**Sec. 1436**  
If a minor will conclude a betrothal, the consent of the following persons is required:
  - (1) His or her parents, in case both of his or her father and mother are still alive;
  - (2) His or her parent, in case his or her father or mother died, or is in a condition of state being unable to give consent, or is under circumstances that make the minor unable to ask for such consent;
  - (3) His or her adopter, in case the minor is an adopted child;
  - (4) His or her guardian, in case there is no person giving consent under (1), (2) and (3), or such person is deprived of parental authority.

A betrothal concluded by the minor without the said consent is voidable.

**Sec. 1448**

A marriage can only take place when the man and the woman have completed their seventeenth year of age. But the Court may, in case of having appropriate reason, allow them to marry before attaining such age.

- Age of Criminal Responsibility: **10 years old**  
[Criminal Code of Thailand](#)

**Sec. 73 – Children under Ten**

A child not yet over ten years of age shall not be punished for committing what is provided by the law to be an offence.

**Sec. 74 – Children over 10 but under 15**

A child over ten years but not yet over fifteen years of age commits what is provided by the law to be an offence, shall not be punished, but the Court shall have the power as follows:

1. To admonish the child and then discharge him; and the Court may, if it thinks fit, summon the parents or guardian of the child or the person with whom the child is residing to be given an admonition too;
2. If the Court is of opinion that the parents or guardian are able to take care of the child, the Court may give order to hand over the child to his parents or guardian by imposing the stipulation that the parents or guardian shall take care that the child does not cause any harm throughout the time prescribed by the Court, but not exceeding three years, and fixing a sum of money, as it thinks fit, which the parents or guardian shall have to pay to the Court, but not exceeding one thousand Baht for each time when such child causes harm;
3. If the child resides with a person other than his parents or guardian, and the Court does not think fit to summon the parents or guardian to impose the aforesaid stipulation, the Court may summon the person with whom the child resides for questioning as to whether or not he will accept the stipulation similar to that prescribed for the parents or guardian as aforesaid. If the person with whom such child resides consents to accept such stipulation, the Court shall give order to hand over the child to such person by imposing the aforesaid stipulation;
4. In case of the Court hands over the child to his parents, guardian or to the person with whom the child resides according to (2), the Court may determine the conditions for controlling behavior of the child in the same manner as provided in Section 56 also. In such case, the Court shall appoint a probation officer or any other official to control behavior of the child;
5. If the child has no parents or guardian, or has them but the Court is of opinion that they are unable to take care of such child, or if the child resides with a person other than the parents or guardian, and such person refuses to accept the stipulation mentioned in (2), the Court may give order to hand over such child to a person or organization, as the Court thinks fit, to take care of, to train and to give instruction throughout the period of time prescribed by the Court when consented to by such person or organization. In such case, such person or organization shall have the same power as that of the guardian only for the purpose of taking care of, training and giving instruction as well as determining the residence and making arrangement for the work to be done by the child, as may be reasonable; or

6. To send such child to a school or place of training and instruction or a place established for training and giving instruction to children throughout the period of time prescribed by the Court but not longer than the time when such child shall have completed eighteen years of age.

#### **Sec. 75 – Over 15 but under 18**

Whenever any person over fifteen years but not yet over eighteen years of age commits any act provided by the law to be an offence, the Court shall take into account the sense of responsibility and all other things concerning such person in order to come to decision as to whether it is expedient to pass judgment inflicting punishment on such person or not. If the Court does not deem it expedient to pass judgment inflicting punishment, it shall proceed according to Section 74, or if the Court deems it expedient to pass judgment inflicting punishment, it shall reduce the scale of punishment as provided for such offence by one-half.

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- **Extraterritoriality**

#### [Criminal Code of Thailand](#)

##### **Sec. 4 - Jurisdiction**

Law shall apply to acts performed inside the Kingdom.

An act performed on board a Thai ship or Thai aircraft, irrespective of wherever it is, shall be deemed to be performed inside the Kingdom.

##### **Sec. 5 – Partially Performed Acts**

The act shall be deemed to be performed inside the Kingdom even if it is partially performed inside the Kingdom, or if its result occurs inside the Kingdom in conformity with the intent of the offender or if, by nature of the act, its result ought to occur inside the Kingdom or it could be conjectured that such result would occur inside the Kingdom.

As regards an act prescribed by law to be contributable to an offence, the preparation or attempt shall be deemed to be committed inside the Kingdom if the act is committed to the stage of completion, its result would occur inside the Kingdom, even in reality such preparation or attempt is committed outside the Kingdom.

##### **Sec. 6 – Aider and Abettor**

With respect to an offence committed or deemed by this Code to be committed inside the Kingdom, the act of the principal, aider or abettor shall be deemed to be performed inside the Kingdom also, even in reality such act is performed outside the Kingdom.

##### **Sec. 7 – Crimes Outside Thailand**

Whoever to commit the following offences outside the Kingdom shall be punished in the Kingdom, namely:

2. Offences Relating to Counterfeiting and Alteration as provided in Section 240 to Section 249, Section 254, Section 256, Section 257 and Section 266 (3) and (4); (2 bis) Offences Relating to Sexuality as provided in Section 282 and Section 283;

### **Sec. 8 – Punishment in the Kingdom**

Whoever commits an offence outside the Kingdom shall be punished in the Kingdom; provided that, and, provided further that the offence committed be any of the following namely:

1. The offender be a Thai person, and there be a request for punishment by the Government of the country where the offence has occurred or by the injured person; or
2. The offender be an alien, and the Thai Government or a Thai person be the injured person, and there be a request for punishment by the injured person;

If such offence to be the offence specified as following shall be punished within the Kingdom namely: ...

- Offences Relating to Sexuality as provided in Section 276, Section 280 and Section 285 only for the case relating to Section 276;
- Offences Against Life as provided in Section 288 to Section 290;
- Offences Against Body as provided in Section 295 to Section 298;
- Offences of Abandonment of Children, Sick or Aged Persons as provided in Section 306 to Section 308;
- Offences Against Liberty as provided in Section 309, Section 310, Section 312 to Section 315, and Section 317 to Section 320;
- Offences of Theft and Snatching as provided in Section 334 to Section 336;
- Offences of Extortion, Blackmail, Robbery and Gang-Robbery as provided in Section 337 to Section 340;...

#### ▪ **Dual Criminality**

##### [Criminal Code of Thailand](#)

### **Sec. 8 – Punishment in the Kingdom**

Whoever commits an offence outside the Kingdom shall be punished in the Kingdom; provided that, and, provided further that the offence committed be any of the following namely:

3. The offender be a Thai person, and there be a request for punishment by the Government of the country where the offence has occurred or by the injured person; or
4. The offender be an alien, and the Thai Government or a Thai person be the injured person, and there be a request for punishment by the injured person;

If such offence to be the offence specified as following shall be punished within the Kingdom namely: ...

- Offences Relating to Sexuality as provided in Section 276, Section 280 and Section 285 only for the case relating to Section 276;
- Offences Against Life as provided in Section 288 to Section 290;
- Offences Against Body as provided in Section 295 to Section 298;
- Offences of Abandonment of Children, Sick or Aged Persons as provided in Section 306 to Section 308;
- Offences Against Liberty as provided in Section 309, Section 310, Section 312 to Section 315, and Section 317 to Section 320;
- Offences of Theft and Snatching as provided in Section 334 to Section 336;
- Offences of Extortion, Blackmail, Robbery and Gang-Robbery as provided in Section 337 to Section 340;...

- **Mandatory reporting requirements**

[Child Protection Act, B.E. 2546 \(2003\)](#)

**Art. 24**

Permanent Secretaries, provincial governors, district chiefs, assistant district officers as head of sub-districts or administrative heads of local administration organizations have the duty to protect the safety of children living in the areas under their jurisdiction, regardless of whether or not they have parents or guardians, and also have the authority and duty to supervise and inspect nurseries, remand homes, welfare centres, safety protection centres, development and rehabilitation centres and observation centres falling under their jurisdiction. Findings of the inspections shall be reported to the Bangkok Metropolis Child Protection Committee or the Provincial Child Protection Committee, depending on the case. They shall also have the same authority and duties as those of competent officials according to this Act.

**Art. 29**

Upon finding a child in circumstances which warrant welfare assistance or safety protection as stipulated under Chapters 3 and 4, a person shall provide basic assistance and notify a competent official, administrative official or police officer or person having the duty to protect a child's safety according to Article 24 without delay.

A physician, nurse, psychologist or public health official admitting a child for treatment; teacher, instructor or employer having the duty to take care of a child who is his or her student or employee, shall report immediately to a competent official or person having duty to protect a child's safety according to Article 24, or administrative official or police officer if it is apparent or suspected that the child has been tortured or is sick due to unlawful care.

Persons notifying or reporting in good faith under this Article shall receive appropriate protection and shall not be held liable for any civil, criminal or administrative action arising therefrom.

**Art. 32**

Children warranting welfare assistance include as follows:

...

5. Children who have been unlawfully brought up, exploited, abused, or subjected to any other conditions which are likely to cause them to behave in an immoral manner or suffer physical or mental harm; ...

**Art. 33**

In the case of a competent official or person having the duty to protect a child's safety according to Article 24 having been notified by persons according to Article 29 or having found a child warranting welfare assistance according to Article 32, he or she shall consider the most appropriate ways and means of providing assistance as follows:

1. To provide assistance and welfare to the child and his or her family or any person providing care for the child so as to enable them to take care of the child in a manner pursuant to Article 23;
2. To submit the child into the care of an appropriate person who consents to provide care for the child for a period as deemed appropriate but not exceeding one month in the case where it is not possible to act according to clause 1);

3. To facilitate the adoption of the child by a third person in accordance with the law on child adoption;
4. To send the child to be cared for by an appropriate foster family or nursery consenting to take the child into care;
5. To send the child to be cared for at a remand home;
6. To send the child to be cared for at a welfare centre;
7. To send the child to receive education or occupational training, or to receive treatment, rehabilitation, education or occupational training in a development and rehabilitation centre, or to receive spiritual discipline based on religious principles in a Buddhist temple or other place of other religion consenting to take the child into care.

#### **Art. 41**

Upon having witnessed or come to know of conduct which leads a person to believe that an act of torture has been committed against a child, such person shall promptly notify or report to a competent official, administration official or a person having the duty to protect a child's safety according to Article 24.

When a competent official, administration official or police officer or a person having the duty to protect a child's safety according to Article 24 has received a notification according to paragraph one, or witnessed or come to know of, at any place, conduct which leads him or her to believe that an act of torture has been committed against a child, he or she shall have the power to enter and inspect such place and separate the child from the child's family in order to provide protection to the child at the earliest opportunity.

Persons notifying or reporting in good faith under this Article shall receive protection and shall not be held liable for any civil, criminal or administrative action arising therefrom.

#### ▪ **Statute of Limitations**

##### [Criminal Code of Thailand](#)

##### Chapter 9 - Prescriptions

##### **Sec. 98 – Statute of Limitations for Crimes**

If any person, convicted by the final judgment, has not yet undergone the punishment, or has not completely undergone the punishment on account of having made an escape, and such person is not brought to undergo the punishment till the following periods of time reckoning from the day of the final judgment, or the day on which the offender has made the escape, as the case may be, the execution of punishment shall be precluded by prescription, and the punishment shall not be inflicted upon such person:

1. After twenty years in case of a sentence to death, to imprisonment for life or to imprisonment of twenty years;
2. After fifteen years in case of a sentence to imprisonment of over seven years but not up to twenty years;
3. After ten years in case of a sentence to imprisonment of over one year up to seven years;
4. After five years in case of a sentence to imprisonment of one year downwards or any other punishment.

- **Obligations of Educational Institutions**

[Child Protection Act, B.E. 2546 \(2003\)](#)

**Sec. 59<sup>1</sup>**

The guardian of safety of a safety protection center has the authority and duties as follows:

- 1) To take charge of, supervise and care for a child staying at the safety protection center;
- 2) To arrange for the education, instruction and occupational training of a child staying at the safety protection center;
- 3) To rectify behavior, and treat and rehabilitate the physical and mental conditions of a child staying at the safety protection center;
- 4) To monitor and follow up on a child who has been discharged from the safety protection center, offering the child advice, guidance and assistance.

**Sec. 63**

Schools and educational establishments shall set up systems and activities to provide guidance, counseling and training for pupils, students and guardians, with a view to promoting appropriate behavior, social responsibility and safety for the pupils and students, in accordance with the criteria, procedures and conditions stipulated in the ministerial regulations.

- **Prohibition to hold certain positions**

[Criminal Code of Thailand](#)

**Sec. 50 – Prohibition of Occupation or Profession**

When any person is given judgment inflicting punishment by the Court, and if the Court deems that the offence committed by such person taking the opportunity of carrying on own occupation or profession, and deems that such offence will be committed again by such person if such person carries on own occupation or profession further, the Court may issue an order in the judgment prohibiting such person to carry on own occupation or profession for a period not out of five years as from the date of passing over the punishment.

- **Employment Law**

[Labour Protection Act 1998 B.E. 2541 \(LPA\)](#)

**Sec. 116**

Whereas an Employee alleged to have committed an offence is under investigation by an Employer, the Employer is not allowed to order the suspension from work of the Employee during such investigation, unless the Employer is empowered by the work rules or an agreement on conditions of employment to order such. The Employer shall issue a written order of the suspension stating the offence committed and the period of suspension of not exceeding seven days, and notify the Employee prior to the suspension.

During the suspension under paragraph one, the Employer shall make payments to the Employee according to the rate specified in the work rules or the agreement on conditions of employment agreed between the Employer and Employee. Such rate shall not be less than

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<sup>1</sup> A Safety Protection Center is defined in the Child Protection Act, B.E. 2546 of 2003 as a place, which provides education, discipline, and occupational training to a child who is in need of protection in order to correct his or her behavior, and provide treatment and rehabilitation for the child's physical and mental conditions.

fifty percent of the Wages of a Working Day received by the Employee prior to his or her suspension.

▪ **Criminal Law - Defamation**

[Criminal Code of Thailand](#)

**Sec. 326 – Defamation**

Whoever, imputes anything to the other person before a third person in a manner likely to impair the reputation of such other person or to expose such other person to be hated or scorned, is said to commit defamation, and shall be punished with imprisonment not exceeding one year or fined not exceeding twenty thousand Baht (US \$640), or both.

**Sec. 327 – Defamation to the Family**

Whoever, imputing anything the deceased person before the third person, and that imputation is likely to impair the reputation of the father, mother, spouse or child of the deceased or to expose that person hated or scorned, is said to commit defamation, and shall be punished as prescribed by Section 326.

**Sec. 328 – Defamation by Publication**

If the offence of defamation is committed by means of publication of a document, drawing, painting, cinematography film, picture or letters made visible by any means, gramophone record or another recording instrument, recording picture or letters, or by broadcasting or spreading pictures, or by propagation by any other means, the offender shall be punished with imprisonment not exceeding two years and fined not exceeding two hundred thousand Baht (US \$6,400).

**Sec. 329 – Good Faith Statement**

Whoever, in good faith, expresses any opinion or statement:

- By way of self-justification or defense, or for the protection of a legitimate interest;
- In the status of being an official in the exercise of his functions;
- By way of fair comment on any person or thing subjected to public criticism; or
- By way of fair report of the open proceeding of any Court or meeting,

Shall not be guilty of defamation.

**Sec. 330 – Truth as a Defense**

In the case of defamation, if the person prosecuted for defamation can prove that the imputation made by him is true, he shall not be punished. But he shall not be allowed to prove if such imputation concerns personal matters, and such proof will not be beneficial to the public.

**Sec. 331 – Opinion in a Court Proceeding**

The party in a case or party's lawyer expressing opinion or statement in the proceeding of the Court in favor of his case shall not be tried for the offence of defamation.

**Sec. 332 – Punishment**

In case of defamation in which judgment is given that the accused is guilty, the Court may give order:

- To seize and destroy the defamatory matter or part thereof;

- To publish the whole or part of the judgment in one or more newspapers once or several times that the expense of the accused.

### **Sec. 333 – Compoundable Offense**

The offenses in this Chapter are compoundable offences. If the injured person in the defamation dies before making a complaint, the father, mother, spouse or child of the deceased may make a complaint, and it shall be deemed that such person is the injured person.

#### ▪ **Private Fostering**

No information found.

#### ▪ **Sexual Offenses Against Children**

##### [Criminal Code of Thailand](#)

### **Sec. 277 – Rape – Girl Under 15**

Whoever, has sexual intercourse with a girl not yet over fifteen years of age and not being his own wife, whether such girl shall consent or not, shall be punished with imprisonment of four to twenty years and fined of eight thousand to forty thousand Baht. If the commission of the offence according to the first paragraph is committed against a girl not yet over thirteen years of age, the offender shall be punished with imprisonment of seven to twenty years and fined of fourteen thousand to forty thousand Baht, or imprisonment for life.

If the commission of the offence according to the first or second paragraph is committed by participation of persons in the nature for destroying a girl and such girl is not consent, or by carrying the gun or explosive, or by using the arms, the offender shall be punished with imprisonment for life.

The offence as provided in the first paragraph, if the offender being the man commits against the girl over thirteen years but not yet over fifteen years of age with her consent and the Court grants such man and girl to marry together afterwards, the offender shall not be punished for such offence. If the Court grants them permission to marry together during the time the offender is still being inflicted with the punishment, the Court shall release such offender.

### **Sec. 277 bis – Punishment**

If the commission of the offence according to the first paragraph of Section 276, or the first or second paragraph of Section 277, causes:

1. Grievous bodily harm to the victim, the offender shall be punished with imprisonment of fifteen to twenty years and fined of thirty thousand to forty thousand Baht, or imprisonment for life;
2. Death to the victim, the offender shall be punished with death or imprisonment for life.

### **Sec. 277 ter – Bodily Harm as Result of Assault**

If the commission of the offence according to the second paragraph of Section 276 or the third paragraph of Section 277, causes: Grievous bodily harm to the victim, the offender shall

be punished with death or imprisonment for life. Death to the victim, the offender shall be punished with death.

**Sec. 278 – Penalty for Rape over 15 years old**

Whoever, committing an indecent act to the person out of fifteen years of age by threatening with any means, by doing any act of violence, by taking advantage of that person to be in the condition of inability to resist, or by causing that person to mistake him for the other person, shall be imprisoned not out of ten years or fined not out of twenty thousand Baht, or both.

**Sec. 279 – Penalty for Indecent Act with someone under 15 years old**

Whoever, commits an indecent act on a child not yet over fifteen years of age, whether such child shall consent or not, shall be punished with imprisonment not exceeding ten years or fined not exceeding twenty thousand Baht, or both.

If the commission of the offence according to the first paragraph, the offender commits it by threatening by any means whatever, by doing any act of violence, by taking advantage of such child being in the condition of inability to resist, or by causing such child to mistake him for another person, the offender shall be punished with imprisonment not exceeding fifteen years or fined not exceeding thirty thousand Baht, or both.

**Sec. 282 – Indecency**

Whoever, in order to gratify the sexual desire of another person, procures, seduces or takes away for indecent act the man or woman with his or her consent, shall be punished with imprisonment of one to ten years and fined of two thousand to twenty thousand Baht.

If the commission of the offence according to the first paragraph is occurred to the person over fifteen years but not yet over eighteen years of age, the offender shall be punished with imprisonment of three to fifteen years and fined of six thousand to thirty thousand Baht.

If the commission of the offence according to the first paragraph is occurred to the child not yet over fifteen years of age, the offender shall be punished with imprisonment of five to twenty years and fined of ten thousand to forty thousand Baht. Whoever, in order to gratify the sexual desire of another person, obtains the person who is procured, seduced or taken away according to the first, second or third paragraph or supports in such commission of offence, shall be liable to the punishment as provided in the first, second or third paragraph, as the case may be.

**Sec. 283 – Indecency for Another Person by Deception, Threat, or Force**

Whoever, in order to gratify the sexual desire of another person, procures, seduces or takes away for indecent act a man or woman by using deceitful means, threat, doing an act of violence, unjust influence or mode of coercion by any other means, shall be punished with imprisonment of five to twenty years and fined of ten thousand to forty thousand Baht.

If the commission of the offence according to the first paragraph is occurred to the person over fifteen years but not yet over eighteen years of age, the offender shall be punished with imprisonment of seven to twenty years and fined of fourteen thousand to forty thousand Baht, or imprisonment for life.

If the commission of the offence according to the first paragraph is occurred to the child not yet over fifteen years of age, the offender shall be punished with imprisonment of ten to

twenty years and fined twenty thousand to forty thousand Baht, or imprisonment for life, or death.

Whoever, in order to gratify the sexual desire of another person, obtains the person who is procured, seduced or taken away according to the first, second or third paragraph, or supports in such commission of offence, shall be liable to the punishment as provided in the first, second or third paragraph, as the case may be.

**Sec. 283 bis – Punishment for over 15 but under 18**

Whoever, takes away a person over fifteen years of age but not yet over eighteen years of age for indecent acts with consent of such person, shall be punished with imprisonment of not exceeding five years or fined not exceeding ten thousand Baht, or both.

If commission of an offence according to the first paragraph occurred with a child not yet over fifteen years of age, the offender shall be punished with imprisonment not exceeding seven years or fined not exceeding fourteen thousand Baht, or both.

Whoever conceals a person who is taken away according to the first or second paragraph, shall be liable to punishment as provided in the first or second paragraph, as the case may be.

The offences under the first and third paragraphs if committed against persons over the age of fifteen years are indictable offences.

**Sec. 284 – Takes Away Another Person for Indecent Act**

Whoever, takes away another person for indecent act by using deceitful means, threat, doing any act of violence, unjust influence or mode of coercion by any other means, shall be punished with imprisonment of one to ten years and fined of two thousand to twenty thousand Baht.

Whoever, conceals the person who is taken away according to the first paragraph, shall be liable to the same punishment as the person who takes away.

The offence according to this Section is compoundable offence.

**Sec. 285 – Violation under Guardianship**

If committing the offence under Section 276, Section 277 bis, Section 277 ter, Section 278, Section 279, Section 280, Section 282 or Section 283 against a descendant, pupil under one's care, person under one's control according to official authority, or person under one's tutorship, guardianship or courtship, such offender shall be punished by the heavier punishment than that as prescribed in that Section by one-third.

**Sec. 286 – Prostitution**

Any person, being over sixteen years of age, subsists on the earning of a prostitute, even if it is some part of her incomes, shall be punished with imprisonment of seven to twenty years and fined of fourteen thousand to forty thousand Baht, or imprisonment for life.

Any person has no other apparent or sufficient means of subsistence, and:

1. Is found residing or habitually associating with one or more prostitutes;
2. Takes board and lodging, or receives money or any other benefit arranged for by a prostitute; or
3. Take part in order to help any prostitute in her quarrel with her customer,

The provisions of this Section shall not be applied to any person who receives maintenance from a prostitute who is bound to give maintenance according to law or morality.

### **Sec. 287 – Pornography**

Whoever:

1. For the purpose of trade or by trade, for public distribution or exhibition, makes, produces, possesses, brings or causes to be brought into the Kingdom, sends or causes to be sent out of the Kingdom, takes away or causes to be taken away, or circulates by any means whatever, any document, drawing, print, painting, printed matter, picture, poster, symbol, photograph, cinematograph film, noise tape, picture tape or any other thing which is obscene;
2. Carries on trade, or takes part or participates in the trade concerning the aforesaid obscene material or thing, or distributes or exhibits to the public, or hires out such material or thing;
3. In order to assist in the circulation or trading of the aforesaid obscene material or thing, propagates or spreads the news by any means whatever that there is a person committing the act which is an offence according to this Section, or propagates or spreads the news that the aforesaid obscene material or thing may be obtained from any person or by any means,

shall be punished with imprisonment not exceeding three years or fined not exceeding six thousand Baht, or both.

### [Child Protection Act 2003](#)

#### **Art. 4**

“Torture” means any commission or omission of acts which cause the deprivation of freedom of, or mental or physical harm to, a child; sexual abuses committed against a child; inducement of a child to act or behave in a manner which is likely to be mentally or physically harmful to the child, unlawful or immoral, regardless of the child's consent.

#### **Art. 26**

Under the provisions of other laws, regardless of a child's consent, a person is forbidden to act as follows:

1. Commit or omit acts which result in torturing a child's body or mind;
2. Intentionally or neglectfully withhold things that are necessary for sustaining the life or health of a child under guardianship, to the extent which would be likely to cause physical or mental harm to the child;
3. Force, threaten, induce, encourage or allow a child to adopt behaviour and manners which are inappropriate or likely to be the cause of wrongdoing;
4. Advertise by means of the media or use any other means of information dissemination to receive or give away a child to any person who is not related to the child, save where such action is sanctioned by the State;
5. Force, threaten, induce, encourage, consent to, or act in any other way that results in a child becoming a beggar, living on the street, or use a child as an instrument for begging or committing crimes, or act in any way that results in the exploitation of a child;
6. Use, employ or ask a child to work or act in such a way that might be physically or mentally harmful to the child, affect the child's growth or hinder the child's development;
7. Force, threaten, use, induce, instigate, encourage, or allow a child to play sports or commit any acts indicative of commercial exploitation in a manner which hinders the child's growth and development or constitutes an act of torture against the child;

8. Use or allow a child to gamble in any form or enter into a gambling place, brothel, or other place where children are not allowed;
9. Force, threaten, use, induce, instigate, encourage or allow a child to perform or act in a pornographic manner, regardless of whether the intention is to obtain remuneration or anything else;
10. Sell, exchange or give away liquor or cigarettes to a child, other than for medical purposes.

If the offences under paragraph one carry heavier penalties under other law, penalties under such law shall be imposed.

### **Art. 32**

Children warranting welfare assistance include as follows:

1. Street children or orphans;
2. Abandoned or lost children;
3. Children whose guardians are unable to care for them for whatever reasons, for example, being imprisoned, detained, disabled, chronically ill, impoverished, juvenile, divorced, deserted, mentally ill or neurotic;
4. Children whose guardians have inappropriate behaviours or occupations, which might affect the physical or mental development of the children under their guardianship;
5. Children who have been unlawfully brought up, exploited, abused, or subjected to any other conditions which are likely to cause them to behave in an immoral manner or suffer physical or mental harm;
6. Disabled children;
7. Children in difficult circumstances;
8. Children in situations warranting welfare assistance as stipulated in the ministerial regulations.

### [Prevention and Suppression of Prostitution Act B.E. 2539 \(1996\)](#)

#### **Sec. 8**

Any person who, in order to gratify his or her sexual desire or that of another person, has sexual intercourse or acts otherwise against a person over fifteen but not over eighteen years of age in a prostitution establishment, with or without his or her consent, shall be liable to imprisonment for a term of one to three years and to a fine of twenty thousand to sixty thousand Baht.

If the offence under paragraph one is committed in relation to a child not over fifteen years of age, the offender shall be liable to imprisonment for a term of two to six years and to a fine of forty thousand to one hundred twenty thousand Baht.

If the act under paragraph one is committed in relation to one's own spouse, and not to gratify the sexual desire of another person, the offender is not guilty.

#### **Sec. 9**

Any person who procures, seduces or takes away any person for the prostitution of such person, even with her or his consent and irrespective of whether the various acts which constitute an offence are committed within or outside the Kingdom, shall be liable to imprisonment for a term of one to ten years and to a fine of twenty thousand to two hundred thousand Baht.

If the offence under paragraph one is committed against a person over fifteen but not over eighteen years of age, the offender shall be liable to imprisonment for a term of five to fifteen years and to a fine of one hundred thousand to three hundred thousand Baht.

If the offence under paragraph one is committed in relation to a child not over fifteen years of age, the offender shall be liable to imprisonment for a term of ten to twenty years and to a fine of two hundred thousand to four hundred thousand Baht.

If the offence under paragraph one, two or three is committed by means of fraud, deceit, threat, violence, the exercise of undue influence or coercion against her or his will in any manner whatsoever, the offender shall be liable to a one-third heavier penalty than that provided in paragraph one, two or three, as the case may be.

Any person who, in order to bring about prostitution, admits a person known to him or her as having been procured, seduced or taken away under paragraph one, two, three or four, or supports the commission of such offence shall be liable to the penalty provided in paragraph one, two, three or four, as the case may be.

#### **Sec. 10**

Any person who, being a father, mother or parent of a person not over eighteen years of age, knows of the commission against the person under his or her parental control of the offence under paragraph two, three or four of section 9 and connives in such commission shall be liable to imprisonment for a term of four years to twenty years and to a fine of eighty thousand to four hundred thousand Baht.

#### [Anti-Trafficking in Persons Act B.E. 2551 \(2008\)](#)

#### **Sec. 6**

Whoever, for the purpose of exploitation, does any of the following acts:

1. procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving any person, by means of the threat or use of force, abduction, fraud, deception, abuse of power, or of the giving money or benefits to achieve the consent of a person having control over another person in allowing the offender to exploit the person under his control; or
2. procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving a child;

is guilty of trafficking in persons.

#### **Sec. 7**

Whoever commits any of the following acts, shall be punished likewise as the offender of an offence of trafficking in persons:

1. supporting the commission of an offence of trafficking in persons;
2. aiding by contributing property, procuring a meeting place or lodge, for the offender of trafficking in persons;
3. assisting by any means so that the offender of trafficking in persons may not be arrested;
4. demanding, accepting, or agreeing to accept a property or any other benefit in order to help the offender of trafficking in persons not to be punished;
5. inducing, suggesting or contacting a person to become a member of the organized criminal group, for the purpose of committing an offence of trafficking in persons.

[Computer-Related Crime Act B.E. 2550 \(2007\)](#)

**Sec. 14** (*applies to child sexual abuse material*)

Whoever commits the following acts shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding one hundred thousand Baht or both:

- (1) input into a computer system wholly or partially fake or false computer data that is likely to cause damage to another person or the public;
- (2) input into a computer system false computer data in a manner that is likely to undermine national security or to cause public panic;
- (3) input into a computer system computer data that is an offence against national security or terrorism according to the Criminal Code;
- (4) input into a computer system pornographic computer data that is accessible to the public;
- (5) publish or forward any computer data with the full knowledge that such computer data is under paragraph (1), (2) (3) or (4);...

▪ **Female Genital Mutilation (FGM) / Female Circumcision**

No specific law on FGM found.

For information see:

- <https://thediplomat.com/2019/08/southeast-asias-hidden-female-genital-mutilation-challenge/>;
- <https://www.aljazeera.com/news/asia-pacific/2015/03/female-genital-cutting-thailand-south-150309083458995.html>;
- <https://www.reuters.com/article/us-singapore-fgm-asia-factbox/factbox-the-hidden-cut-female-genital-mutilation-in-asia-idUSKCN12D04E>

▪ **Child / Early / Forced Marriage**

[Thailand Commercial and Civil Code – Book V – Family](#)

Chapter One, Betrothal

**Sec. 1435**

A betrothal can be affected only when the man and the woman have completed their seventeenth year of age.

**Sec. 1436**

If a minor will conclude a betrothal, the consent of the following persons is required;

1. His or her parents, in case both of his/her father and mother are still alive.
2. His or her parent, in case his or her father or mother died or is in a condition of state of being unable to give consent or is under the circumstances that make the minor unable to ask for such consent.
3. His or her adopter, in case the minor is an adopted child.

His or her guardian, in case there is no person giving consent under (1), (2), and (3), or such person is deprived of parental power.