

English for Lawyers ครั้งที่ ๓

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ผู้พิพากษาศาลชั้นต้นประจำกองผู้ช่วยผู้พิพากษาศาลฎีกา

Passive Voice

- **Active voice:** In active sentences, the subject is active or the subject performs the actions.
 - The cow (**Subject**) is eating (**Verb**) grass (**Object**)
- **Passive voice:** In passive sentences, the subject is no longer active or the subject is acted upon by the verb.
 - Grass (**Subject**) is being eaten (**Verb**) by the cow (**Object**)
 - มักใช้กรณีที่บุคคลหรือสิ่งที่ทำกริยานั้นๆไม่มีความสำคัญ หรือไม่ต้องการเน้นหรือไม่ทราบว่ามีใครทำกริยานั้น
- **is, am, are (was, were)+3rd verb**
- **is,am,are+being+3rd verb**

Passive Voice

- Auxiliary Verb+be+3rd Verb
 - Can **be** done
 - Must **be** done
 - Should **be** done
 - Have to **be** done

We often prefer to use the passive voice when:

- 1. We do not know who the agent is:
 - 'My pet rabbit **has been let out.**'
 - I had the feeling that I **was being followed.**'
 - instead of: 'I don't know who did it, but someone has let out my pet rabbit.'
 - 'I had the feeling that somebody was following me.'

- 2. When it is obvious to the listener or reader who the agent is:
 - 'I **had been told** to remove all the trays.'
 - 'She learned that she **was being paid** less than her male colleagues.'
 - instead of: 'My mom had told me to remove all the trays.'
 - 'She learned that the firm was paying her less than her male colleagues.'

- 3. When it is not important to know who the agent is:
 - 'Do you need a ride?' 'No thanks, I'm **being picked up**.'
 - instead of: 'Do you need a ride?' 'No thanks, someone is picking me up.'

- 4. When the agent has already been mentioned:
- In the next session of parliament, new laws **will be introduced**.
- instead of: 'In the next session of parliament, the government will introduce new laws.'

- 5. When people in general are the agents:
- 'All the dictionaries can **be borrowed** from the central library.
- instead of: 'You can borrow all the dictionaries from the central library.'

Simple Present Tense

- **is,am,are+3rd verb**
- He **lights** the candle.
- The candle **is lighted** by him.
- He **does not light** the candle.
- The candle **is not lighted** by him.
- **Do** you **eat** meat?
- **Is** meat **eaten** by you?

Simple Past Tense

- **was,were+3rd verb**
- She **finished** work.
- Work **was finished** by her.
- She did not **finish** work.
- Work **was not finished** by her.
- **Did** she **finish** work?
- **Was** work **finished** by her?

Regular verbs with past tense and past participle

Regular Verb List



V1	V2	V3	V1	V2	V3
Accept	Accepted	Accepted	Order	Ordered	Ordered
Act	Acted	Acted	Organize	Organized	Organized
Bake	Baked	Baked	Pack	Packed	Packed
Behave	Behaved	Behaved	Paint	Painted	Painted
Close	Closed	Closed	Pass	Passed	Passed
Compare	Compared	Compared	Perform	Performed	Performed
Compete	Competed	Competed	Persuade	Persuaded	Persuaded
Die	Died	Died	Program	Programmed	Programmed
Disagree	Disagreed	Disagreed	Protect	Protected	Protected
Disturb	Disturbed	Disturbed	Review	Reviewed	Reviewed
Dress	Dressed	Dressed	Shop	Shopped	Shopped
Dry	Dried	Dried	Slow	Slowed	Slowed
Eliminate	Eliminated	Eliminated	Turn	Turned	Turned
End	Ended	Ended	Underline	Underlined	Underlined
Enjoy	Enjoyed	Enjoyed	Want	Wanted	Wanted

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Irregular verbs

Infinitive	Past Simple	Past Participle	Infinitive	Past Simple	Past Participle
be	was/were	been	keep	kept	kept
become	became	become	know	knew	known
begin	began	begun	leave	left	left
bite	bit	bitten	lend	lent	lent
bleed	bled	bled	let	let	let
break	broke	broken	lose	lost	lost
bring	brought	brought	make	made	made
build	built	built	meet	met	met
buy	bought	bought	pay	paid	paid
choose	chose	chosen	put	put	put
come	came	come	read	read	read
cost	cost	cost	ride	rode	ridden
cut	cut	cut	ring	rang	rung
dig	dug	dug	run	ran	run
do	did	done	say	said	said
drink	drank	drunk	see	saw	seen
drive	drove	driven	sell	sold	sold
eat	ate	eaten	send	sent	sent
fall	fell	fallen	set	set	set
feed	fed	fed	show	showed	shown
feel	felt	felt	sit	sat	sat
fight	fought	fought	sleep	slept	slept
find	found	found	speak	spoke	spoken
forget	forgot	forgotten	spend	spent	spent
get	got	got	swim	swam	swum
give	gave	given	take	took	taken
go	went	gone	teach	taught	taught
grow	grew	grown	tell	told	told
hang	hung	hung	think	thought	thought
have	had	had	throw	threw	thrown
hear	heard	heard	understand	understood	understood
hide	hid	hidden	wear	wore	worn
hit	hit	hit	win	won	won
hold	held	held	write	wrote	written
hurt	hurt	hurt			

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Legislation: Constitution, Bill, Act, Decree, Statute

- Legislation (N)
 - กฎหมายหรือกลุ่มของกฎหมาย ใช้ในลักษณะที่เป็นคำเรียกรวม ๆ เช่น Tax Legislation
 - Laws
- Constitution (N)
 - รัฐธรรมนูญ
 - Constitutional Court
- Bill (N)
 - ร่างกฎหมาย
 - A **bill** is proposed legislation under consideration by a legislature.
 - A bill does not become law until it is passed by the legislature

Legislation: Constitution, Bill, Act, Decree, Statute

- Act (N)
 - พระราชบัญญัติ
- Decree (N)
 - Royal Decree พระราชกฤษฎีกา
 - Emergency Decree พระราชกำหนด
- Statute (N)
 - ตั๋วบทกฎหมาย
 - โดยความหมายไม่ได้บ่งลำดับศักดิ์ แต่เน้นว่าเป็นลายลักษณ์อักษรและผ่านความเห็นชอบของผู้มีอำนาจในการออกกฎหมายนั้น ๆ แล้ว
 - ไม่จำเป็นต้องเป็นกฎหมายในลำดับเดียวกับพระราชบัญญัติ

Misc

- ระเบียบราชการฝ่ายตุลาการศาลยุติธรรม
- Judicial Regulation
- ประกาศ
- Annoucement/Notification

Separation of Power

- หลักการแบ่งแยกอำนาจ
- โครงสร้างอำนาจรัฐแบบหนึ่ง
- เป็นส่วนหนึ่งของการปกครองระบอบประชาธิปไตย (Democracy)
- คำศัพท์อื่นที่เกี่ยวข้อง Sovereignty

Separation of Power

- Separation of powers is a doctrine of constitutional law under which the three branches of government (executive, legislative, and judicial) are kept separate. This is also known as the system of checks and balances, because each branch is given certain powers so as to check and balance the other branches.
- Each branch has separate powers, and generally each branch is not allowed to exercise the powers of the other branches.
- The Legislative Branch exercises congressional power, the Executive Branch exercises executive power, and the Judicial Branch exercises judicial review.

Reading

- Section 5. The Constitution is the supreme law of the State. The provisions of any law, rule or regulation or any acts, which are contrary to or inconsistent with the Constitution, shall be unenforceable. Whenever no provision under this Constitution is applicable to any case, an act shall be performed or a decision shall be made in accordance with the constitutional conventions of Thailand under the democratic regime of government with the King as Head of State.

Reading

- Section 79. The National Assembly consists of the House of Representatives and the Senate.
 - Joint or separate sittings of the National Assembly shall be in accordance with the provisions of the Constitution.
 - No person shall concurrently be a Member of the House of Representatives and a Senator.

Reading

- Sovereignty belongs to the people.
- Article 1 Section 1: Congress
- All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.
- Article II Section 1
- The executive Power shall be vested in a President of the United States of America.

Sentences

- This Act shall come into force after ninety days as from the date of its publication in the Government Gazette
- This Notification shall come into force as from the day following date of its publication in the Government Gazette.

- พระราชบัญญัตินี้ให้ใช้บังคับเมื่อพ้นกำหนด ๙๐ วันนับแต่วันประกาศในราชกิจจานุเบกษาเป็นต้นไป
- ประกาศนี้ให้ใช้บังคับตั้งแต่วันถัดจากวันประกาศในราชกิจจานุเบกษาเป็นต้นไป
- กรณีให้ใช้บังคับเมื่อพ้นกำหนดระยะเวลาหนึ่งนับแต่วันประกาศในราชกิจจานุเบกษาเป็นต้นไป วิธีกรณนี้มี ๒ ความเห็น ตามกฤษฎีกา (๓๖๓/๒๕๒๕, ๒๙๐/๒๕๔๓) กับตามคำพิพากษาฎีกา (ฎ.๒๐๘๖/๒๕๕๓ ใช้มาตรา ๑๙๓/๓ ปพพ.)

Sentence

- The President of the Supreme Court shall be in charge of this Act
- ให้ประธานศาลฎีการักษาการตามพระราชบัญญัตินี้
- <https://oia.coj.go.th/th/file/get/file/20200503459f65965b44ddd09e3c950d45bef0e3122112.pdf>