

**Constitutional Court Ruling No. 30/2563 (2020)**

Dusit Kwaeng Court

Applicant

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Respondent

Constitution, section 26 and section 29 paragraph one;  
Announcement of the NCPO No. 29/2557 and Announcement of the NCPO No. 41/2557.

Announcement of the National Council for Peace and Order No. 29/2557, Re: Persons Who Shall Report to Authorities Pursuant to Orders of the National Council for Peace and Order, dated 24<sup>th</sup> May B.E. 2557 (2014), and Announcement of the National Council for Peace and Order No. 41/2557, Re: Prescription of Offence for Violation or Non-Compliance with a Summons to Report to Authorities, dated 26<sup>th</sup> May B.E. 2557 (2014), only with respect to the criminal penalties for violation of the Order of the National Council for Peace and Order, i.e. imprisonment for a term not exceeding 2 years or a fine not exceeding 40,000 baht or both, were not appropriate to the nature of the offence, were not in accordance with the principle of proportionality, constituted an unreasonably excessive restriction of rights and liberties of a person and were inconsistent with the rule of law. The provisions were contrary to or inconsistent with section 26 of the Constitution. Furthermore, Announcement of the National Council for Peace and Order No. 29/2557 prescribed a criminal penalty having retroactive effect on a person who failed to report to authorities pursuant to a prior order of the National Council for Peace and Order. This Announcement was therefore also contrary to or inconsistent with section 29 paragraph one of the Constitution.