

(Translation)

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Notification of the Public Health Committee

Appointment, Terms of Office, and Removal from Office of Mayor, Governor of the Tambon Administrative Organization, Committee Holding Special Local Government Administrator or Other Local Government Administration, Qualified Committee, and Committee as Representative of the People Sector in the Provincial Public Health Committee and the Public Health Committee of Bangkok Metropolis

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

Whereas it is deemed expedient to prescribe criteria, methods and conditions for appointment, terms of office, and removal from office of mayor, governor of the Tambon Administrative Organization, committee holding special local government administrator or other local government administration, qualified committee, and committee as representative of the People Sector in the Provincial Public Health Committee and the Public Health Committee of Bangkok Metropolis in order to provide mechanism for effective execution of Public Health Act in the area level.

By virtue of the provision of Section 17/4 of Public Health Act B.E.2535 (A.D.1992) amended by Public Health Act (No. 3) B.E.2560 (A.D.2017), the Public Health Committee issues the 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 Mayor, Governor of the Tambon Administrative Organization, Committee Holding Special Local Government Administrator or Other Local Government Administration, Qualified Committee, and Committee as Representative of the People Sector in the Provincial Public Health Committee and the Public Health Committee of Bangkok Metropolis 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 responsible for the recruitment of mayor, governor of Tambon administrative organization, special local Government administrator or other local government administrator, qualified committee, and committee as representative of the People Sector in the Public Health Committee and the Public Health Committee of Bangkok Metropolis;

“qualified committee” means qualified committee members in the Provincial Public Health Committee or qualified committee members in the Public Health Committee of Bangkok Metropolis;

“representative of the People Sector” means a person appointed a committee member in the Provincial Public Health Committee by the Chairperson, or a person appointed a committee member in the Public Health Committee of Bangkok Metropolis by the Chairperson;

Clause 4. Mayor, governor of Tambon administrative organization appointed a committee member by the provincial governor must possess knowledge and experience on public health affairs with proven track records.

However, for the governor of special administrative organization or other local government established by laws, the governor of such special administrative organization or other local government established by laws, with or without proven track records, shall be appointed a committee member by the provincial governor.

Clause 5. 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) never being 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 6. The representative of the People Sector 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;
(4) having domicile of origin in the responsible province;
(5) possessing behaviors perceived suitable for being appointed qualified committee;

(6) not being adjudged incompetent or quasi- incompetent;

(7) not being a monk, novice, hermit or priest;

(8) not being a government official, officer, employee or personnel of a government agency or a state enterprises or other offices within government organizations;

(9) not being a politician or an officer working for any political party;

(10) not being bankrupt;

(11) never being 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;

(12) 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.

Section 7. Prescribing that there shall be a set of recruitment committee positioned in each province in order to be responsible for the recruitment of mayor and governor of Tambon administrative organizations, governor of special administrative organization or other local government appointed by the provincial governor, qualified persons, and representatives of the People Sector. The Committee shall consist of provincial public health physician as the Chairperson, local administration, provincial education and advisor of the Inspector of the People Sector (Environment) as committee members. Government officials under the Provincial Public Health responsible for environmental health shall be a committee member and secretary.

Clause 8. Prescribing that there shall be a set of recruitment committee in Bangkok Metropolis in order to be responsible for the recruitment of qualified persons and representatives of the People Sector. The Committee shall consist of Deputy Permanent Secretary of Bangkok Metropolis assigned by the Permanent Secretary of Bangkok Metropolis as the Chairperson, the Director of the City Law Enforcement Department of Bangkok, the Director of the Office of Environment of Bangkok, representatives of the Department of Pollution Control, representatives of the Department of Public Works and Town & Country Planning, representatives of the Department of Industrial Works as committee members. Prescribing that the Director of the Office of Public Health of Bangkok shall be a committee member and secretary and one government official under the Office of Health of Bangkok responsible for either legal affairs or environmental health affairs shall be a secretary assistant.

Clause 9. 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 10. The appointment procedures of the mayor and governor of Tambon administrative organization, governor of special local administrative organizations or other local government appointed by the provincial governor, qualified persons, and representatives of the People Sector who are suitable for the positions shall be as follows.

(1) The Recruitment Committee shall consider potential persons by proposing names,

(a) not exceeding four persons for mayor, governor of Tambon administrative organization, administrator of special local government or other local government;

(b) not exceeding four persons for qualified committee;

(c) not exceeding two persons for representatives of the People Sector.

(2) If the provision under (1) cannot be followed due to reasonable causes, other procedures as seen appropriate by the Recruitment Committee can be adopted.

To obtain the name list of qualified persons and representatives of the People Sector in the Public Health Committee of Bangkok Metropolis, it prescribes that the Director of the Office of Public Health of Bangkok Metropolis shall provide application announcement for representatives of People Sector who possess qualifications and do not possess disqualifications described in Clause 6 and wish to be qualified committee members possessing qualification and not possessing disqualifications described in Clause 5. The applicants shall attach portfolio elaborating their experience in the field of public health and environmental health as described by the Director of the Office of Public Health and submit the application to the Office of Public Health of Bangkok Metropolis within the provided timeframe.

Prescribing that the Director of the Office of Public Health of Bangkok Metropolis shall propose names of persons, whose qualifications and related information have been approved, to the Recruitment Committee.

Clause 11. 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 12. Apart from vacating office out of the expiration of a term described in Clause 11, qualified committee shall also vacate office upon;

- (1) death;
- (2) resignation;
- (3) being declared bankrupt;
- (4) being adjudged incompetent or quasi- incompetent;
- (5) being sentenced by a final judgment to imprisonment except for petty offenses or offenses of negligence;
- (6) being ordered to leave the position by the provincial governor or the chairperson due to misfeasance, misconduct or lacking of ability.

Clause 13. In the case that a qualified committee member vacates office before the expiration of his/her 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