

(Translation)

Unofficial Translation\*

**THE ACT ON  
PREVENTION AND SOLUTION TO THE ADOLESCENT PREGNANCY PROBLEM  
B.E.2559**

**BHUMIBOL ADULYADEJ, REX.  
Given on the 30<sup>th</sup> Day of March B.E. 2559;  
Being the 71<sup>st</sup> Year of the Present Reign**

His Majesty King Bhumibol Adulyadej has the Royal Proclamation to announce that:

Whereas it is expedient to have a law governing prevention and solution to the adolescent pregnancy problem.

Therefore, His Majesty the King Bhumibol Adulyadej has graciously been pleased to enact this Act, with the advice and consent of the National Legislative Assembly, as follows:

**Section 1** This Act shall be called the “Act on Prevention and Solution to the Adolescent Pregnancy Problem B.E. 2559”.

**Section 2**<sup>1</sup> This Act shall come into force when a period of one hundred and twenty days as from the date following the date of its publication in the Government Gazette has been elapsed.

**Section 3** In this Act:

“Adolescent” means a person aged over completely ten years old but under completely twenty years old.

“Pupil” means an adolescent who is receiving a basic education at a primary or secondary level, including general and vocational education or equivalent, in a government or private school.

“Student” means an adolescent who is receiving a higher education or equivalent, in a government or private college or university.

“Sexual Orientation Study” means the learning process on sexuality, covering each age-range development, interpersonal relationship, personal skill development, sexual behaviors, sexual well-being and socio-cultural dimensions which have impacts on sexuality, including the rights to recognition of information and knowledge on reproductive health, giving importance to sexual diversity and sexual equality.

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<sup>1</sup> The Government Gazette, Volume 133 Section 30(A) Page 1 dated 31<sup>st</sup> March 2016.

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“Reproductive Health” means a state of physical and mental strength and vitality resulting from the functioning process of sexual well-being and reproductive system throughout the life span, enable a person to have good quality of life and to live happily in the society.

“Reproductive Health Service” means service provision for promotion, prevention, treatment and rehabilitation relating to the reproductive health.

“Social Welfare Arrangement” means an arrangement of social welfare under the law governing the promotion of social welfare arrangement.

“School” means school under the law governing the national education.

“Entertainment Place” means an entertainment place under the law governing national health security.

“Workplace” means a place where a business operator uses to operate businesses with employees working therein.

“State Agency” means a ministry, bureau, department, government agency called otherwise with status equivalent to department, provincial administration, local administration, state enterprise, public organization and other state agencies.

“Committee” means the Committee for Prevention and Solution to the Adolescent Pregnancy Problem.

“Director” means a member of the Committee for Prevention and Solution to the Adolescent Pregnancy Problem.

“Minister” means the Minister taking charge under this Act.

**Section 4** The Minister of Social Development and Human Security, Minister of Interior, Minister of Labour, Minister of Education and Minister of Public Health shall take charge under this Act; and each Minister shall have powers to issue Ministerial Regulations and regulations for the execution of this Act, thus, on the matter relating to government services of such Ministry.

Such Ministerial Regulations and regulations shall come into force after their publication in the Government Gazette.

## CHAPTER 1

### PREVENTION AND SOLUTION TO THE ADOLESCENT PREGNANCY PROBLEM

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**Section 5** An adolescent has the rights to make his or her own decision and to receive information and knowledge, reproductive health service, confidentiality, privacy, equal and non-discriminated social welfare arrangement and to receive any other rights for the purpose of correct, complete and adequate execution of this Act.

**Section 6** Schools shall take the following actions for prevention and solution to the adolescent pregnancy problem:

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(1) Provide appropriate learning and instruction on sexual orientation study to all age-range pupils or students

(2) Recruit and develop instructors with teaching skills on sexual orientation study and give advice on prevention and solution to the adolescent pregnancy problem to pupils or students

(3) Provide a system of care, assistance and protection for pregnant pupils or students to receive an appropriate and continuous pattern of education, as well as a referral system for them to receive proper reproductive health service and social welfare arrangement

Classification and operation of each type of schools shall be in accordance with the criteria, methods and conditions as prescribed in the Ministerial Regulations.

**Section 7** An entertainment place shall take the following actions for prevention and solution to the adolescent pregnancy problem:

(1) Provide adolescent service users with correct, complete and adequate information and knowledge on prevention and solution to the adolescent pregnancy problem

(2) Provide adolescent service users with standardized counselling and reproductive health services in conformity with the rights under Section 5, as well as a referral system for them to receive proper social welfare arrangement

Classification and operation of each type of entertainment places shall be in accordance with the criteria, methods and conditions as prescribed in the Ministerial Regulations.

**Section 8** A workplace shall take the following actions for prevention and solution to the adolescent pregnancy problem:

(1) Provide adolescent employees with correct, complete and adequate information and knowledge on prevention and solution to the adolescent pregnancy problem

(2) Provide adolescent employees with access to counselling and reproductive health services, as well as a referral system for them to receive proper social welfare arrangement

Classification and operation of each type of workplaces shall be in accordance with the criteria, methods and conditions as prescribed in the Ministerial Regulations.

**Section 9** The following actions shall be taken for social welfare arrangement relating to the prevention and solution to the adolescent pregnancy problem:

(1) Promote and support the Children and Youth Council at district and provincial level to establish a local children and youth network as core leaders in prevention, surveillance and solution to the adolescent pregnancy problem

(2) Promote and support state agencies and related private organizations to perform duties relating to coordination, surveillance and assistance to pregnant adolescents and their families

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(3) Organize an occupational training before and after birth-giving as per interests and skills to pregnant adolescents who wish to receive occupational training; and coordinate for employment and occupations as may be suitable

(4) Provide adoptive families, in case, pregnant adolescents are unable to feed their children themselves

(5) Other areas of social welfare arrangement to promote the prevention and solution to the adolescent pregnancy problem

Actions under Paragraph 1 shall be taken in accordance with the criteria, methods and conditions as prescribed in the Ministerial Regulations.

**Section 10** The local government agencies shall have powers and duties to give adolescents in their responsible areas with the rights under Section 5.

For the purpose of operation under Paragraph 1, the local government agencies shall have powers to issue local legislations as per the criteria, methods and conditions as prescribed in the Ministerial Regulations.

## CHAPTER 2

### THE COMMITTEE FOR PREVENTION AND SOLUTION TO THE ADOLESCENT PREGNANCY PROBLEM

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**Section 11** A committee called “Committee for Prevention and Solution to the Adolescent Pregnancy Problem” shall be established, consisting of:

(1) Prime Minister as the Chairperson

(2) Ex-officio directors, totally eight persons, including Minister of Social Development and Human Security, Minister of Education, Minister of Public Health, Permanent Secretary for Interior, Permanent Secretary for Justice, Permanent Secretary for Labour, Permanent Secretary for Culture and Permanent Secretary for the BMA

(3) Specialized directors, totally five persons, appointed by the Chairperson from those who have knowledge, expertise, work performances and manifest experiences of no less than five years, each in the field of public health, protection of rights and liberties of adolescents, education, psychology and social administration

(4) Representatives of children and youth, totally two persons, appointed by the Chairperson from representatives of the Children and Youth Council of Thailand, consisting of one male and one female

The Director-General of the Department of Health shall be director and secretary; meanwhile, representative of the Office of the Permanent Secretary for Education, representative of the Department of Children and Youth Affairs and representative of the Department of Women’s Affairs and Family Development shall be assistant secretaries.

The appointment of specialized directors shall be in accordance with the criteria, methods and conditions under the regulations prescribed by the Minister of Public Health by taking account of similar proportion of males and females.

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**Section 12** A specialized director shall have qualifications and shall not have any prohibited characteristics, as follows:

- (1) Having the Thai nationality
- (2) Not lower than completely thirty years of age
- (3) Not being a bankrupt or having been a dishonest bankrupt
- (4) Not being an incompetent or quasi-incompetent person
- (5) Not being addicted to narcotics
- (6) Not having been sentenced by a final judgment to imprisonment, except for punishments for an offence committed out of carelessness or for a petty offence
- (7) Not having been adjudged or ordered by the Court that the ownership of his or her assets shall be vested in the State due to unusual wealth or unusual increase of assets
- (8) Not having been dismissed, discharged or terminated by a state agency or a private organization due to malfeasance, gross misconduct or regarded as corruption in the government circles

**Section 13** A specialized director shall be in office for a term of two years as from the date of appointment; and a specialized director who has vacated the office may be reappointed but may not hold office for exceeding two successive terms.

In case, a specialized director has vacated the office before the expiry of the term, the Chairperson shall appoint a new specialized director of the same category to replace the vacating director; and the appointee shall hold office for the remaining term in office of the specialized director replaced by the appointee. However, in case, the remaining term in office of the specialized director is less than ninety days, the Chairperson may not appoint a replacement specialized director; and for this purpose, the Committee shall consist of the remaining directors.

Upon the expiry of the term under Paragraph 1, in case, a new specialized director has not yet been appointed, the specialized director who has vacated the office shall continue performing his or her duties until the newly appointed specialized director has assumed the duties.

**Section 14** In addition to vacating the office at the end of the term, a specialized director must vacate the office upon:

- (1) Death
- (2) Resignation
- (3) Dismissal by the Chairperson due to indiscretion, infamous conduct or defective competency
- (4) Disqualification or having any prohibited characteristics under Section 12

**Section 15** Representatives of children and youth under Section 11(4) shall not be exceeding twenty-five years of age and shall have qualifications under Section 12(1) and shall not have any prohibited characteristics under Section 12 (3)(4)(5)(6)(7) or (8); and the provisions contained in Section 13 shall apply to the directorship of representatives of such children and youth *mutatis mutandis*.

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In addition to vacating the office upon expiry of the term thereof, the director who represents children and youth under Paragraph 1 shall vacate the office upon death or resignation or being exceeding twenty-five years of age, or disqualification or having any prohibited characteristics under Section 12 (1)(3)(4)(5)(6)(7) or (8).

**Section 16** At a meeting of the Committee, at least one half of the total number of directors shall attend the meeting to constitute a quorum.

At any meeting of the Committee, in case, the Chairperson is not present at the meeting or is unable to perform his or her duties, directors attending the meeting shall elect one of them to preside over the meeting.

A resolution of the meeting shall be passed by majority votes of meeting participants. In the casting of votes, one director shall have one vote. In case of a tie, the Chairperson of the meeting shall have an additional vote as the casting vote.

The Committee's meetings shall be convened at least twice a year.

**Section 17** The Committee shall have powers and duties, as follows:

- (1) Propose policies and strategies on the prevention and solution to the adolescent pregnancy problem to the Cabinet for consideration
- (2) Propose guidelines for amendment of law on the prevention and solution to the adolescent pregnancy problem to the Cabinet; and to submit opinions to the Minister on the issuance of Ministerial Regulations under this Act
- (3) Submit a report on the prevention and solution to the adolescent pregnancy problem to the Cabinet at least once a year
- (4) Determine operational guidelines for state agencies and private organizations on the prevention, assistance, resolution and remedy of the adolescent pregnancy problem, adolescent reproductive health problem, sexual violence and sex-related offences
- (5) Give advice, recommendations and solution to difficulties in the operation on the prevention and solution to the adolescent pregnancy problem to state agencies and private organizations
- (6) Take any other actions as prescribed by law as powers and duties of the Committee or as assigned by the Cabinet

**Section 18** Policies and strategies on the prevention and solution to the adolescent pregnancy problem under Section 17(1) shall at least contain the essential matters, as follows:

- (1) Measures on the access to information and knowledge relating to the prevention and solution to the adolescent pregnancy problem
- (2) Measures on the entitlement to adolescents under Section 5
- (3) Measures on the prevention, assistance, resolution and remedy of the adolescent pregnancy problem
- (4) Measures on the prevention and solution to the adolescent pregnancy problem of state agencies and private organizations so that operations thereof shall be uniform and effective

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Regarding the determination of policies and strategies under Paragraph 1, the principle of public participation, civil societies and adolescents shall also be taken into account.

**Section 19** The Committee may appoint a subcommittee to consider any matter or to take any action as assigned by the Committee.

Provisions contained in Section 16 shall, *mutatis mutandis*, apply to meetings of the subcommittee.

**Section 20** Regarding the performance of duties under this Act, the Committee and subcommittees shall have powers to issue a written order or a summon to any person to testify or to give opinions or to submit explanations, documents, data, evidences or any related objects for consideration

**Section 21** In case, it appears that schools, entertainment places, workplaces or state agencies fail to undertake the prevention and solution to the adolescent pregnancy problem as prescribed in this Act, the Committee shall inform the Minister taking charge under the law governing the matter for the execution of this Act.

**Section 22** The Department of Health, Ministry of Public Health, shall be responsible for administrative works of the Committee and subcommittees and shall have its powers and duties, as follows:

- (1) Determine policies, strategies and reports on the prevention and solution to the adolescent pregnancy problem for submission to the Committee
- (2) Coordinate, follow up, evaluate and cooperate with state agencies and relevant domestic and overseas private organizations to ensure their compliance with the policies and strategies on the prevention and solution to the adolescent pregnancy problem
- (3) Promote and support campaigns and generate proper knowledge and understanding on the prevention and solution to the adolescent pregnancy problem
- (4) To be the center of database on the prevention and solution to the adolescent pregnancy problem and to undertake or support the study and researches on such matter
- (5) Provide operational guidelines on the prevention, assistance, resolution and remedy of the adolescent pregnancy problem, adolescent reproductive health problem, sexual violence and sex-related offences and disseminate them to state agencies and private organizations
- (6) Provide guidelines for development of potentials of personnel performing work relating to the prevention and solution to the adolescent pregnancy problem
- (7) Take any other actions as assigned by the Cabinet, the Committee or subcommittee, or as prescribed by law to be powers and duties of the Department of Health, Ministry of Public Health

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**CHAPTER 3**  
**PENALTIES**

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**Section 23** Any person who fails to comply with orders of the Committee or of subcommittees under Section 20 without a proper reason shall be imprisoned for not exceeding one month or fined for not exceeding ten thousand Baht or both.

**TRANSITORY PROVISIONS**

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**Section 24** At the outset, the Committee shall consist of directors under Section 11(1) and (2) and the Director-General of the Department of Health shall act as director and secretary and shall temporarily perform duties of the Committee under this Act until completion of appointment of the specialized directors under Section 11(3) and of representatives of children and youth under Section 11(4), which shall not exceed one hundred and twenty days as from the date of entry into force of this Act; provided that the representative of the Office of Permanent Secretary for Education, the representative of the Department of Children and Youth Affairs and the representative of the Department of Women's Affairs and Family Development shall act as assistant secretaries.

Counter-Signature:  
General Prayut Chan-o-cha  
Prime Minister



**Note:-** Reason for promulgation of this Act: Whereas, the number of cases of adolescent pregnancy in Thailand has increased continuously and the situation has affected individuals' health, families, communities, societies and the economy as a whole; and the adolescent pregnancy problem in Thailand is complicated and may not be solved by powers and duties of any specific agency; therefore, it is deemed to establish mechanism for determination of policies, strategies and mutual operations of relevant organizations, including state agencies, private organizations and civil societies for integrated, concrete, uniform and more effective prevention and solution to the adolescent pregnancy problem; therefore, it is necessary to enact this Act.

Prepared by: Chawanporn/Preeyanuch  
1<sup>st</sup> April 2016

Checked by: Pojjana  
1<sup>st</sup> April 2016

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