

Constitutional Court Ruling No. 10 - 11/2557 (2014)

Political Parties Registrar	Applicant
Thai Por-Pieng Party	Respondent

Organic Act on Political Parties, B.E. 2550 (2007), section 42, section 82, section 93, section 97 and section 98.

Section 93 in conjunction with section 42 and section 82 of the Organic Act on Political Parties, B.E. 2550 (2007) provided that a political party leader had to prepare an actual and accurate report of political party activities in the preceding calendar year period in accordance with procedures prescribed by the applicant, which had to be submitted to the applicant by March every year. Also, a political party receiving sponsorship funds from the Political Party Development Fund had to prepare an actual and accurate report of political party sponsorship funds for a calendar year, and to submit such report to the Election Commission by March of the subsequent year. Failure to report without reasonable excuse could constitute a cause for dissolution of such political party. It was found that the respondent party failed to prepare a report of respondent party activities for the annual period of B.E. 2555 (2012), and upon an order of the applicant requiring submission of the report within a stipulated period, the respondent failed to submit a report without reasonable excuse. Furthermore, the respondent submitted a report of sponsorship funds expenditure for the annual period of B.E. 2555 (2012) which was not actual and accurate and failed to give an explanation or submit additional documents or return funds. Thus, this was a case of a failure to prepare an actual and accurate report of political party sponsorship expenditures. An order was therefore issued to dissolve the respondent party pursuant to section 93 in conjunction with section 42 paragraph two and section 82. The former executive committee members of the respondent party were prohibited from registering the establishment of a new political party or from becoming a political party executive, or from participating in the registration of a new political party for a period of five years as from the day of order dissolving the respondent party pursuant to section 97, and the right to vote of the party leader and respondent party executive committee members were revoked for a period of five years as from the order to dissolve the respondent party pursuant to section 98.