

Constitutional Court Ruling No. 6/2562 (2019)

Ombudsman

Applicant

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Respondent

Constitution, section 91;

Organic Act on the Election of Members of the House of Representatives, B.E. 2561 (2018), section 128.

Section 128 of the Organic Act on the Election of Members of the House of Representatives, B.E. 2561 (2018) provided further details on the provisions of section 91 of the Constitution. The provision merely provided rules and procedures for calculating and determining proportions in order to obtain the complete number of Members of the House of Representatives as provided by the Constitution. In particular, the provision addressed the calculation procedures in the event of an inability to allocate all one hundred and fifty seats, which was in accordance with the principle and spirit of section 91 paragraph one and paragraph three of the Constitution, and was neither contrary to nor inconsistent with section 91 of the Constitution. The provision therefore did not raise questions of constitutionality.