(Unofficial translation)
Military Prison Act B.E. 2479

In the Name of His Majesty King Anandamahidol,
The Council of Regency,
(under the notification of the House of the Representatives
20th August B.E. 2478)
Aditya Dibabha;
Gen. Chao Phraya Pichayen Yothin.
Given on the 29th of November B.E. 2489
Being the 3rd Year of the Present Reign.

By the resolution of the House of the Representatives, whereas it is expedient to operate the Military prison to be appropriate for the times.

Be it, therefore, enacted by the King, by and with advice and consent of the House of the Representatives, as follows

Article 1 The Act is called, “Military Prison Act B.E. 2479”

Article 2 This Act shall come into force with effect on March 29, 2479 onwards.

Article 3 After this Act come into force, All of Acts involved with Military prison shall be repealed

Article 4 In this Act:

(1) “Prison” refers to places which minister or designated person by the minister specify what is prison

(2) “Inmates” refer to prisoners, detainee and entrusted person

(a) “Prisoners” refer to any person lawfully sentenced or ordered to be imprisoned

(b) “detainee” refer to any person confined by the Detention Warrant

(c) “entrusted person” refer to any person who is deposited in the Military prison

(3) “Minister” refer to the Minister of Defense of Thailand

Article 5 The Minister shall have the power to assign the duty of Prison Director and prison officer including the condition to practice following the duty

Article 6 Prison officer will accept any person as an inmate only if the officer receives the warrant of Military Court or Detention warrant by authorized person or the document which is the directive of authorized officer

Article 7 Inmate shall be moved from the military prison to civil prison or civil prison to the military prison depending on the agreement which is accepted by the Minister and the minister who has authority to command the civil prison

The Inmate who is moved the new prison is the inmate of the new prison.

Article 8 The Inmate must be enforced under the law as a conscript.

Article 9 When the inmate commits an offence that the commander has power to punish by the discipline instead of court process, prison director or prison officer have power to punish following Article 10 under the determination of the Ministry.

In addition to offence of property of prison which is petty offence or attempt to escape offence, must follow under the preceding paragraph.

Article 10 The inmate shall be punished by the following disciplinary punishments:

(1) admonishment

(2) suspension or deprivation any right of prisoners within the period of time

(3) solitary confinement for not exceeding three months

Article 11 No instrument of restraint upon inmate except:

(1) inmate is potentially dangerous to life or body of self or others

(2) inmate is insane or mentally ill may cause harm to self or others

(3) inmate shall attempt to escape

(4) In the case where a inmate is taken outside the prison, the prison officer deems it appropriate to use restraints.

(5) In case of appropriate situation to apply instrument of restraint upon inmate, it depends on the environment of the prison, situation and local situation.

Article 12 Prison Director or Prison officer need to use weapon or orders subordinate officer to force using weapon to the inmate as follows:

(a) To use weapons except gun when:

(1) When it appears that inmate is escaping or attempt to escape and Prison Director or Prison officer may not have option to prevent except using weapon.

(2) When it appears that inmate causes to riot or attempt to pull a jailbreak or destroy a part of the prison.

(3) When it appears that inmate may attack the prison officer or others.

(b) using gun when:

(1) Inmate may not to drop weapon when prison officer order.

(2) Inmate is escaping when prison officer order and no other way to arrest

(3) When prison officer orders to stop in unsafe situation which are three inmates or more cause to riot or attempt to pull a jailbreak or destroy a part of the prison or attack the prison officer or others.

After twenty-four hours since the prisoners escaped, the prison officer may arrest the prisoner under the preceding paragraph.

Article 13 When the inmate gets grievous bodily harm or death while assisting the prison officer who is on duty, the prisoner may get right or benefits following Article 14 and the inmate may be gotten rewards by determination of the Minister.

When the inmate dies, the rewards shall belong to inheritor.

Article 14 Prisoner who has good behavior, diligence and progress in education and work which is positive to official service shall acquire benefits as follows:

(1) To acquire certain facility in the prison by the condition as determination of the Minister.

(2) to be upgraded.

(3) to be appointed to assistant of the prison officer.

(4) to be permitted to leave of absence for not exceeding four days in a row excluding the time of trip travelling by the conditions which are necessary or family affair; however, permitted prisoner shall not go out of the Kingdom of Thailand and follows the conditions which are determined by the Minister. Furthermore, leave of absence shall not be the period of punishment.

(5) Parole under the determination of the Minister.

This parole may be enforced to the prisoner who must have already been imprisoned for not less than one third of the term of imprisonment specified. If the prisoner imprisons for life, they must have already been imprisoned for not less than ten years.

In this regard, the conditions that prisoners on parole must comply with are for prisoners who have not period of imprisonment less than one year unless the period of imprisonment is less than one year then set the conditions for the remaining period.

Prisoners are permitted to leave of absence or parole are not released from the status of a prison inmate under this Act.

Article 15 Prisoners are permitted to leave of absence or parole must comply with the conditions which are determined by the Minister. If one of the conditions is not met, the prisoner may be arrested without warrant of imprisonment for the remaining of the sentence and may also be punished for disciplinary action.

During this parole, if the prisoner is sentenced to a final judgment for commitment in another crime which is not a petty offense or negligence, the parole must be revoked and the prisoner must be arrested without warrant of imprisonment for the remaining of the sentence and may also be punished for disciplinary action.

Article 16 In the event of an emergency which may endanger the life or safety of a inmate. If the prison officer is unable to immediately transfer the prisoner to another place, may release the inmates temporarily but the released inmates must return to the prison or report to the location of the military unit or district office within twenty-four hours from the time of release and the inmate must comply with the order of that officer if the released inmate does not comply with this shall be deemed offence of escaping.

Article 17 When a medical officer submits a report expressing an opinion that any inmate is ill and if he continues to treat with medical process in prison may not be good result, the Minister may allow such inmate to be treated in any other place outside the prison with any condition as he deems appropriate.

Under the preceding paragraph, shall not be deemed to be released from the status of imprisonment in the prison. If the inmates leave the prison without permission, shall be deemed offence of escaping.

Article 18 Subject to the provisions on complaints under the Military Discipline Act and pardon which is a heavy penalty to a lighter or reducing the punishment under this Act. Inmates also have the right to submit any matter to prison officer, Prison Director, the Minister or HM the King following the rules or procedures which are prescribed by the Minister.

Article 19 Property which an inmate brings in or keep in a prison without permission of the prison officer. if it is prohibited under the conditions prescribed by the Minister, the Prison Director shall forfeit it as the property of the State if it is in the condition of being fresh or dangerous or unclean. The prison commander shall destroy it.

Those which are unable to be keep in prisons because of their size, weight or condition and unable to deposit to others may be destroyed or sold at auction by the order of the Prison Director

The net amount sold at the auction shall be kept for the inmates.

Article 20 Property of inmate left in prison. The prison Director may order the forfeiture of the property to be the state as follow:

(1) the inmate has escaped for exceeding three months from the day of escape.

(2) the inmate is released and does not receive his property or award within one year from the date of release.

Article 21 The prisoner is released may have the right to receive the certificate of release.

Article 22 The seventh division of the criminal procedure code on pardon, commutation and reduction of punishment shall be applied to those are sentenced by the Military Court. The Minister, the prison director and the prison officer under this act shall have the power and the duties as the Minister and the prison Director under the criminal procedure code depending on the case.

Article 23 Whoever enters the prison without permission of accepting from of giving money or prohibited object to inmate to bring in or out of the prison if these disobey the prison regulation shall be liable to imprisonment for a term not exceeding one year or a fine not exceeding twenty thousand bath or both.

Article 24 The Minister of Defense shall have charge and control of the execution of this Act and shall have the duties and powers to issue Rules in the execution of this Act

Countersigned by:

Col. Phahon Phonphayuhasena

Prime Minister