

Notification of the Board of Special Case

(No.5) B.E.2555 (2012)

on Determination of the Nature of Crime Regarded as the Special Case
under Section 21 Paragraph One (1) of the Special Case Investigation Act, B.E.2547 (2004)

By virtue of the provisions in Section 10 (2) and Section 21 paragraph one (1) of the Special Case Investigation Act, B.E.2547 (2004) amended by the Special Case Investigation Act (No.2) B.E.2551 (2008) which contains some provisions restricting an individual's rights and liberties as permitted by Section 29 in conjunction to Section 32, Section 33, Section 34, Section 35, Section 36, Section 41, and Section 46 of the Constitution of the Kingdom of Thailand. By virtue of the provisions of law, the Board of Special Case (BSC) hereby issues the notification as follows:

Clause 1 This notification is called "The Board of Special Case's Notification (No.5) B.E.2555 (2012) on Determination of the Nature of Crime Regarded as the Special Case under Section 21 Paragraph One (1) of the Special Case Investigation Act, B.E.2547 (2004)".

Clause 2¹ This notification shall come into force from the date of its publication in the Government Gazette.

Clause 3 By this notification, the following offences shall be revoked. The offences under the Commercial Banking Act and the Law on the Finance Business, Securities Business and Credit Foncier Business stipulated in the Annex of the Board of Special Case's Notification (No.4) B.E.2554 (2012) on Determination of the Nature of Crime Regarded as the Special Case under Section 21 Paragraph One (1) of the Special Case Investigation Act, B.E.2547 (2004).

Clause 4 The criminal offences additionally specified by the Ministerial Regulation on Additional Determination of Special Cases under the Special Case Investigation Act, No.2, B.E.2555 (2012), which have any nature pursuant to Section 21 Paragraph One (1) (a) (b) (c) (d) or (e) of the Special Case Investigation Act, B.E.2547 (2004) amended by the Special Case Investigation Act (No.2) B.E.2551 (2008), only the offences detailed in the Annex attached hereto and the offences investigated by the Director-General's orders are the special cases requiring the investigation and inquiry pursuant to the Special Case Investigation Act, B.E. 2547 (2004).

¹ The Government Gazette, Vol.129/Part Special 85 Ngor/Page 15/25 May 2012

Clause 5 The special cases pursued in accord with the BSC's notification of the nature of crime regarded as the special case in Clause 3 and being investigated by the special case inquiry official on the effective date of this notification shall still be regarded as special cases and are under the responsibility of the special case inquiry official until the case is final.

Clause 6 In the interests of the special case investigation, in case of argument or doubt whether any of the offences in the Annex hereto is the special case, the BSC shall be the arbiter.

Announced on the 11th day of May B.E. 2555 (2012)

Pol.Capt.Chalerm Yubamrung

Deputy Prime Minister

For Prime Minister

Chairman of Board of Special Case