



Siam Legal International Details Thailand's First Deportation Orders Under New Regulation

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Siam Legal International, a law firm in Thailand, is drawing attention to the first two deportation orders issued under Thailand's new deportation regulation, both involving foreign nationals whose cases ended with a court fine rather than prison time. The orders, signed by the Minister of Interior on September 4 and September 7, 2026, show that a minor court outcome may no longer close a case for a foreign national in Thailand.

The Regulation of the Office of the Prime Minister on Deportation B.E. 2569 was published in the Royal Gazette on August 27, 2026, and took effect the following day. It is Thailand's first unified procedure for routing individual cases to the Minister of Interior, who holds the power to order deportation under Section 5 of the Deportation Act. The regulation binds government agencies rather than creating new legal obligations for the public.

The September 4 order concerned an Israeli national convicted by the Koh Samui Provincial Court of causing fear or alarm by threat under Section 392 of the Thai Penal Code. The court imposed one month in prison and a THB 10,000 fine, both reduced by half after a guilty plea, with the prison term suspended for two years. The September 7 order concerned a French national convicted under the Land Traffic Act, whose case was

resolved with a THB 5,000 fine after a guilty plea and no custodial sentence.

Both orders were issued under Clause 4 of the regulation, which covers conduct considered contrary to public order, good morals, or public welfare. Under this clause, the Permanent Secretary of the Ministry of Interior or a delegated officer may report a case directly to the Minister, and no criminal conviction or formal charge is required for the referral. The clause also extends to anyone who instigates or supports such conduct.

Clause 5 sets out a separate conviction-based channel covering illegal entry or presence, unlawful work, conducting business without permission, forging or using fake official documents, offenses punishable by five or more years of imprisonment, and acting as a principal, instigator, or supporter in any of these. For those in custody, the Department of Corrections must send case details to the Ministry of Interior at least 15 days before release. Where a court instead imposes a fine or suspends a sentence, the Office of the Judiciary must notify the Ministry of Interior so the case can be reviewed. This is significant because immigration, employment, and foreign business offenses are frequently resolved with fines rather than imprisonment.

Once the Minister signs an order, Section 6 of the Deportation Act requires arrest and detention until removal is arranged. Section 7 bars removal for at least 15 days after the person receives official notice of the order, and Section 8 allows an appeal to the Prime Minister. The appeal must be filed within 7 days of notice, the shortest deadline in the process, and a timely filing pauses removal until the Prime Minister decides.

Neither of the two published orders sets an end date for the deportation period. Under Section 10 of the Deportation Act, a deported person who returns before that period ends faces up to one year in prison and further deportation, leaving revocation by the Minister as the only route to lawful return.

Kittisak Sripareesri, Attorney at Law at Siam Legal International, said the September orders change how foreign residents should view minor legal matters. "Many foreign residents treat a paid fine or a suspended sentence as the end of a case, and these orders show that assumption no longer holds," said Sripareesri. "A conviction does not make deportation automatic, since the decision still rests with the Minister, but the regulation now ensures that qualifying cases reach the Minister for review."

Earlier this year, Siam Legal International announced key organizational developments for 2026, including expanded cross-border and regulatory compliance capacity. The deportation regulation also contains a third-country transfer provision under Clause 8 for individuals facing a real risk of torture or inhumane treatment if returned to their country of nationality, which requires a request within 7 days of the order and the written consent of the person concerned.

Siam Legal International is a Thailand-based law firm with more than 22 years of experience representing Thai and foreign clients across criminal defense, litigation, family, corporate, property, and immigration law, with offices in Bangkok, Chiang Mai, Phuket, and Pattaya.

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