

Constitutional Court Ruling No. 14/2562 (2019)

Election Commission	Applicant
Mr. Thanathorn	Respondent
Juangroongruangkit	
Member of the House of Representatives	

Constitution, section 98(3) and section 101(6).

Section 98(3) of the Constitution prohibited a person who was an owner or a shareholder of a newspaper or any other mass media business from exercising the right to stand in an election of Members of the House of Representatives. Section 101(6) provided that the membership of a Member of the House of Representatives terminated if there was a prohibited characteristic under section 98. Upon a finding of fact that the respondent was a shareholder in V-Luck Media Company Limited, which operated a mass media business on the day Future Forward Party submitted the list of candidates for election of party list Members of the House of Representatives to the applicant, namely 6th February B.E. 2562 (2019), the respondent's membership as a Member of the House of Representatives therefore terminated as from the day of Constitutional Court order directing the respondent to cease performing duties pursuant to section 82 paragraph two of the Constitution, i.e. 23rd May B.E. 2562 (2019). As the respondent was a party list Member of the House of Representatives, the day when the office of Member of the House of Representatives became vacant pursuant to section 105 paragraph one (2) was 20th November B.E. 2562 (2019), which was the day of Constitutional Court due reading of the ruling to the parties under section 76 paragraph one of the Organic Act on Procedures of the Constitutional Court, B.E. 2561 (2018).