



**Regulation of the Ministry of Foreign Affairs
Governing the Appointment and Functions of
the Honorary Consular Officer of the
Kingdom of Thailand
B.E. 2536 (1993)**

In view of the expanding role of the honorary consular officer, the Ministry of Foreign Affairs deems it appropriate to establish a regulation governing the appointment and functions of the honorary consular officer of the Kingdom of Thailand.

1. This regulation shall be called **“The Regulation Governing the Appointment and Functions of the Honorary Consular Officer of the Kingdom of Thailand B.E. 2536 (1993).”**

2. It shall enter into force on the eleventh day of January B.E. 2536 (1993).

3. As from the date of entry into force of this regulation, all other regulations in so far as they deal with matters governed by this regulation or are inconsistent with its provisions shall be repealed.

4. The Permanent Secretary of the Ministry of Foreign Affairs shall have charge and control of the execution of this regulation.

Section 1 : Definition of Terms

5. The term "honorary consular officer" means
 - (a) the honorary consul-general,
 - (b) the honorary consul,
 - (c) the honorary vice-consul, or
 - (d) an authorized member of the staff of honorary consular officer under section 5 item 33, only upon such occasion when performing his functions on legalization of documents.
6. The term "Ministry" means the Ministry of Foreign Affairs of Thailand.
7. The term "Embassy" means the Royal Thai Embassy which is located in or whose area of jurisdiction covers the country where the honorary consular officer performs his functions.

Section 2 : Appointment and Terms of Office

8. The honorary consular officer shall be appointed from among suitable persons resident in the area of jurisdiction, held in general esteem and of independent means.

9. The honorary consular officer shall not accept an appointment as consular representative of any other country without prior consent of the Ministry.

10. The Ministry shall request the exequatur for an honorary consular officer from the host Government if such exequatur is required.

11. The honorary consular officer's term of office shall be three years. It will be automatically renewed for further successive periods of three years each, unless notice of non-renewal is given at least six months before the expiry of each term. The honorary consular officer shall retire at the age of seventy unless extended by the Ministry in a special case for further periods of three years each.

12. The Ministry reserves the right to terminate the honorary consular officer's term of office at any time if, in its opinion, such termination is justified by reason of his improper conduct, or of any other relevant circumstances.

13. The Government of the Kingdom of Thailand or the Ministry shall bear no responsibility for any claims or legal proceedings for damages brought by third parties against the honorary consular officer.

Section 3 : Functions in General

14. The honorary consular officer should refrain from engaging in any political activities including making derogatory remarks or expressing opinions about the host country, its people and institutions in a manner which is improper for his official position.

15. The honorary consular officer should make every effort to get acquainted with the local authorities concerned in order to facilitate the performance of his functions.

The honorary consular officer should not seek any political roles and should refrain from any acts against the host country's government or in support of its opponents. In addition, he should not align himself with any party in the host country nor shall he criticize or make any comments which are incompatible with his official status.

16. The honorary consular officer shall not disclose information or communications of a confidential nature made available to him in his official capacity.

17. The honorary consular officer shall use Thai, English, or French in correspondence and communications with the Ministry. However, the official local language may be used in correspondence with the Embassy.

18. In the performance of his functions, the honorary consular officer shall, at all time, be subject to the direct supervision and control of the Embassy, unless otherwise instructed by the Ministry.

19. Upon request of the Embassy or the Ministry, the honorary consular officer shall render all appropriate assistance to the Embassy and its staff in all official matters.

20. Unless otherwise provided in this Regulation, the honorary consular officer shall not delegate or entrust the performance of consular functions to any other person.

21. The honorary consular officer has no authority to perform the functions of a Thai civil registrar. He shall not, for example, register any birth, marriage, divorce, adoption and the like.

22. The honorary consular officer is not authorized to issue, renew, or amend a Thai passport or any other Thai travel documents.

Section 4 : Protection and Promotion of Thailand's Interests

23. The honorary consular officer shall use his best efforts to enhance friendly relations between Thailand and the host country. He shall also protect and promote Thailand's interests and standing, particularly in the areas of economics, trade, investment, culture, science and technology, sports and tourism, and shall report to the Embassy or the Ministry on any matter or incident affecting those interests.

24. The honorary consular officer should study and monitor the conditions and developments in the economic, cultural and scientific fields within his consular district which are of interest to Thailand and should report thereon to the Consulate-General, Embassy, or the Ministry.

25. The honorary consular officer should report to the Ministry through the Embassy, the proclamation of, or the development to pass any new domestic laws and regulations, or amendments to existing laws and regulations which might affect the interests of Thailand.

26. The honorary consular officer may, from time to time, organize activities for promoting Thailand, particularly in the economic, cultural, and scientific and technological fields such as visits of trade, academic and cultural missions, exhibitions of Thai products, or Thai food festivals. In such cases, he shall consult with, or request support from, the Ministry through the Embassy.

27. The honorary consular officer shall undertake to oversee, safeguard and protect the rights and interests of Thai nationals, in particular Thai labour within his consular district.

Section 5 : Issuance of Visas

28. The honorary consular officer may issue the following categories of visa

- (a) transit visa;
- (b) tourist visa;
- (c) non-immigrant visa.

29. Criteria, conditions, procedures, restrictions on the issuing of visas, the collection of visa fees or the exemption therefrom, shall be in conformity with the relevant Thai laws and regulations.

30. The honorary consular officer may issue a visa only after ascertaining that the applicant is a qualified person in possession of a valid passport, or other travel documents as instructed by the Embassy or the Ministry. He shall pay particular attention to the expiry date, countries for which the passport is valid, and missing pages.

31. All visas issued, together with the amount of visa fees received, must be accurately recorded and duly numbered in the visa record book for future reference.

32. The honorary consular officer shall report to the Thai authorities concerned all visas issued, according to the relevant reporting procedures and regulations.

33. In case of excessive workload or during his absence from his consular district or when he is temporarily unable to perform his functions, the honorary consular officer may authorize a member of his staff in the consulate to assist him in issuing visas and legalizing documents on his behalf. In such cases, the honorary consular officer shall send the name, position and specimen signatures of the authorized person to the Ministry, through the Embassy, for prior approval. Once approved, the authorized person may carry out his authorized function until he is replaced by another authorized person or until his authority is revoked.

Section 6 : Protection of Thai Nationals

34. The honorary consular officer shall, to the extent possible and permissible under the local laws, protect, assist and look after Thai nationals and their interests within his consular district.

35. The honorary consular officer shall report promptly to the Embassy or the Ministry on the death, arrest or detention of any Thai national.

36. The honorary consular officer shall, wherever possible, visit and render assistance to Thai nationals who are under arrest or detention.

37. The honorary consular officer should assist, in accordance with the relevant Thai regulations, destitute Thai nationals such as those discharged from detention to return to their domicile.

38. The honorary consular officer should visit Thai communities within his consular district when opportunity allows.

Section 7 : Legalization

39. The honorary consular officer may legalize the signature of a person, upon the request of the latter, provided that person identifies himself to the honorary consular officer and signs in his presence.

40. Upon request, the honorary consular officer may legalize the signatures of officials or persons in semi-official positions or notaries public within his consular district after making sure that they are genuine.

41. In doubtful cases, it is advisable to request through official channels that the signature of a subordinate official, the legalization of which is required, be first certified by a superior official, whose signature may then be legalized by the honorary consular officer.

42. The legalization only certifies that the signature of the person concerned is genuine and that the official, at the time when he signed the document, was the holder of the office. In legalizing documents, the honorary consular officer must not certify the contents of the document.

43. The honorary consular officer may legalize the following documents which have been certified by a notary public or other officials authorized thereto under local laws:

- (a) documents used in normal international, commercial and business transactions;
- (b) subject to item 21, documents certifying the civil status of a person;
- (c) licenses to operate vehicles.

44. The honorary consular officer shall not legalize documents of the following nature:

- (a) documents containing any statement of a political nature;
 - (b) documents containing any official statement of the Government of the Kingdom of Thailand unless instructed otherwise by the Ministry;
 - (c) documents certifying the status of a person as a representative or agent of the Government of the Kingdom of Thailand;
 - (d) documents concerning transactions of narcotics and arms; and
 - (e) documents that might create financial or other obligations to the Government of the Kingdom of Thailand.
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Section 8 : Office Administration

45. The Ministry or the Embassy shall provide the honorary consulate with such necessary items as official seals, Thai national flag, coat-of-arms and documents.

The official seals may be used only by the honorary consular officer in the performance of his consular functions. They shall be kept in safe custody after use.

46. All official seals, the Thai national flag, coat-of-arms and documents provided by the Ministry or the Embassy shall remain the property of the Government of the Kingdom of Thailand and shall be promptly returned upon expiry of the honorary consular officer's term of office.

47. The head of the honorary consulate is permitted to hoist the Thai national flag at the consulate or his residence. The flag should be displayed on the birthday of His Majesty the King of Thailand and on other appropriate occasions according to local laws and custom. The Thai coat-of-arms should be placed at the entrance to the consulate.

48. The honorary consulate shall be opened during normal office hours each week-day. In determining the normal office hours the honorary consular officer should take into consideration local custom and the usual workload of consular business. The Embassy or the Ministry shall be informed of such office hours. The honorary consular officer should also perform his functions after normal office hours in case of urgency.

49. A notice of the office hours shall be displayed at the entrance to the consulate.

50. A copy of the table of fees shall be on public display at the consulate.

51. The honorary consular officer should keep at the consulate the following:

- (a) a record book of correspondence dispatched and received; and
- (b) record books of visas issued and legalization given and the fees charged.

Section 9 : Allowances for Honorary Consular Officer

52. The post of honorary consular officer, being a post of honour and trust, shall not entitle its holder to any salary, pension, claim, compensation or any other form of remuneration from the Ministry or the Embassy during or after his term of office.

53. The honorary consular officer is entitled to retain all fees collected from visas and legalization unless otherwise instructed.

54. Visa and legalization fees shall be collected in accordance with the Regulation. No other fees or remuneration may be charged by the honorary consular officer.

55. The honorary consular officer may not charge any fees or remuneration for assistance rendered to Thai nationals. This provision is not, however, applicable where the honorary consular officer is rendering a professional service, such as legal advice or medical treatment, for a fee or remuneration, provided that he informed the Thai national concerned in advance that the service is to be rendered in his professional capacity.

Section 10 : Recognition of Meritorious Service

56. The Ministry will submit a petition to His Majesty the King to bestow an appropriate decoration upon the honorary consular officer for his meritorious service and outstanding performance in the course of consular functions.

Given on 11th January B.E. 2536 (1993)

Squadron Leader



(Prasong Soonsiri)

Minister of Foreign Affairs