

(Translation)

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Notification of the Public Health Committee

Appointment, Terms of Office and Removal from Office
of Qualified Appeals Committee

B.E.2561 (A.D.2018)

Whereas it is deemed expedient to prescribe criteria, methods and conditions for the appointment, terms of office and removal from office of qualified appeals committee in order to increase efficiency in the inspection of the exercise of state power for the benefits of people.

By virtue of the provision of Section 66/1 paragraph three of the Public Health Act B.E.2535 (A.D.1992), which was amended by the Public Health Act (No.3) B.E.2560 (A.D.2017), the Public Health Committee issues this Notification as follows.

Clause 1. This Notification shall be referred to as “Notification of the Public Health Committee on Appointment, Terms of Office and Removal from Office of Qualified Appeals Committee B.E.2561 (A.D.2018)”.

Clause 2. The Notification shall come into force on the date immediately following that of its promulgation in the Government Gazette.

Clause 3. In this Act,

“recruitment committee” means the committee that is responsible for the recruitment of qualified committee members for the Appeals Committee;

“qualified committee” means qualified committee members of the Appeals Committee;

Clause 4. Qualified committee shall possess the qualifications and shall not possess disqualifications as follows.

(1) being of Thai nationality;

(2) having attained not less than thirty-five years of age;

(3) possessing knowledge, capability and experience on public health and environmental health with proven track records;

- (4) not being adjudged incompetent or quasi- incompetent;
- (5) not being bankrupt or having been dishonestly bankrupt;
- (6) not having been sentenced by a final judgment to imprisonment except for petty offenses or offenses of negligence;
- (7) possessing behaviors perceived suitable for being appointed qualified committee;
- (8) not having been ordered by a final judgment or order of the Court that his or her assets shall vest in the State on the grounds of unusual wealth;
- (9) never being fired, removed from office, forced to quit or ended of contract by government agencies or public organizations due to dishonesty and government misconduct.

Clause 5. Prescribing that there shall be a recruitment committee responsible for the recruitment of qualified committee members for the Appeals Committee. The recruitment committee shall be consisting of Deputy Director General of the Department of Health assigned by the Director General of the Department of Health as the Chairperson, a representative of the Pollution Control Department, a representative of the Department of Livestock Development, a representative of the Department of Public Works and Town & Country Planning as committee members. Prescribing that the Director General of the Department of Health shall appoint a government official working under the Department of Health a committee member and secretary and two government officials working under the Department of Health assistant secretaries.

Clause 6. Prescribing that each recruitment committee member shall conduct a recruitment process and consider persons that best fit for the position of qualified committee by proposing not exceeding three names of persons potential for the appointment of qualified committee. Among the three shall be at least one person from the private sector.

Clause 7. The quorum for the meetings of the recruitment committee shall consist of at least half the total number of members. Prescribing that the Chairperson shall be the chairperson of the meeting. If the Chairperson is absent from the meeting, those attending shall elect one of themselves as Chairperson for the meeting. Decisions of the committee shall be by a majority vote. Each member shall have one vote. In case of tie, the Chairperson of the meeting shall have an additional casting vote.

Clause 8. Qualified committee shall have a term of office of two years and may

be reappointed, yet they cannot be in the position for two consecutive terms.

Clause 9. Apart from vacating office out of the expiration of a term described in Clause 8, qualified committee shall also vacate office upon;

- (1) death;
- (2) resignation;
- (3) being ordered to leave the position by the Appeals Committee;
- (4) being declared bankrupt;
- (5) being adjudged incompetent or quasi- incompetent;
- (6) being sentenced by a final judgment to imprisonment except for petty offenses or offenses of negligence;

Clause 10. In the case that a qualified committee member vacates office before the expiration of his term, it prescribes that the recruitment committee shall appoint a new qualified committee member specializing in the same field. The newly appointed qualified committee shall serve for the remaining of the unexpired term.

Announced on the 3rd Day of January 2018

Jedsada Chokdamrongsuk

Permanent Secretary of Public Health
Chairperson of the Public Health Committee