

Statutory heir: the beneficiary of the insurance policy requesting the insured's information

This article shall publicize information about a request from the state agency for consultation on whether to disclose information relating to the deceased insured to the statutory heir and the beneficiary of the insurance policy.

Agency A filed the document to the Information Disclosure Commissioner consulting about the case of a statutory heir, a beneficiary, or a person who has the right to claim under the insurance policy requested for the insurance policy of the deceased insured to claim the insurance. Agency A consulted the Commissioner for advice on disclosing such information.

The Consultative Subcommittee under the Information Disclosure Commissioner concluded as follows:

1. In the case of a statutory heir of the insured requesting information relating to the deceased insured, it is considered the right to get access to personal information relating to him/her following Section 25, Paragraph 1 of the Official Information Act, B.E. 2540 (1997). In addition, Section 25, Paragraph 5 states that a person as specified in the 2nd Ministerial Regulations B.E. 2541 (1998) issued under the Official Information Act, B.E. 2540 (1997) dated 25 June 1998, including (1) legitimate child or legal adoptions (2) spouse (3) father or mother (4) descendant (5) sibling, shall have the right to take action on behalf of the deceased person under Section 25, Paragraph 1 of such Act. Therefore, Agency A shall disclose the requested information to the deceased insured's statutory heir.

2. In the case of a person, who requested the aforementioned information, is a beneficiary, or a person who has the right to claim under the insurance policy, but not the statutory heir of the deceased insured, it is considered the right to request official information under Section 11 of the same Act. The Agency has to consider information disclosure in line with Section 15 (5), whether the disclosure of requested information would inappropriately violate privacy rights or such information shall be prohibited to the disclosure under any of the conditions according to Section 15 of such Act. In the case where Agency A considers that requested information shall not be disclosed, the Agency shall notify the reason, as well as the right to appeal against an order prohibiting the disclosure of information to the requester.

Should there be any inquiries on practices regarding the Official Information Act, B.E. 2540 (1997), please contact the Office of the Official Information Commission, the Office of Permanent Secretary, the Prime Minister's Office via telephone at 0 2283 4678-79.

“Transparent Information without any Corruption among Thai Authorities”

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