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ศูนย์วิทยทรัพยากร  
จุฬาลงกรณ์มหาวิทยาลัย

## Appendix

### The Main Articles of the AIDS Bill

Article 24 : The public health authority or authorized official shall have the power to order the following persons below to undergo examination for the disease or to undergo medical supervision within a specified period.

(1) Persons who are in high risk groups of AIDS, for example, drug abusers, persons who are working in the sex industry or who have promiscuous behavior which is at risk of infection of AIDS or which is easy to contract AIDS.

(2) Persons who have contact with AIDS, for example, persons who have sexual intercourse with AIDS-infected persons, or children born of mothers infected with AIDS.

(3) Persons detained or imprisoned.

Article 27 : For the benefit of the prevention, control, and cure of AIDS, the public health authority or authorized official shall have the power to order the person infected with AIDS or under suspicion of being infected with AIDS to do as follows;

(1) Undergo examination for the disease, medical check, cure, and recovery at hospitals or other places at the specified time and day as ordered, for the appropriate period.

(2) Inform the public health authority or authorized official, seven days before they leave of their home address for more than one month, move, or if they go abroad.

Article 28 : In case the person infected with AIDS or under suspicion of being infected with AIDS disobeys the order of the public health authority or authorized official following the Article 27 (1) or (2) without any appropriate reasons, the public health authority or authorized official shall have the power to act as follows;

(1) Take the person to undergo examination for the disease, medical checks, cure, and recovery at hospitals.

(2) Define the region of address or prohibit entering the specified area.

In case the above person does the following (1) disobeys the order of the public health authority or authorized official following the Article 27 (1) or (2) without any appropriate reasons, violates the article 31 or the displays a suspicious attitude to try to escape and deny to undergo examination for the disease, the medical checks, cure, and recovery, let the person in charge report to the provincial governor or the director general of the Department of CDC in order to consider the application of Article 29.

Article 29 : In case the person infected with AIDS or under suspicion of being infected with AIDS intends to follow Article 28 (2), the provincial governor or the director general of the Department of CDC shall have the power to order those persons to be detained in a welfare home for examination of the disease, the medical checks, cure, and recovery not exceeding 60 days at a time and not exceeding 180 days in total.

In case there is the necessity to detain the above person longer than 180 days, the provincial governor or the director general of the Department of CDC shall have the power to order to continue detainment not exceeding 60 days at a time and not exceeding 180 days in total. The above person has the right to appeal the order to the appeal committee.

In case the person infected with AIDS or under suspicion of being infected with AIDS was found guilty of the violation of Article 31, the provincial governor or the director general of the Department of CDC shall have the power to detain the person in a welfare home for an appropriate period but not more than one year.

Article 31 : The person infected with AIDS or under suspicion of being infected with AIDS shall not do the following:

- (1) Sell or buy blood, lymph, or other liquid, membrane, semen, or organ of the body to others.
- (2) Share needles or syringes with others.
- (3) Provide sexual services or to engage in other occupations which could spread AIDS.

(4) Let others draw blood, inject, do operations, dental treatment, examine or treat other diseases without notice of the infection of AIDS or the possibility of infection.



(5) Have sexual intercourse without protection measures against the spread of AIDS.

(6) Marry without notice of the infection of AIDS or the possibility of infection by document.

(7) Have other behaviors which could be the cause of the spread of AIDS.

Article 37 : Owners or superintendents of the service entertainment places which could be the places of the spread of AIDS have to implement the prevention measures in order not to spread AIDS by following the principles, measures, and conditions which the minister declares and specifies.

Article 38 : When owners or superintendents of the service entertainment places disobey Article 37 after written warning, the public health authority or authorized official shall have the power to report it to the provincial governor or the director-general of the Department of CDC.

The provincial governor or the director-general of the Department of CDC shall have the power as following:

(1) Let owners or superintendents of the service entertainment places solve the problems by following Article 37.

(2) Declare the service entertainment places as the place at risk for infection with AIDS by following the principles, measures, and conditions specified by the ministerial law.

In case the service entertainment places disobey the order of the provincial governor or the director-general of the Department of CDC by following (1) within 30 days, let the provincial governor or the director-general of the Department of CDC inform the public prosecutor in order to submit petition for the purpose of closure by the order of the court.

Article 52 : The public health authority and authorized official shall have the power to enter buildings or places in office hours in order to verify or control to have it follow this law, and is also authorized to inquire for the truth or to call for documents or evidence.

For this, let persons concerned offer convenience.

### Punishment for Violation

Article 29 : (Extension of the period of detainment. See the second and third paragraph of the Article.)

Article 38 : (Closedown of the service entertainment place. See the last paragraph of the Article.)

Article 57 : Imprisonment not exceeding one month, fine not exceeding 5,000 baht, or both, in case persons who come under Article 24 (1) and (3) disobey Article 24.

Article 58 : Fine not exceeding 5,000 baht, in case persons who come under Article 24 (2) disobey Article 24.

Article 59 : Fine not exceeding 5,000 baht, in case persons infected with AIDS or under suspicion of being infected with AIDS disobey Article 27.

Article 60 : Fine not exceeding 30,000 baht, in case persons infected with AIDS or under suspicion of being infected with AIDS disobey Article 28 (2).

Article 61 : Imprisonment not exceeding one year or Fine not exceeding 20,000 baht, or both, in case persons infected with AIDS or under suspicion of being infected with AIDS escape from the detained place.

Article 62 : Imprisonment not exceeding 3 years or Fine not exceeding 60,000 baht, or both, in case persons infected with AIDS or under suspicion of being infected with AIDS violated Article 31 (1), (2), (3), (4), (5), or (7).

Article 63 : Fine not exceeding 5,000 baht, in case persons infected with AIDS or under suspicion of being infected with AIDS violated Article 31 (6).

Article 66 : Fine not exceeding 30,000 baht, in case owners or superintendents of the service entertainment places disobey Article 37.

Article 70 : Fine not exceeding 5,000 baht, in case persons who interfere or do not offer convenience for the public health authority and authorized official following Article 52.

Remarks: Articles of the AIDS Bill described above are translated from original Thai literature by the researcher and only the main points of the bill relevant to this research. Also, certain articles have been only partially translated.

Source: Ministry of Public Health, Memorandum on Reasoning and Principles Accompanying the AIDS Bill, Thai.