

Chulabhorn Royal Academy Act

B.E. 2016

Bhumibol Adulyadej REX.

Given on 18 January 2016
Being the 71st Year of the Present Reign

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:
Whereas it is expedient to have the law on Chulabhorn Royal Academy;
Be it, therefore, enacted by the King, by and with the advice and consent of the National
Legislative Assembly, as follows:

- Section 1 This Act is called the “Chulabhorn Royal Academy Act B.E. 2559”.
- Section 2 This Act shall come into effect after the expiration of ninety days from the date
of its publication in the Government Gazette.
- Section 3 In this Act,
“Royal Academy” shall mean Chulabhorn Royal Academy
“Royal Academy Council” shall mean Chulabhorn Royal Academy Council
“Practitioners in the Royal Academy” shall mean staff and employees of the Royal Academy
- Section 4 To establish the Chulabhorn Royal Academy as a high-level research and
academic institution providing academic and professional education in science,
technology, environment, medicine and public health.
- The Chulabhorn Royal Academy is a juristic person under government oversight which is not a
government agency under the laws on national administration, laws governing administrative
regulations of the Ministry of Education, laws on the improvement of ministries, bureaus and
departments; and is not a state enterprise under Budgetary Procedures and other laws.
- Section 5 The Prime Minister and the Minister of Education shall be in charge of this Act,
in respect of their powers and duties.

Chapter 1

General Provisions

- Section 6 The Royal Academy is a high-level research and academic institution and
arranges academic and professional studies in the fields of science, technology,
environment, medicine and public health with the objectives to conduct
research, create, apply, promote, distribute, develop, manage education and
produce personnel at a high level to create knowledge as a center of excellence
in science, technology, environment, medicine and public health, providing

medical and public health services to people, providing assistance to the needy and disaster victims including promoting morality and ethics as well as preservation of art and culture.

Section 7 To achieve the objectives under Section 6, the Royal Academy shall take the following into consideration

- (1) Morality and ethics
- (2) Equitable educational opportunities
- (3) Academic excellence and independence with internationally accepted academic standards and quality
- (4) Transparency, responsibility to the state and corporate social responsibility
- (5) Management efficiency and effectiveness
- (6) Participatory management of personnel in the Royal Academy

Section 8 The Royal Academy may be divided into the following departments:

- (1) Office of the Royal Academy
- (2) Chulabhorn Research Institute
- (3) Chulabhorn Graduate Institute
- (4) Chulabhorn Medical Science College

The Royal Academy may have additional departments called by other names which are equivalent to the work departments under paragraph one for operations to achieve the objectives under Section 6.

The establishment, integration, modification, dissolution and the division of work under paragraph one and paragraph two shall be announced by the Royal Academy and published in the Government Gazette.

Section 9 The work departments under Section 8 shall have the following duties:

- (1) The Office of the Royal Academy is responsible for managing general affairs of the Royal Academy, formulating policies and plans of the Royal Academy, coordinating with other related departments in support of the affairs of the Royal Academy and undertakings as assigned by the Secretary-General of the Royal Academy or the Royal Academy Council.
- (2) Chulabhorn Research Institute is responsible for conducting research, promoting, supporting and utilizing research findings and developing high-level human resources in science, technology, environment, medicine and public health.
- (3) Chulabhorn Graduate Institute is responsible for providing graduate education, conducting research, utilize research results and providing academic services.
- (4) Chulabhorn Medical Science College is responsible for providing education in medicine, nursing, public health science, medical sciences, health sciences, conducting research and support research to create knowledge on the said subjects and providing treatment services for patients.
- (5) As for other departments to be established and called by other names, the duties thereof shall be as specified in the announcement of the Royal Academy under Section 8, paragraph three, and publication in the Government Gazette.

Any addition or modification of the duties of the work unit under paragraph one shall be announced by the Royal Academy and published in the Government Gazette.

The operation of the work units under paragraph one must be in collaboration and cohesion to achieve the objectives of the Royal Academy in all affairs.

Section 10 Under the objectives of the Royal Academy in Section 6, the Royal Academy may accept higher education institutions or other institutions to be affiliated with the Royal Academy and has the power to grant a degree, diploma or any class of certification to graduates from any of the higher education institutions or other institutions that participate in.

Admission or cancellation of participation in an associate program under paragraph one shall be announced by the Royal Academy and published in the Government Gazette.

Control of the higher education institutions or other institutions that are affiliated with the Royal Academy shall be in accordance with the regulations of the Royal Academy.

Section 11 Under the objectives of the Royal Academy in Section 6, the Royal Academy may conduct studies or research with higher education institutions or other research institutions in the country or abroad, or of an international organization whereby the Royal Academy has the powers to grant a degree, diploma or any class of certification with the said higher education institutions or other research institutions to graduates.

The undertaking or termination of studies under paragraph one shall be announced by the Royal Academy and published in the Government Gazette.

The proceedings under paragraph one shall be in accordance with the regulations of the Royal Academy.

Section 12 The operation of the Royal Academy is not subject to the laws on labor protection and labor relations, however, practitioners at the Royal College must receive protection and benefits no less than those specified in the law on labor protection.

Section 13 The Royal Academy has the powers and duties to carry out various acts in accordance with the objectives specified in Section 6. These powers and duties include:

(1) Buy, sell, hire, build, procure, transfer, accept, rent, lease, exchange and distribute, or undertake any juristic acts for the benefit of the Royal Academy's operations as well as possess ownership rights, intellectual property rights or real rights in the property of the Royal Academy, and disposal of property both inside and outside the Kingdom, as well as receive money or property donated or dedicated to the Royal Academy.

The sale or exchange of real estate property of the Royal Academy can only be transacted in cases where the said real estate is acquired under Section 16 which has the purpose to be sold or exchanged.

(2) Receive fees, maintenance fees, compensation, fines and service fees within the authority of the Royal Academy, including enter into agreements and determine conditions thereof.

(3) Cooperate with government or private agencies, or with foreign or international organizations or agencies.

(4) Borrow money and provide loans with persons or property as collateral, shareholding, enter into partnerships and investment or joint ventures for the benefit of the Royal Academy's operation.

If the value of the borrowing, lending, shareholding, partnership, investment or joint investment is higher than the limit set by the Prime Minister, approval of the Cabinet must be obtained prior to the transaction.

- (5) Issue bonds or other instruments for investment with the approval of the Cabinet.
- (6) Determine compensation or special remuneration, including welfare benefits and other benefits for practitioners in the Royal Academy, in accordance with the rules, procedures and conditions specified in the Regulations of the Royal Academy.
- (7) Establish funds for various activities according to the objectives of the Royal Academy by managing the funds in accordance with the regulations of the Royal Academy.
- (8) Continuously provide academic and human resources development.
- (9) Administer, supervise, maintain, manage, utilize and procure benefits from the property of the Royal Academy and the state property under the laws on state property.
- (10) Establish, co-found a juristic person, increase investment or joint investment with any person or juristic person in order to carry out activities related to the affairs of the Royal Academy, or to use the results of studies and research for dissemination or procurement of benefits for the Royal Academy's income.

Section 14 The income of the Royal Academy is derived from the following:

- (1) General subsidies allocated by the government on an annual basis
- (2) Money and assets donated to the Royal Academy
- (3) Funds that the government or the Royal Academy established and income or benefits thereof
- (4) Fees, compensation, fines, and various service fees of the Royal Academy
- (5) Income or benefits derived from investment or joint investment and from the assets of the Royal Academy
- (6) Income or benefits derived from the use of state property or procurement of benefits at the state property that the Royal Academy administers, maintains, uses or procures benefits
- (7) Other sources of incomes or benefits

Regarding general subsidies under (1), the government should directly allocate funds to the Royal Academy for the expenses necessary to achieve the objectives of the Royal Academy and to support the development of the Royal Academy to ensure the quality of education.

The income of the Royal Academy is not income that must be remitted to the treasury as state revenue under the law on treasury reserve, budgetary law or other laws.

In the event that the income under paragraph one is insufficient for the expenses of the operation of the Royal Academy and its various appropriate obligations and the Royal Academy is unable to find money from other sources, the government should allocate additional general subsidies to the Royal Academy as needed.

In the event that the government adjusts the salary, emoluments, compensation or other benefits to civil servants, the government shall allocate additional general subsidies to the Royal Academy in the same proportion to be the said expenditure for practitioners in the Royal Academy.

Section 15 The Royal Academy must promote and support those who are admitted to the Royal Academy and students who truly lack funds to have the opportunity to graduate with a bachelor's degree.

The criteria and procedures for determining whoever is truly needy and lacks funds shall be in accordance with the regulations of the Royal Academy.

Section 16 All the real estate that the Royal Academy has acquired through donation, or purchased with the income of the Royal Academy, or exchanged with the asset of the Royal Academy, or acquired by other means is not regarded as state property and shall be the property of the Royal Academy.

Section 17 The assets of the Royal Academy shall be used for the benefit of education, research, academic services, provision of medical and public health services and the preservation of art and culture. The expenditure on these activities is not liable for all execution including administrative force and any person shall not raise the statute of limitation or duration of possession as a defense against the Royal Academy on the property of the Royal Academy.

Section 18 All incomes and assets of the Royal Academy must be managed to achieve the objectives of the Royal Academy under Section 6.

Money and property donated to the Royal Academy must be managed in accordance with the conditions specified by the donor and in accordance with the objectives of the Royal Academy under Section 6. However, if there is a need to change the specified conditions, the Royal Academy must obtain written consent from the donor or his / her heirs. If there are no heirs or the heirs are not apparent, the said change must be approved by the Royal Academy Council.

Chapter 2 Operation

Section 19 There shall be a Royal Academy Council comprising

- (1) A President of the Royal Academy Council appointed by Royal Command
- (2) Secretary-General of the Royal Academy
- (3) Ex-officio members of the Royal Academy Council are department heads under section 8 (2) (3) (4) and section 8 paragraph two.
- (4) Members of the Royal Academy Council, of no more than five persons, selected from practitioners of the Royal Academy.
- (5) Expert Members of the Royal Academy Council, of no more than 10 persons, selected from external parties on the advice of the President of the Council.

The Royal Academy Council shall select an expert member of the Council to be the Vice President of the Royal Academy Council and the Vice President of the Council shall be acting on behalf of the President when the President of the Council is unable to perform his duties, or when the position of president is vacant. In the case that the Vice President of the Royal Academy Council is unable to perform his duties, or when there is no Vice President of the Council, the Royal Academy Council shall select one of the Board of Directors of the College to act on behalf of the Council President.

The criteria and procedures for selecting and appointing the President and members of the Royal Academy Council under (4) and (5) shall be in accordance with the regulations of the Royal Academy.

The Royal Academy Council shall appoint a Deputy Secretary-General of the Royal Academy as the Secretary of the Council and may appoint the Assistant Secretary-General of the Royal Academy to be the assistant secretary of the Council.

Section 20 The President and the expert members of the Royal Academy Council shall have the following qualifications and none of the prohibitions as follows:

- (1) Possess knowledge and experience in various fields that are beneficial to the operation of the Royal Academy;
- (2) Not hold a political position or any official or executive position in a political party;
- (3) Have other qualifications and are not under any of the prohibitions as stipulated in the regulations of the Royal Academy.

Section 21 The President and councilors of the Royal Academy Council under Section 19 (4) and (5) have a term of office of four years and may be re-appointed by Royal Command or re-elected.

In addition to vacating office at the expiration of the term under paragraph one, the President of the Royal Academy Council and councilors under Section 19 (4) and (5) vacate office upon:

- (1) death,
- (2) resignation,
- (3) lacking qualifications or being under any of the prohibitions of being president or councilor of the Royal Academy Council in that category,
- (4) being incompetent or quasi-incompetent,
- (5) becoming bankrupt,
- (6) the Royal Academy Council passing resolution to remove with a vote of more than half the total number of members of the Council,
- (7) imprisonment by a final sentencing of the Court.

In the event that the position of the President or member of the Royal Academy Council under Section 19 (4) or (5) is vacant for any reason and the process to fill the said vacancy has not been completed to appoint the President or councilor of the Royal Academy Council under section 19 (4) or (5), the Royal Academy Council shall consist of the existing members of the Council.

In the event that the President or councilor(s) of the Royal Academy Council under Section 19 (4) or (5) vacate their office before the expiration of tenure and there has been a Royal Command appointing a President or persons to replace those positions, such persons appointed to the position shall hold office for only the remaining term of the person they replace. However, if the remaining term of office is less than ninety days, the process to appoint a replacement may not be undertaken.

In the event that the President or councilor(s) of the Royal Academy Council under Section 19 (4) or (5) vacate their office at the expiration of tenure but there has not been a Royal Command appointing the President, or expert members of the Council or selecting councilors under Section 19 (4), the President of the Royal Academy Council or the councilors under Section 19 (4) or (5) whose term of office has expired continue to perform their duties until such time as there is a Royal Command appointing a new President of the Royal Academy Council, or expert councilors, or selecting councilors under Section 19 (4).

Section 22 The Royal Academy Council has the authority to oversee the general affairs of the Royal Academy. Such powers and duties include:

- (1) Determine the directions and goals of the Royal Academy as well as formulate policies and approve development plans in connection with the implementation of the objectives of the Royal Academy under Section 6;
- (2) Issue regulations, rules and announcements of the Royal Academy for the benefit of the Royal Academy's work, and authorize any department in the Royal Academy to issue regulations, rules, and announcements for that department in any matter;
- (3) Issue regulations on personnel management and regulations on rights and welfare of practitioners in the Royal Academy;
- (4) Issue regulations on management, finances, procurement and property of the Royal Academy;
- (5) Approve the establishment, modifications, integration or the dissolution of the work departments under Section 8, including the division of internal units of the said department;
- (6) Approve the acceptance or cancelation of the Royal Academy's affiliation with higher education institutions or other institutions;
- (7) Approve joint studies arrangements and discontinue such arrangements with other higher education institutions or other research institutions;
- (8) Approve curricula, programs and courses, including improvements, integration and cancelation thereof;
- (9) Approve the conferment of degrees, diplomas and certificates, both of the Royal Academy and the higher education institutions or other research institutions with which the Royal Academy is affiliated, including the granting of honorary degrees;
- (10) Consider and undertake the necessary proceedings for the Royal Command appointing or removing the President of the Royal Academy Council, and for the appointment and removal of expert members of the Council, the Secretary-General, Heads of the Departments under Section 8 (2) (3) (4) and Section 8 paragraph two, Professors and Adjunct Professors of the Royal Academy;
- (11) Approve the appointment and removal of Professors Emeritus, Associate Professors, Adjunct Associate Professors, Assistant Professors, Adjunct Assistant Professors and persons holding an academic title called otherwise under Section 54 paragraph three;
- (12) Appoint and remove the Deputy Secretary-General of the Royal Academy;
- (13) Appoint or remove advisory committee members;
- (14) Define policies, criteria and procedures regarding revenue procurement, funding sources and other resources;
- (15) Approve the establishment or collaboration with others in the establishment of a juristic person or dissolution of the said juristic person established under Section 13 (10);
- (16) Approve the budgeting of income and expenditure of the Royal Academy;
- (17) Monitor and assess the operational performance of the Secretary-General of the Royal Academy and department heads under Section 8 (2) (3) (4) and Section 8 paragraph two;
- (18) Certify the annual report of the Royal Academy and submit the said report to the Prime Minister and the Minister of Education;
- (19) Appoint a committee, sub-committee or any person to do any act within the authority of the Royal Academy Council, as well as authorize the said committee, sub-committee or person to act on the Council's behalf and subsequently report back to the Royal Academy Council;

(20) Perform other duties relating to the affairs of the Royal Academy that are not specifically assigned to any person(s).

Section 23 Meetings and operating procedure of the Royal Academy Council shall be in accordance with the regulations of the Royal Academy.

Section 24 There shall be a Royal Academy Advisory Board consisting of a number of Royal Academy advisors appointed by the Royal Academy Council from outside the Royal Academy.

The Advisory Board has a duty to give advice and counsel to the Royal Academy and support the operation of the Royal Academy, including raising funds for the Royal Academy.

The number, qualifications, criteria, appointment procedures, term of office and termination of the Advisory Board of the Royal Academy, as well as meetings and operating procedure thereof shall be in accordance with the regulations of the Royal Academy.

Section 25 There shall be an Executive Committee of the Royal Academy consisting of the Secretary-General of the Academy as Chair, and the Deputy Secretary-General of the Royal Academy and Heads of the departments under Section 8 (2) (3) (4) and Section 8 paragraph two as members.

The Royal Academy's Executive Committee shall appoint either the Deputy Secretary-General or Assistant Secretary-General of the Royal Academy as secretary of the Executive Committee on the recommendation of the Secretary-General of the Royal Academy.

Section 26 The Executive Committee has a duty in proposing the Royal Academy's Development Plan, considering and scrutinizing the regulations, rules and announcements of the Royal Academy pertaining to the establishment, consolidation, modification, dissolution and division of internal work units of Departments, undertaking management of personnel, finances and property of the Royal Academy, and providing advice and recommendations to the Secretary-General of the Royal Academy, in accordance with the regulations of the Royal Academy.

Section 27 Meetings and operating procedure of the Executive Committee of the Royal Academy shall be in accordance with the regulations of the Royal Academy.

Section 28 The Secretary-General of the Royal Academy shall be responsible for the administration of the Royal Academy and there may be a Deputy Secretary-General or an Assistant Secretary-General of the Academy, or both, whereby the number of the said positions shall be determined by the Royal Academy Council in order to perform the duties and responsibilities as may be assigned by the Secretary-General of the Royal Academy.

Section 29 The Secretary-General of the Royal Academy shall be appointed by Royal Command on the recommendation of the Royal Academy Council from persons with qualifications and not being under any of the prohibitions in Section 31 paragraph one and paragraph three.

The criteria and procedures for selecting the Secretary-General of the Royal Academy shall be in accordance with the regulations of the Royal Academy.

The Deputy Secretary-General of the Royal Academy shall be appointed by the Royal Academy Council on the recommendation of the Secretary-General of the Royal Academy from persons with qualifications and not being under any of the prohibitions in Section 31 paragraph one and paragraph three.

The Assistant Secretary-General of the Royal Academy shall be appointed by the Secretary-General of the Royal Academy from persons with qualifications and not being under any of the prohibitions in Section 31 paragraph two and paragraph three.

Section 30 The Secretary-General of the Royal Academy has a term of office of four years and may be re-appointed by Royal Command.

When the Secretary of the Royal Academy vacates office, the Deputy Secretary-General and the Assistant Secretary-General of the Royal Academy shall also vacate the office.

In addition to vacating office at the expiration of term, the Secretary-General of the Royal Academy vacates office upon:

- (1) death;
- (2) resignation;
- (3) lacking required qualifications or being under any of the prohibitions in Section 31 paragraph one or paragraph three;
- (4) being incompetent or quasi-incompetent;
- (5) being legally bankrupt
- (6) the Royal Academy Council passing a resolution to remove the Secretary-General with a vote of more than half of the total number of Councilors;
- (7) the Royal Academy Council passing a resolution to remove due to failing the performance assessment in accordance with the criteria set by the Royal Academy Council under Section 44;
- (8) imprisonment by a final judgment of the Court.

Section 31 The Secretary-General and the Deputy Secretary-General of the Royal Academy must have one of the following qualifications:

- (1) Have a doctorate degree or equivalent conferred by the Royal Academy or other higher education institutions accredited by the Royal Academy Council and have at least three years of experience in teaching and administration at the Royal Academy or other higher education institutions accredited by the Royal Academy Council or have other administrative experience in accordance with the criteria and time period specified in the regulations of the Royal Academy;
- (2) Have a degree at any level or equivalent conferred by the Royal Academy or other higher education institutions accredited by the Royal Academy Council and have at least five years of experience in teaching and administration at the Royal Academy or other higher education institutions accredited by the Royal Academy Council or have other administrative experience in accordance with the criteria and time period specified in the regulations of the Royal Academy.

The Assistant Secretary-General of the Royal Academy must have completed a degree at any level or equivalent from the Royal Academy or other higher education institutions accredited by the Royal Academy Council.

Aside from the qualifications under paragraph one and paragraph two, the Secretary-General, Deputy Secretary-General and Assistant Secretary-General of the Royal Academy must

have other qualifications and must not be under any prohibition as stipulated in the regulations of the Royal Academy.

Section 32 The Secretary-General of the Royal Academy is the representative of the Royal Academy in all affairs and shall have the following powers and duties:

- (1) Administer the affairs of the Royal Academy in accordance with the laws, regulations, rules and announcements of the Royal Academy, including the policies and objectives of the Royal Academy.
- (2) Manage personnel, finances, supplies and other assets of the Royal Academy to be in accordance with the laws, rules, regulations and announcements of the Royal Academy, including the resolutions of the Royal Academy Council.
- (3) Appoint or remove the Assistant Secretary-General of the Royal Academy and the deputy heads of Departments under Section 8 (2) (3) (4) and Section 8 paragraph two.
- (4) File, appoint, undertake disciplinary proceedings and remove practitioners of the Royal Academy in accordance with the regulations of the Royal Academy.
- (5) Prepare development plans and action plans in accordance with the timeline specified by the Royal Academy Council, including the tracking and evaluation of various operations of the Royal Academy.
- (6) Provide resources from various sources to achieve the objectives of the Royal Academy.
- (7) Prepare a budget of income and expenditure for submission to the Royal Academy Council.
- (8) Present reports on the Royal Academy's performance in various aspects and the annual report of the Royal Academy to the Royal Academy Council.
- (9) Perform other duties according to the laws, rules, regulations, and announcements of the Royal Academy or as assigned by the Royal Academy Council.

Section 33 In the event that the Secretary-General of the Royal Academy is unable to perform his duties, the most senior Deputy Secretary-General of the Royal Academy shall be the acting secretary-general.

In the absence of a secretary-general of the Royal Academy or there is no acting secretary-general of the Royal Academy under paragraph one, or there is but such person is unable to perform the duties of the secretary-general, the Royal Academy Council shall appoint a person with qualifications and not being under any of the prohibitions in Section 31 paragraph one and paragraph three to be the acting secretary-general.

Section 34 In the Office of the Royal Academy, the Secretary-General of the Royal Academy shall be the supervisor and responsible for the work of the Royal Academy and there shall be the Director of the Royal Academy Office to perform duties and responsibilities as assigned by the Secretary-General of the Royal Academy.

The qualifications, criteria and procedures for filling the position of Director of the Royal Academy Office shall be in accordance with the regulations of the Royal Academy.

Section 35 As for the work departments under Section 8 (2) (3) (4) and Section 8 paragraph two, there shall be one supervisor as the chief executive, responsible for the work of that department and there may be deputy heads in the number specified by the Royal Academy Council to perform duties and responsibilities as assigned by the Head of the Department.

The Head of the Department under paragraph one shall be appointed by Royal Command on the recommendation of the Royal Academy Council.

The position, title, selection criteria and procedures, term of office, retirement, authority, responsibilities and administration of department heads and deputies under paragraph one shall be in accordance with the regulations of the Royal Academy.

Acting in the position of Department Head under Section 33 paragraph one shall apply *mutatis mutandis*.

Section 36 Heads and Deputy Heads of departments under Section 8 (2) (3) (4) and Section 8 paragraph two must have completed any degree at any level or equivalent from the Royal Academy or other higher education institutions accredited by the Royal Academy Council and have at least three years of experience in teaching and administration at the Royal Academy or other higher education institutions accredited by the Royal Academy Council or have other administrative experience in accordance with the criteria and time period specified in the regulations of the Royal Academy.

Aside from the qualifications under paragraph one, Heads and Deputy Heads of departments under Section 8 (2) (3) (4) and Section 8 paragraph two must have other qualifications and must not have any prohibition as specified in the regulations of the Royal Academy.

Section 37 In the departments under Section 8 (2) (3) (4) and Section 8 paragraph two, there may be a departmental board to manage the respective departments.

The composition, number of members, qualifications, criteria, appointment procedures, term of office, relinquishing of office and authority, as well as meeting and operating procedure of the departmental boards shall be in accordance with the regulations of the Royal Academy.

Section 38 The Secretary-General, Deputy Secretary-General of the Royal Academy, Heads and Deputy Heads of Departments shall not concurrently hold more than one position.

A person holding the position under paragraph one may act on behalf of only one other position but only for not more than one hundred and eighty days.

Section 39 Other than as provided in this Act, acting authorization as well as the delegation of authority to act on behalf of various positions in the Royal Academy shall be in accordance with the regulations of the Royal Academy.

In the case where there are laws, rules, regulations, statutes, orders or resolutions of the Council of Ministers appointing or assigning any office holder to be a member of a committee or a sub-committee, or having any responsible authority, the acting person or delegate shall perform the duties of committee member, sub-committee member, or have the same power and duty as the person holding the position while acting in such position, as the case may be.

Chapter 3

Quality assurance and assessment

Section 40 The Royal Academy shall arrange quality assurance of its studies, research and delivery of medical and public health services in order to develop the quality and standards of the Royal Academy.

The system, criteria and procedures for quality assurance under paragraph one shall be in accordance with the regulations of the Royal Academy.

- Section 41 The Royal Academy shall arrange the assessment of the work departments under Section 8 in order to develop the quality and standards of the Royal Academy in accordance with the criteria, procedures and time frame stipulated in the regulations of the Royal Academy.
- Section 42 The Royal Academy shall arrange the evaluation of its curriculum and courses of study, educational instruction and end of course evaluation results in accordance with the criteria, procedures and time frame specified by the Royal Academy, which shall be reported to the Royal Academy Council and publicized as a general announcement.
- Section 43 There shall be a committee to monitor and evaluate the performance of Royal Academy appointed by the Royal Academy Council to audit the operation of the Royal Academy.

The composition, number of committee members, qualifications, selection criteria and procedures, term of office, relinquishing of office, as well as the powers and duties of the Audit and Monitoring Committee of the Royal Academy, including its meeting and operating procedure shall be in accordance with the regulations of the Royal Academy. In this regard, there shall be at least one expert member of the Royal Academy Council who is appointed to the Audit and Monitoring Committee of the Royal Academy.

- Section 44 The Royal Academy Council shall arrange the evaluation of the performance of the Secretary-General and the departmental heads under Section 8 (2), (3), (4) and Section 8 paragraph two in accordance with the criteria, procedures and time frame stipulated in the regulations of the Royal Academy.
- Section 45 The Secretary-General of the Royal Academy shall arrange the performance appraisal of practitioners of the Royal Academy in accordance with the rules, procedures, and time frame stipulated in the regulations of the Royal Academy.

Chapter 4

Accounting and Auditing

- Section 46 The Royal Academy shall establish and maintain an accurate accounting system in accordance with the good internal control principles, for each of the work departments of the Royal Academy, with true accounts classified by type of assets, liabilities, capital, income, and expenditure, along with notation of the source of that item. The Royal Academy shall also arrange regular internal audits.

Records entered into the account books under paragraph one shall be in accordance with generally accepted accounting standards.

- Section 47 The Royal Academy shall prepare the financial statements for submission to the auditor of the Royal Academy within ninety days from the end of the fiscal year.

The start and end of fiscal year of the Royal Academy shall be in accordance with the announcement of the Royal Academy.

- Section 48 The State Audit Office, or a third party appointed by the Royal Academy Council with the approval of the State Audit Office, is the Auditor of the Royal Academy responsible for auditing, certification, and all types of accounting and financial procedures of the Royal Academy every fiscal year.
- Section 49 The auditor has the power to inspect all accounting books and related evidentiary documentation of the Royal Academy. For this purpose, the auditor has the authority to direct inquiries to the Secretary-General and staff of the Royal Academy and call for access to additional books, accounts and related documents of the Royal Academy as needed.
- Section 50 The auditor shall prepare the audit report and financial report to be proposed to the Royal Academy Council within one hundred and fifty days from the end of the accounting year for the Council to present to the Prime Minister.

The Royal Academy shall publish the annual report of the last year showing the balance sheet, operating account and income and expenditure account certified by the auditor, as well as showing the achievements of the Royal Academy in the past year and plans for the following year, within one hundred and eighty days from the end of the fiscal year.

- Section 51 The Secretary-General of the Royal Academy shall be the senior office holder under the Organic Law on the Prevention and Suppression of Corruption.

Chapter 5

Supervision

- Section 52 The Prime Minister has the general duty of overseeing the affairs of the Royal Academy to be in accordance with the objectives under Section 6 and in accordance with the government policy or the Cabinet resolution specifically related to the Royal Academy. In the event that there is a conflict regarding the operation of the Royal Academy which may cause damage to the public, the Prime Minister shall propose the said matter to the Cabinet for consideration. Once the Cabinet renders its decision, the relevant parties have the duty to comply with the judgement of the Cabinet.
- Section 53 All matters that the Royal Academy must submit to the Cabinet under this Act shall be proposed to Cabinet by the Prime Minister.

Chapter 6

Academic Titles

- Section 54 The full-time faculty of the Royal Academy has the following academic titles:

- (1) Professor
- (2) Associate Professor
- (3) Assistant Professor
- (4) Lecturer

A Professor is appointed by Royal Command on the recommendation of the Royal Academy Council.

The Royal Academy Council may specify academic titles with other titles by issuance of announcement of the Royal Academy and publication in the Government Gazette.

The qualifications, rules and procedures for the appointment and removal of holders of academic titles shall be in accordance with the regulations of the Royal Academy.

Section 55 An adjunct professor is appointed by Royal Command, from candidates who are not full-time faculty members of the Royal Academy on the advice of the Royal Academy Council.

The qualifications, rules and procedures for the appointment and removal of adjunct professors shall be in accordance with the regulations of the Royal Academy.

Section 56 A professor who has special knowledge, ability and expertise and vacates office without a fault, may be appointed Professor Emeritus in the field of study in which that professor is proficient by the Royal Academy.

The qualifications, rules and procedures for the appointment and removal of a professor emeritus shall be in accordance with the regulations of the Royal Academy.

Section 57 The Royal Academy Council may appoint a person with appropriate qualifications and is not a faculty member to be an adjunct associate professor or adjunct assistant professor.

The Secretary-General of the Royal Academy may appoint a person with appropriate qualifications and is not a full-time lecturer of the Royal Academy as a special lecturer on the recommendation of the head of departments under Section 8 (3) (4) or Section 8 paragraph two responsible for teaching and instructing.

The qualifications, rules and procedures for the appointment and removal of adjunct associate and assistant professors and special lecturers shall be in accordance with the regulations of the Royal Academy.

Section 58 Persons who are appointed by Royal Command to be a professor, adjunct professor or appointed to be a Professor Emeritus, adjunct associate professor, adjunct associate or assistant professor or special lecturers, or other academic titles by any other title under section 54 paragraph three, shall have the right to use the said academic title as an honorific for academic standing.

Honorifics according to the first paragraph use the following abbreviations:

Professor	uses the abbreviation	Prof.
Adjunct Professor	uses the abbreviation	Prof. (Adjunct)
Professor Emeritus	uses the abbreviation	Prof. (Emeritus)
Associate Professor	uses the abbreviation	Assoc. Prof.

Adjunct Associate Professor	uses the abbreviation	Assoc. Prof. (Adjunct)
Assistant Professor	uses the abbreviation	Asst. Prof.
Adjunct Assistant Professor	uses the abbreviation	Asst. Prof. (Adjunct)

The use of prefixes and abbreviations for academic titles called otherwise shall be in accordance with the regulations of the Royal Academy.

Chapter 7 Degrees and Academic Marks

Section 59 There are 3 degrees, namely:

Doctorate Degree	uses the abbreviation	Ph.D.
Masters' Degree	uses the abbreviation	M.
Bachelors' Degree	uses the abbreviation	B.

Section 60 The Royal Academy has the power to confer degrees, diplomas or certificates in a field of study taught in the Royal Academy and jointly confer degrees, diplomas or certificates in a field of study that is organized in conjunction with other higher education institutions or other research institutions, in the country or abroad, or with an international organization.

Assigning a degree, diploma or certificate to a particular discipline, as well as abbreviations thereof, shall be in accordance with the announcements of the Royal Academy and published in the Government Gazette.

Section 61 The Royal Academy Council may issue regulations stipulating that bachelor-degree graduates receive first-class or second-class honors.

Section 62 The Royal Academy Council may issue regulations specifying the following certifications:

- (1) Higher Graduate Diploma awarded to graduates in a particular field of study who have received a master's degree or equivalent;
- (2) Graduate Certificate awarded to graduates in a particular field of study who have received a bachelor's degree or equivalent;
- (3) Diploma awarded to graduates in a particular field of study before earning a bachelor's degree;
- (4) Certificate awarded to those who have completed a specific course of study or research or training.

Section 63 The Royal Academy has the power to confer honorary degrees to people who are deemed by the Royal Academy Council to possess suitable qualifications for that degree; however, such degrees may not be conferred to faculty members, fulltime practitioners or holders of various positions in the Royal Academy, the President or members of the Royal Academy Council, while holding that position.

The level and branch of degrees, as well as the criteria for conferment of honorary degrees shall be in accordance with the regulations of the Royal Academy.

Section 64 The Royal Academy may stipulate requirements pertaining to the academic gowns or academic pins as a symbol to show academic qualifications of graduates who have received degrees, Higher Graduate Diplomas, Graduate certificates, diplomas or certificates, as well as having official gowns for the President and Councilors of the Royal Academy Council, Expert Advisors, executives and faculty members of the Royal Academy.

Specification, type and composition of academic gowns and pins, official gowns for each title shall be announced by the Royal Academy and published in the Government Gazette.

The occasions and conditions for use of said academic gowns, academic pins, and title gowns shall be in accordance with the regulations of the Royal Academy.

Section 65 The Royal Academy may prescribe a seal or emblem of the Royal Academy or the departmental units thereof in announcements of the Royal Academy and published in the Government Gazette.

Use of the seal or emblem under paragraph one for trade or another purpose other than for the benefit of the Royal Academy or the work of the Royal Academy requires that a written permission from the Royal Academy be obtained.

Section 66 The Royal Academy may prescribe uniforms, marks, or dress code of students and practitioners of the Royal Academy in the regulations of the Royal Academy and published in the Government Gazette.

Chapter 8

Penalties

Section 67 Whoever uses academic gowns or academic pins, uniforms, marks or dress for students and practitioners in the Royal Academy without the right to do so, or uses any item that simulates such items or shows in any way that they have a degree, diploma or certificate or hold a position in the Royal Academy without any right to do so. If done so that others believe that they have the right to use the said items, or possess the academic qualifications or hold such a position, they shall be liable to imprisonment not exceeding six months or a fine not exceeding fifty thousand baht or both.

Section 68 Whoever undertakes any of the following actions shall be liable to imprisonment not exceeding one year or a fine not exceeding one hundred thousand baht or both.

- (1) Counterfeits or simulates the logo or emblem of the Royal Academy or the departments of the Royal Academy regardless of the color used or method of forgery.
- (2) Uses the counterfeit or imitation logo or emblem of the Royal Academy or the departments of the Royal Academy.
- (3) Uses or makes the logo or emblem of the Royal Academy or the departments of the Royal Academy appear on any object or product in violation of Section 65 paragraph two.

If the offender under (1) is also the offender under (2), the punishment under (2) shall apply as the only count.

The offence under (3) is a compoundable offense.

Transitional Provisions

Section 69 The budget of the Office of the Higher Education Commission shall be transferred only with respect to Product 1 of the Public Health Development Plans, work of medical services and health promotion for education and Product 1 of the Research and Development Plan pertaining to research results to create knowledge in support of research operations of the Chulabhorn Research Institute which belongs to the Royal Academy under this Act.

Section 70 On the date this Act comes into effect, the granting of the license to establish the Chulabhorn Graduate Institute, which was issued under the Private Institution of Higher Education Act of B.E. 2546 (2003), is terminated and the Chulabhorn Graduate Institute shall be deemed to be dissolved under the said Act without having to proceed with dissolution or liquidation.

The Royal Academy established under this Act shall accept all business, property, rights, liabilities, obligations and income of the Chulabhorn Graduate Institute established under the Private Institution of Higher Education Act of B.E. 2546 (2003).

Section 71 While there is no royal academy council under this Act, the Royal Academy Council shall comprise the Chairman and Secretary-General of the Chulabhorn Foundation, who held office on the day before the date this Act comes into effect, as the President and the Vice President of the Royal Academy Council. And the Chairman of the Chulabhorn Foundation shall appoint no more than fifteen experts as Royal Academy councilors, thus until there is a Royal Academy Council under this Act which must not exceed one hundred and eighty days from the date this Act comes into effect.

In the case that the position of President, Vice President or Councilors of the Royal Academy Council under paragraph one is vacant for any reason, the Royal Academy Council shall consist of the existing councilors of the Royal Academy Council.

Section 72 In the initial stage, the President of the Royal Academy Council under Section 71 shall appoint an acting secretary-general of the Royal Academy until the Secretary-General of the Royal Academy is appointed under this Act which must not exceed one hundred and eighty days from the date this Act comes into effect.

Section 73 Those who are professor, adjunct professor, associate professor, adjunct associate professor, assistant professor, adjunct assistant professor and faculty members of the Chulabhorn Graduate Institute on the day before the date this Act comes into effect shall be professor, adjunct professor, associate professor, adjunct associate professor, assistant professor, adjunct assistant professor and faculty members of the Royal Academy under this Act.

The right to attain the title of professor, associate professor or assistant professor shall not be lost because of being a practitioner in the Royal Academy.

Section 74 Staff or employees of the Chulabhorn Research Institute and Chulabhorn Hospital, which are internal departments of the Chulabhorn Foundation and the staff or employees of the Chulabhorn Graduate Institute established under the Private Institution of Higher Education Act of B.E. 2546 (2003), on the day before the date this Act comes into effect, whoever voluntarily become practitioners in the Royal Academy, shall notify the Secretary-General of the Royal Academy within ninety days from the date this Act comes into effect and the Royal Academy shall accept that person to be a practitioner in the Royal Academy whereby their tenure while being staff or employees of the Chulabhorn Research Institute, Chulabhorn Hospital and the Chulabhorn Graduate Institute, shall continue as a practitioner in the Royal Academy under this Act.

Section 75 The staff or employees who, of their own volition, become practitioners in the Royal Academy under Section 74 shall receive the same salary or wage previously received until their placement and appointment to the Royal Academy is completed, upon which their salary or wage shall be in accordance with the regulations of the Royal Academy in the amount of no less than that which was received on the day before the date of being accepted as a practitioner in the Royal Academy. As for other benefits and remuneration, these shall be in accordance with the regulations of the Royal Academy.

Section 76 Students currently studying at the Chulabhorn Graduate Institute, established under the Private Institution of Higher Education Act of B.E. 2546 (2003), on the day before the date this Act comes into effect shall be students of the Royal Academy under this Act.

In the educational management of the Royal Academy, the curriculum of the Chulabhorn Graduate Institute of Education established under the Private Institution of Higher Education Act of B.E. 2546 (2003), which was effective on the day before this Act comes into effect, shall still be in use as the curriculum of the Royal Academy.

Countersigned by

General Prayut Chan-ocha

Prime Minister

Note: - The rationale behind the promulgation of this Act is that since the Chulabhorn Research Institute was established by the Cabinet resolution in 1987 to celebrate the occasion of His Majesty the King's Fifth Cycle Birthday Anniversary as an internal organization of the Chulabhorn Foundation, of which Professor Dr. Her Royal Highness Princess Chulabhorn is the President, and subsequent establishment of Chulabhorn Hospital in honor of Her Majesty the Queen's sixth cycle birthday anniversary and the Chulabhorn Graduate Institute to celebrate the fourth cycle birthday anniversary of the President of the Chulabhorn Foundation; all three agencies have coordinated and supported each other, making many contributions to the nation. In order for the Chulabhorn Research Institute, Chulabhorn Hospital and Chulabhorn Graduate Institute to operate with unity, efficiency and maximum benefits for the people and the nation, it is deemed appropriate to establish the Chulabhorn Royal Academy to be a leading high-level research and academic institution, providing academic and professional education in science, technology, environment, medicine and public health in the region. Moreover, because in the establishment of the Chulabhorn Royal Academy, there are some necessities that may affect the rights of individuals according to private law, thereby requiring the enactment of this Act in order to achieve the objectives of the establishment of the Royal Academy.