

Unofficial Translation¹

**SRISAVARINDHIRA THAI RED CROSS INSTITUTE OF NURSING ACT,
B.E. 2559 (2016)**

HIS MAJESTY KING MAHA VAJIRALONGKORN BODINDRADEBAYAVARANGKUN

Given on 25th Day of December B.E. 2559;

Being the 1st Year of the Present Reign.

His Majesty King Maha Vajiralongkorn Bodindradebayavarangkun is graciously pleased to proclaim that:

Whereas it is expedient to have a law on Srisavarindhira Thai Red Cross Institute of Nursing;

Be it, therefore, enacted by the King, by and with the advice and consent of the National Legislative Assembly acting as the National Assembly, as follows:

Section 1. This Act is called the “Srisavarindhira Thai Red Cross Institute of Nursing Act, B.E. 2559 (2016)”.

Section 2. This Act shall come into force after the expiration of one hundred and eighty days from the date of its publication in the Government Gazette.²

Section 3. In this Act:

“Institute” means Srisavarindhira Thai Red Cross Institute of Nursing;

“Institute Council” means Srisavarindhira Thai Red Cross Institute of Nursing Council;

“Academic Council” means Srisavarindhira Thai Red Cross Institute of Nursing Academic Council;

“Institute personnel” means a permanent staff member and an employee of the Institute;

“Minister” means the Minister in charge and control of the execution of this Act.

¹ This translation is for comprehensive purpose only. The original Thai text as formally adopted and published shall in all events remain the sole authority having legal force.

² Published in the Government Gazette, Vol. 133, Part 109a, Page 3, dated 26th December B.E. 2559 (2016).

Section 4. The Srisavarindhira Thai Red Cross Institute of Nursing shall be established as a higher education institution on nursing and shall be a juristic person. The Institute is not a government agency under the law on State administration, the law on the administration of the Ministry of Education, and the law on Organisation of Ministries, Sub-Ministries and Departments and not a State enterprise under the law on budgetary procedure or other laws. The institute is under the auspices of the Thai Red Cross Society.

Section 5. The Minister of Education shall have charge and control of the execution of this Act.

CHAPTER I GENERAL PROVISIONS

Section 6. The Institute shall be a higher education institution on nursing and have the objectives of educational management, academic and advance professional research, promotion and development on nursing or other relevant sciences, academic services for society, art and cultural preservation in accordance with the mission of higher education institution, and maintenance of Thai Red Cross identity. These are for the benefit of community and society and to bring about the country development.

Section 7. To achieve the objectives under section 6, the Institute has the following functions and duties:

(1) to produce graduates in accordance with Strategy Plan of the Thai Red Cross Society, the National Education Plan, and the National Economic and Social Development Plan, focusing on enabling the graduates to have knowledge, academic and professional capabilities regarding nursing field, morality, ethics, social consciousness, skill on self-learning for self-development to deal with the changing world society;

(2) to conduct, promote and support to conduct research in order to continuously create and develop academic and professional knowledge on nursing, as well as to apply such knowledge for the benefit of work improvement in compliance with the mission of the Thai Red Cross Society, the Institute, the society and the country;

(3) to provide academic and professional services in the field of nursing to be in accordance with the mission of the Thai Red Cross Society with an aim to be accepted in national and international levels;

(4) to cooperate with any entity in the Thai Red Cross Society, other national or international entities or institutions, or international organisations in the operation under (1) to (3);

(5) to promote and preserve art and culture, as well as to maintain and utilise environment and natural resources in a balanced and sustainable manner;

(6) to perform others duties as provided by law to be the duties of the Institute.

Section 8. In the operation to achieve the objectives under section 6 and functions and duties under section 7, the Institute shall take the following into account:

(1) morality, ethics and humanity under the universal principle of Red Cross;

(2) equal opportunity in education;

(3) academic excellence, academic freedom, academic standard and quality which is accepted in international level;

(4) transparency and accountability to the State and society;

(5) efficiency and effectiveness of the management;

(6) management based upon the participation of Institute personnel.

Section 9. The Institute may be organised into the following work units:

(1) office of the Institute;

(2) academic schools;

(3) other work units.

Section 10. The establishment, amalgamation or termination of a work unit under section 9 shall be done by the Notification of the Institute which shall be published in the Government Gazette. In the case of establishment and amalgamation of any work unit, the status and duties of such work unit shall be stipulated.

The organisation of any work unit under section 9 shall be done by the Notification of the Institute.

Paragraph one and paragraph two shall be implemented by significantly taking into consideration academic quality, budgetary effectiveness, decrease in redundancy, and increase in management efficiency.

Section 11. Subject to the objective of section 6, the Institute may accept or terminate the acceptance of the affiliation with a higher education institutions or other institutions, and has a power to confer an academic degree or any class of diploma/certificate to graduates of the affiliated higher education institutions or other institutions.

The acceptance or termination of the acceptance of the affiliation under paragraph one shall be done by the Notification of the Institute which shall be published in the Government Gazette.

The higher education institutions or other institutions affiliated with the Institute shall be regulated in accordance with the by-law of the Institute.

Section 12. Subject to the objective of section 6, the Institute may conduct educational management or joint research with a higher education institution or other institution of the country, of a foreign country or of an international organisation. In the case of educational management, the institute has a power to jointly confer with the higher education institution or other institution an academic degree or any class of diploma/certificate to graduates thereof.

The educational management or the termination of the educational management under paragraph one shall be done by the Notification of the Institute which shall be published in the Government Gazette.

The implementation of paragraph one shall be in accordance with the by-law of the Institute.

Section 13. The Institute affairs is not subject to the law on labour protection, the law on labour relations, and the law on workmen's compensation, provided that the Institute personnel shall be protected and receive benefits not less than those stipulated in the law on labour protection.

Section 14. The Institute has powers and duties to do any act for compliance with the objectives of section 6, *inter alia*, such powers and duties shall include the following:

(1) to purchase, sell, hire, be for hire, build, provide, transfer, take the transfer of, rent, be for rent, lease, be for lease, dispose of and exchange or conduct any legal act for the benefit of the Institute affairs;

The disposal or exchange of an immovable property of the Institute shall be done only for the immovable property which is acquired under section 17 and purports to be disposed of or exchanged;

(2) to hold ownership, to have possession right, right to intellectual property, right to property of the Institute, as well as to receive money or property from supporters or donors;

(3) to receive fees, dues, remuneration, penalty fees, and service charges for any services provided under the powers and duties of the Institute, as well as to enter into an agreement and stipulate terms relating thereto;

(4) to cooperate with State agencies, private agencies, foreign agencies or organisations, or international agencies or organisations;

(5) to stipulate remuneration or extra remuneration, including welfare, beneficial rights and other benefits for the Institute personnel;

(6) to undertake to have a fund available for any operation under the objectives of the Institute, provided that the administration of the fund shall be in accordance with the by-law of the Institute;

(7) to provide a scholarship and research funding;

(8) to continuously undertake academic development and Institute personnel development;

(9) to administer, supervise, maintain, manage, use and make benefit from the property of the Institute and the *Ratchaphatsadu* land under the law on *Ratchaphatsadu* land;

(10) to establish or join with a person to establish an entity being a juristic person, and to invest or co-invest with any person or juristic person for the operation in relation to or in connection with the Institute affairs.

Section 15. The Institute has the following incomes:

(1) general subsidies allocated annually by the Government;

(2) money or property donated to the Institute;

(3) subsidies allocated by the Thai Red Cross Society;

(4) a fund established by the Government of the Institute and incomes or benefits therefrom;

(5) fees, dues, remuneration, penalty fees and service charges belonging to the Institute;

(6) incomes or benefits obtained from the investment or co-investment and from the property of the Institute;

(7) incomes or benefits obtained from the use of the *Ratchaphatsadu* land or the exploitation of the *Ratchaphatsadu* land which the Institute administer, supervise, use or make a benefit of;

(8) other incomes or benefits.

The Government shall allocate the general subsidies under (1) directly to the Institute in the amount sufficient to cover all expenditure necessary for the operation under the objectives of the Institute and for the Institute development in order to guarantee educational quality.

The incomes of the Institute are not be remitted to State treasury as public revenue under the law on treasury reserves, the law on budgetary procedures of other laws.

In the case where the incomes under paragraph one are insufficient for operational expenditure of the Institute and other appropriate burdens and the Institute is unable to obtain money from other sources, the Government should allocate additional general subsidies to the Institute pursuant to its necessity.

In the case where the Government has adjusted salaries, position allowances, remuneration, or other benefits for government officials, the Government shall allocate budget as the additional general subsidies to the Institute in the same proportion for making the said payment to the Institute personnel.

Section 16. The Institute shall encourage and support a person admitted by the Institute to study in the Institute and a student who truly lacks financial resources to have an opportunity to complete their undergraduate studies

The rules and procedures to consider who truly lacks financial resources shall be in accordance with the by-law of the Institute.

Section 17. All immovable property which the Institute has obtained from the donation, the purchase by its own money, the exchange with other asset of the Institute or from any other means, shall not be deemed as the *Ratchaphatsadu* land and shall belong to the Institute as ownership.

Section 18. The property of the Institute which is used for the benefits of education, research, academic services, and art and cultural preservation, shall not subject to all executions, including administrative enforcement, and no person can raise the issue of prescription or period of possession against the Institute in respect of such property.

Section 19. All income and property of the Institute shall be managed for the achievement of the objectives under section 6.

The money and property donated to the Institute shall be managed under the conditions specified by the donor and in compliance with the objectives under section 6. If it is necessary to change such conditions, the Institute must obtain the written consent of the donor or his heir. In case of no heir or no presence of the heir, the change shall be approved by the Institute Council.

CHAPTER II OPERATION

Section 20. There shall be an Institute Council consisting of the following:

(1) the Executive Vice-President of the Thai Red Cross Society as the Chairperson of the Institute Council;

(2) the Secretary-General of the Thai Red Cross Society as the Vice Chairperson of the Institute Council;

(3) five qualified members of the Institute Council appointed by the King from persons outside the Institute;

(4) two members of the Institute Council representing the Thai Red Cross Society who are entrusted by the Thai Red Cross Society;

(5) two members of the Institute Council representing the permanent academic staff who are elected from permanent academic staff themselves;

(6) the President as member and secretary of the Institute Council.

The qualifications, rules and procedures for the acquisition and removal of members of the Institute Council under (3) and (5) shall be in accordance with the by-law of the Institute, provided that one of the members of the Institute Council under (3) shall be selected from the list nominated by the Higher Education Commission.

In the case where the Chairperson of the Institute Council is unable to perform his or her duties, the Vice Chairperson of the Institute Council shall perform the duties in place of the Chairperson. In the case where the Vice Chairperson of the Institute Council is unable to perform his or her duties, the Institute Council shall select one qualified member of the Institute Council to perform the duties in place of the Chairperson.

The Institute Council may appoint the Vice President or the Assistant President to be an Assistant Secretary.

Section 21. The members of the Institute Council under section 20 (3) (4) and (5) have a term of office for three years and may be reappointed by the King or may be reelected.

Apart from vacating office on the expiration of the term under paragraph one, the members of the Institute Council under section 20 (3) (4) and (5) vacate office upon:

- (1) death;
- (2) resignation;
- (3) being disqualified or being under any of the prohibitions for being a member of the Institute Council in each classification;
- (4) being an incompetent person or a quasi-incompetent person;
- (5) being bankrupt;
- (6) being removed from office by the resolution of the Institute Council with the casting vote of more than two-third of the members presenting at the meeting;
- (7) being imprisoned by a final judgement to a term of imprisonment.

In the case where the office of a member of the Institute Council under section 20 (3) (4) and (5) becomes vacant for any reason whatsoever and no operation has been undertaken to acquire a member in replacement thereof, the Institute Council shall consist of the remaining members.

In the case where a member of the Institute Council under section 20 (3) (4) and (5) vacates office before the expiration of the term and the King has appointed a replacement or the operation for replacement has been undertaken, as the case may be, the replacement shall hold office for the remaining term of the member he or she replaces. If the

remaining term is less than ninety days, the operation for replacement might not be undertaken.

In the case where a member of the Institute Council under section 20 (3) (4) and (5) vacates office upon the expiration of the term but the King has not appointed a new member under section 20 (3) or the operation for replacement of other members has not been undertaken, as the case may be, the member of the Institute Council under section 20 (3) (4) and (5) who vacates the office shall continue his or her performance of duties until the new member of the Institute Council under section 20 (3) is appointed by the King or the operation for replacement of other members of Institute Council has been undertaken.

Section 22. The Institute Council has powers and duties to supervise general affairs of the Institute. Such powers and duties include the following:

(1) to determine directions and goals of the Institute, to set forth policies, and to approve the development plan of the Institute in relation to the implementation of the objectives under section 6;

(2) to issue by-laws on the administration, finance, procurement and property of the Institute, as well as the rights and welfare of the Institute personnel;

(3) to issue by-laws on personnel administration of the Institute;

(4) to issue by-laws, rules and notifications of the Institute for the benefit of its operation, and to possibly entrust a unit of the Institute to issue such a by-laws, rule and notification for that work unit on each matter basis;

(5) to approve the establishment, amalgamation and dissolution of a work unit under section 9;

(6) to approve the organisation within each work unit under section 9;

(7) to approve or dissolve the acceptance of a higher education institutions or other institutions to be affiliated with the Institute;

(8) to approve or terminate the joint educational management with a higher education institutions or other research institutions;

(9) to approve curricula and opening courses, including revision, merging and cancellation thereof;

(10) to approve the awarding of degrees and diplomas/certificates of the Institute and also in the case of the joint educational management with a higher education institution or other institution, and to approve the awarding of honorary degrees;

(11) to undertake the proceedings for the King to appoint or remove the positions of qualified member of the Institute Council, the President, professor and adjunct professor;

(12) to appoint and remove the positions of emeritus professor, associate professor, special associate professor, assistant professor, special assistant professor, and an academic position titled otherwise under section 51 paragraph three;

(13) to appoint and remove the positions of vice president and heads of work units under section 9;

(14) to lay down policies, rules and procedures in relation to the acquisition of incomes, sources of funds and other resources;

(15) to approve the establishment or the joint establishment with other person of an entity being juristic person, or to terminate a juristic person established under section 14 (10);

(16) to approve the setting up of income and expenditure budgets of the Institute;

(17) to follow up and evaluate the performance of the President and heads of work units under section 9;

(18) to approve the annual report of the Institute and submit it to the Thai Red Cross Society and the Minister for acknowledgement;

(19) to appoint a committee, a sub-committee or a person to perform any act under powers and duties of the Institute, and to entrust such committee, sub-committee or person to act on behalf of the Institute and then report to the Institute Council for acknowledgment;

(20) to perform duties relating to the Institute's affairs which are not specified to be the duties of any particular person.

Section 23. The meeting and operational procedures of the Institute Council shall be in accordance with the by-law of the Institute.

Section 24. There shall be the Academic Council consisting of the President as chairperson, qualified persons from inside and outside the Institute as members.

The number, qualifications, rules and procedures for selection, term of office, and vacation of office of members of the Academic Council, including meeting and operational procedures of the Academic Institute shall be in accordance with the by-law of the Institute.

Section 25. The Academic Council has the following powers and duties:

(1) to provide recommendations on goals, policies, standards, development guidelines, and academic development plans of the Institute to the Institute Council;

(2) to prepare ethics of lecturers, researchers, and Institute personnel to be submitted to the Institute Council and to supervise the implementation of such ethics;

(3) to process and evaluate academic progress and prepare recommendations on academic development to be annually submitted to the Institute Council;

(4) to provide to the Institute Council recommendations on the approval of curricula and opening courses, including revision, merging and cancellation thereof;

(5) to propose the awarding of degrees, higher graduate diplomas, graduate diplomas, and certificates to the Institute Council;

(6) to consider and provide opinions to the Institute Council on accepting and terminating the affiliation of a higher education institution or other institution under section 11 and on educational management or joint research with the higher education institution or other research institution under section 12;

(7) to appoint a committee, a sub-committee, or a person to perform any act under the powers and duties of the Academic Institute;

(8) to provide opinions on the establishment, amalgamation and dissolution of work units under section 9 which have duties to teach, research, or provide academic services, as well as to propose the organisation within such work units to the Institute Council;

(9) to provide advices to the Institute Council or the President and to perform other duties as entrusted by the Institute Council or the President.

Section 26. There shall be the Institute Executive Committee consisting of the following:

(1) the President as chairperson;

(2) *ex officio* members who are Vice Presidents and heads of work units under section 9 (2) and (3).

The President shall appoint one of the Vice Presidents to be the secretary of the Institute Executive Committee and may appoint an assistant secretary to the said Committee.

Section 27. The Institute Executive Committee has the following powers and duties:

(1) to consider and scrutinize by-laws, regulations, and notifications of the Institute for the submission to the Institute Council;

(2) to propose the establishment, amalgamation, and dissolution of the work units, including the organisation within the work units to the Institute Council;

(3) to undertake the administration of the Institute as entrusted by the Institute Council and the President or in the case where powers and duties belong to no particular committee;

(4) to appoint a sub-committee or any person to perform any act under the powers and duties of the Institute Executive Committee;

(5) to provide advices or recommendations to the President and to perform other duties as entrusted by the Institute Council or the President.

The meeting and operational procedures of the Institute Executive Committee shall be in accordance with the by-law of the Institute.

Section 28. There shall be a President as the supreme head who is responsible for the administration of the Institute. There may be a vice president or an assistant president or both in the number specified by the Institute Council to perform duties and be responsible for any task as entrusted by the President.

Section 29. The President may be appointed by the King upon the advice of the Institute Council from persons having qualifications and no prohibitions under section 31 paragraph one.

The rules and procedures for the selection of the President shall be in accordance with the by-law of the Institute.

The vice presidents shall be appointed by the Institute Council upon advice of the President from persons having qualifications and no prohibitions under section 31 paragraph two.

The assistant presidents shall be appointed by the President from persons having qualifications and no prohibitions under section 31 paragraph three.

Section 30. The President holds office for a term of four years each and may be reappointed by the King for another term but not more than two consecutive terms.

When the President vacates office, the vice presidents and assistant presidents shall also vacate office.

Apart from vacating office on the expiration of the term, the President vacates office upon:

- (1) death;
- (2) resignation;
- (3) being disqualified or being under any of the prohibitions under section 31 paragraph one;
- (4) being an incompetent person or a quasi-incompetent person;
- (5) being bankrupt;
- (6) being removed from office by the resolution of the Institute Council with the casting vote of more than two-third of the members presenting at the meeting;
- (7) being removed from office by the resolution of the Institute Council due to not passing the evaluation pursuant to rules prescribed by the Institute Council under section 41;
- (8) being imprisoned by a final judgement to a term of imprisonment.

Section 31. The President shall be a graduate with no lower than a master degree in nursing, health science, or other relevant sciences from other institution or higher education institution as approved by the Institute Council. He or she must have taught or has experiences in the administration for not less than five years, or must have taught and has experiences in the administration altogether for not less than five years in the other institution or higher education institution as approved by the Institute Council. In addition, the President shall have other qualifications and no prohibitions as stipulated in the by-law of the Institute.

The vice president shall have the same qualifications as the President and have other qualifications and no prohibitions as stipulated in the by-law of the Institute.

The assistant president shall be a graduate with no lower than master degree or equivalent from other institution or higher education institution as approved by the Institute Council and shall have other qualifications and no prohibitions as stipulated in the by-law of the Institute.

Section 32. The President is the representative of the Institute in all affairs and shall have the following powers and duties:

(1) to administer the affairs of the Institute to be in compliance with laws, by-laws, regulations and notifications of the Institute, including its policies and objectives; affairs

(2) to administer personnel, finance, procurement, and other properties of the Institute to be in compliance with laws, by-laws, regulations, and notifications of the Institute;

(3) to appoint and remove assistant presidents and deputy heads of work units under section 9;

(4) to recruit, appoint, take disciplinary proceedings, and remove the Institute personnel from office under the by-law of the Institute;

(5) to prepare a development plan and action plan within the period of time specified by the Institute Council, as well as to follow up and evaluate the performance of the Institute in various aspects;

(6) to generate incomes and other resources from various sources to support the operation for achieving the objectives of the Institute;

(7)) to set up income and expenditure budgets to be submitted to the Institute Council;

(8) to submit the performance report of the Institute in various fields and the annual report of the Institute to the Institute Council;

(9) to perform other duties pursuant to laws, by-laws, regulations and notifications of the Institute or as entrusted by the Institute Council.

Section 33. In case where the President is unable to perform his or her duties, a vice president shall act as acting President. If there are many vice presidents, the vice president who has been entrusted by the President shall act as acting President. If the president has not entrusted any vice president, the one having the most seniority pursuant to the rules prescribed the Institute Council shall act as acting President.

In case where there is no President or no acting President under paragraph one or the acting President is unable to perform duties, the Institute Council shall appoint a person having qualifications and no prohibitions under section 31 paragraph one to act as acting President.

Section 34. The administration within any work unit under section 9(1) shall be in accordance with the by-law of the Institute.

In each work unit under section 9 (2) and (3), there shall be a head of work unit as the supreme head of such unit who is responsible for its works. There may be a deputy head or an assistant head to perform duties and be responsible for any task as entrusted by the head.

Title names, qualifications, rules and procedure for selection, term of office, vacation of office, and powers and duties of head, deputy head or assistant head of work unit under paragraph two shall be in accordance with the by-law of the Institute.

When the head of work unit under section 9 (2) and (3) vacates office, the deputy head and assistant head shall also vacate office.

Section 35. A person holding a position of the President, a vice president and a head of work unit under section 9 is prohibited from concurrently holding another of those positions.

The person who has held one of the positions under paragraph one is permitted to act in place of another position only and for not more than one hundred and eighty days.

Section 36. Apart from those provided in this Act, acting of, acting for and empowering to act for a person holding any position in the Institute shall be in accordance with the by-law of the Institute.

In case where laws, rules, by-laws, regulations, notifications, orders or resolutions of the Council of Ministers appoint or specify a person holding any position to be a member of committee or sub-committee or to have any power and duty, the acting person or the person who acts for shall perform duties of such member of committee or sub-committee or shall have the same powers and duties as the person holding such position during the time of acting or acting for, as the case may be.

CHAPTER III
QUALITY ASSURANCE AND EVALUATION

Section 37. The Institute shall ensure to have quality assurance of education and research for the development of educational quality and standard of the Institute.

Systems, rules and procedures for the quality assurance of education and research under paragraph one shall be in accordance with the by-law of the Institute.

Section 38. After four years as from the date the work unit under section 9 (2) and (3), which has the duties in relation to the arrangement of learning, teaching or research, has been established, the Institute shall undertake the evaluation of the said work unit by an evaluator appointed by the Institute Council from non-Institute personnel and report to the Institute Council as well as make a public announcement for information. The evaluation shall be carried out every two years.

The operation of evaluation under this section shall take into consideration the academic quality, budgetary effectiveness, decrease in redundancy, and increase in management efficiency.

The report under paragraph one shall also specify what aspects of the operation the work unit should improve or whether such work unit or its internal body should continue existing.

Section 39. The Institute shall ensure to conduct the evaluation of curriculum, learning, teaching and measurement thereof in accordance with rules, procedures, and period of time as stipulated by the Institute Council and report to the Institute Council as well as make public announcement for information.

Section 40. A committee for monitoring, inspection and evaluation of the performance of the Institute shall be appointed by the Institute Council to inspect the operation of the Institute.

The composition, number, qualifications, rules and procedures for selection, term and vacation of office of members, powers and duties, and meeting and operational procedures of the committee for monitoring, inspection and evaluation of the performance of the Institute shall be in accordance with the by-law of the Institute, provided that at least one of the qualified members of the Institute Council under section 20 (3) shall be a member of the committee for monitoring, inspection and evaluation of the performance of the Institute.

Section 41. The Institute Council shall undertake to evaluate the performance of duties of the President and heads of work units under section 9 in accordance with rules, procedures and period of time as stipulated in the by-law of the Institute.

Section 42. The President shall undertake to evaluate the performance of the Institute personnel in accordance with rules, procedures and period of time as stipulated in the by-law of the Institute.

CHAPTER IV ACCOUNTING AND AUDITING

Section 43. The Institute shall set up and maintain accurate accounting systems separately for each of its work units and in compliance with the principle of good internal control, and maintain books of account for listing items separated by the categories of assets, debts, capital, incomes and actual expenditure together with statements of sources of such items. There shall also be regular internal auditing.

The listing of items in the books of account under paragraph one shall be in compliance with generally recognised accounting standard.

Section 44. The Institute shall prepare a financial statement and revenue and expenditure accounts to be submitted to the auditor of the Institute within ninety days from the ending date of accounting year.

The commencing and ending dates of accounting year of the Institute shall be in accordance with the notification of the Institute.

Section 45. The Office of the Auditor-General or a third party appointed by the Institute Council with the approval of the Office of the Auditor-General shall be the auditor of the Institute and shall audit and approve accounts and finance of all kind of the Institute every accounting year.

Section 46. The auditor shall have power to audit all books of account and relevant evidences of the Institute, and in this regards, he or she shall have power to inquire the Institute personnel and demand them to additionally submit all books of account and relevant evidences of the Institute as necessary.

Section 47. The auditor shall prepare the report on the results of auditing account and finance and submit it to the Institute Council within one hundred and fifty days from the ending date of the accounting year in order that the Institute Council shall further submit the report to the Minister.

The Institute shall publish the annual report of the ending year disclosing a balance sheet account, working account, revenue account and expenditure account, which have been approved by the auditor, together with presenting work performance of the Institute of the passing year and work plans for the next year within one hundred and eighty days from the ending date of the accounting year.

Section 48. The President shall be the holder of a high level position under the Organic law on prevention and suppression of corruption.

CHAPTER V SUPERVISION AND OVERSIGHT

Section 49. The Minister has powers and duties to generally supervise and oversee the affairs of the Institute to be in compliance with the objectives under section 6 or in conformity with the Government's policies or the resolutions of the Council of Ministers relating in particular to the Institute. In case where there are problems and conflicts in the operation of the Institute which may have adverse affect to the public, the Minister shall submit them to the Council of Ministers for consideration. Whatever the Council of Ministers determines, all relevant person shall have duty to comply with the decision of the Council of Ministers.

Section 50. All matters to be submitted by the Institute to the Council of Ministers under this Act shall be submitted by the Minister.

CHAPTER VI ACADEMIC POSITIONS

Section 51. Permanent academic staffs of the Institute may hold the following academic positions:

- (1) Professor;
- (2) Associate Professor;
- (3) Assistant Professor;

(4) Lecturer.

A professor is appointed by the King upon the advice of the Institute Council.

The Institute Council may designate academic positions titled otherwise by the notification of the Institute which shall be published in the Government Gazette.

Qualifications, rules and procedures for appointment and removal of a person holding an academic position shall be in accordance with the by-law of the Institute.

Section 52. An adjunct professor is appointed by the King from non-Institute personnel upon the advice of the Institute Council.

Qualifications, rules and procedures for appointment and removal of an adjunct professor shall be in accordance with the by-law of the Institute.

Section 53. A professor having special knowledge, capability and experiences who vacates office without fault may be appointed by the Institute Council to be an emeritus professor in the field he or she has expertise for his or her honour.

Qualifications, rules and procedures for appointment and removal of an emeritus professor shall be in accordance with the by-law of the Institute.

Section 54. The Institute Council may appoint a person having appropriate qualifications and not a permanent academic staff of the Institute to be an adjunct associate professor of adjunct assistant professor.

The President may appoint a person having appropriate qualifications and not a permanent academic staff of the Institute to be a special lecturer upon the advice of the head of work unit under section 9 (2) and (3) which has duties in relation to the arrangement of learning, teaching or research.

Qualifications, rules and procedures for appointment and removal of an adjunct associate professor, an adjunct assistant professor and a special lecturer shall be in accordance with the by-law of the Institute.

Section 55. Any person appointed by the King to be a professor or an adjunct professor, or any person appointed to be an emeritus professor, an associate professor, an adjunct associate professor, an assistant professor, an adjunct assistant professor or other academic positions titled otherwise under section 51 paragraph three shall have the right to use such academic positions as a name title for presenting his or her academic standing for all time.

The name titles under paragraph one shall be abbreviated to the following letters:

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| (1) Professor | abbreviated to Prof.; |
| (2) Adjunct Professor | abbreviated to Prof. (Adjunct); |

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|---------------------------------|--|
| (3) Emeritus Professor | abbreviated to Prof. (Emeritus); |
| (4) Associate Professor | abbreviated to Assoc. Prof.; |
| (5) Adjunct Associate Professor | abbreviated to Assoc. Prof. (Adjunct); |
| (6) Assistant Professor | abbreviated to Asst. Prof.; |
| (7) Adjunct Assistant Professor | abbreviated to Asst. Prof. (Adjunct). |

The use of name titles and abbreviation letters thereof for academic positions titled otherwise shall be in accordance with the by-law of the Institute.

CHAPTER VII DEGREES AND ACADEMIC STANDING EMBLEMS

Section 56. There are three levels of degrees, which are the following:

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|-------------------|------------------------------|--------------------|
| Doctoral Degree | called <i>Dusadi Bahndit</i> | abbreviated to D.; |
| Master's Degree | called <i>Maha Bahndit</i> | abbreviated to M.; |
| Bachelor's Degree | called <i>Bahndit</i> | abbreviated to B.. |

Section 57. The Institute has a power to award a degree or diploma/certificate in the field of study teaching in the Institute and to award or jointly award a degree or diploma/certificate in the field of study having joint educational management with a higher education institution or other research institution of the country, of a foreign country or of an international organisation.

The designation of which field of study is of degree or diploma/certificate of what level, including the abbreviation thereof shall be in accordance with the notification of the Institute which shall be published in the Government Gazette.

Section 58. The Institute Council may issue the by-law awarding to undergraduates first-class honours or second-class honours.

Section 59. The Institute Council may issue the by-law stipulating various levels of diplomas/certificates as follows:

- (1) Higher graduate diploma awarded to a graduate in a field of study after receiving a master degree or equivalent;
- (2) Graduate diploma awarded to a graduate in a field of study after receiving a bachelor degree or equivalent;
- (3) Other diploma/certificate awarded to a graduate in particular subject study.

Section 60. The Institute has a power to award an honorary degree to a person whom the Institute Council considers to have qualifications appropriate for such degree. However, such degree shall not be awarded to permanent academic staffs or Institute personnel.

Levels, branches of degrees, and rules for awarding honorary degree shall be in accordance with the by-law of the Institute.

Section 61. The Institute may impose an academic standing gown or academic standing pin to be an emblem representing the academic standing of a graduate who receives a degree, a higher graduate diploma or graduate diploma, and may impose to have official gowns for the positions of the Chairperson of the Institute Council, members of the Institute Council, the Executives, or academic staff of the Institute.

The imposition of characteristics, types, categories and components of academic standing gowns, academic standing pins, and official gowns shall be done by the notification of the Institute which shall be published in the Government Gazette.

The occasions and conditions on the use of academic standing gowns, academic standing pins, and official gowns shall be in accordance with the by-law of the Institute.

Section 62. The Institute may impose to have a seal, emblem, or symbol of the Institute or any of its work unit by the notification of the Institute which shall be published in the Government Gazette.

The use of seal, emblem, or symbol under paragraph one for commercial purpose or the use thereof not for the benefit of the Institute or of its work units shall be permitted in writing by the Institute.

Section 63. The Institute may impose to have a uniform, emblem or dress of its students and Institute personnel by the notification of the Institute which shall be published in the Government Gazette.

Section 64. Whoever uses an academic standing gown, academic standing pin, official gown, uniform, emblem, dress of students and Institute personnel, or an imitation thereof without any right to use, or presents in any manners that he or she receives a degree or diploma/certificate of any level or holds a position in the Institute without any right, and if such act is committed to mislead another person to believe that he or she has the right to use or have such standing gown or hold such position, shall be liable to imprisonment of not exceeding six months or a fine of not exceeding fifty thousand baht, or both.

Section 65. Whoever commits any of the following acts shall be liable to imprisonment of not exceeding one year or a fine of not exceeding one hundred thousand bath, or both:

(1) to counterfeit or imitate a seal emblem or symbol of the Institute or its work units, regardless of colours or methods;

(2) to use a counterfeited or imitated seal, emblem or symbol of the Institute or its work units; or

(3) to use or cause to appear a seal, emblem, symbol of the Institute or its work units on any material or goods in violation of section 62 paragraph two.

If a person who commits the offence under (1) also commits the offence under (2), he or she shall be punished only for one offence under (2)

The offence under (3) is a compoundable offence.

TRANSITORY PROVISIONS

Section 66. All affairs, property, rights, powers and duties, personnel, budget and revenue of the Thai Red Cross Society only in the part that relates to the affairs of the Thai Red Cross College of Nursing under the by-laws and regulations issued by virtue of the law on Thai Red Cross Society shall be transferred to belong to the Institute under this Act in accordance with the items prescribed in the notification by the Minister upon the proposal of the Thai Red Cross Society.

The personnel transferred under paragraph one shall continue holding the current position for the time being until being appointed to a new position under this Act. They shall receive the current salaries, position allowances, remuneration, welfare, and other benefits for the time being until ordering otherwise, provided that it shall not be lower than those previously received.

Section 67. The rights and duties in relation to property, including the use and exploitation thereof arising out of or existing under the records prepared by the Thai Red Cross

Society to the Thai Red Cross College of Nursing shall be transferred to belong to the Institute under this Act.

Section 68. For the purpose of counting work hours for the calculation of beneficial rights of personnel transferred under section 66, the work hours during being personnel of the Thai Red Cross College of Nursing shall be continuously counted with the work hours during being the Institute personnel under this Act.

Section 69. While the Institute Council under this Act has not existed, the Institute Council shall consist of the Chairperson and committee members of the Thai Red Cross College of Nursing under the Regulation of the Thai Red Cross Society on the Operation of the Thai Red Cross College of Nursing, B.E. 2557 (2014) issued by virtue of the law on the Thai Red Cross Society who have held the positions on the day before the date this Act comes into force as the Chairperson and members of the Institute Council. The Director of Thai Red Cross College of Nursing who has held the position on the day before the date this Act comes into force shall be a member and secretary of the Institute Council under this Act. However, these shall not exceed one year from the date this Act comes into force.

Section 70. The person holding the position of Director of Thai Red Cross College of Nursing under the Regulation of the Thai Red Cross Society on the Operation of the Thai Red Cross College of Nursing, B.E. 2557 (2014) issued by virtue of the law on the Thai Red Cross Society on the day before the date this Act comes into force shall hold the position of the President until the expiration of term of office under the Regulation of the Thai Red Cross Society on the Operation of the Thai Red Cross College of Nursing, B.E. 2557 (2014) issued by virtue of the law on the Thai Red Cross Society, and such term of office shall be counted as the first term of office for holding the position under this Act.

Section 71. The Institute Council shall undertake to consider the relative transfer of an academic position held by an permanent academic staff of the Thai Red Cross College of Nursing under the rules prescribed by the Regulation of the Thai Red Cross Society on the Operation of the Thai Red Cross College of Nursing, B.E. 2557 (2014) issued by virtue of the law on the Thai Red Cross Society on the day before the date this Act comes into force to be in compliance with standards stipulated by the Higher Education Institution Civil Service Commission under the law on civil service in the higher education institution, provided that this shall not exceed one year from the date this Act comes into force.

The performance period of time in relation to learning and teaching of a permanent academic staff of the Thai Red Cross College of Nursing under the Regulation of the Thai Red Cross Society on the Operation of the Thai Red Cross College of Nursing, B.E. 2557 (2014) issued by virtue of the law on the Thai Red Cross Society shall be continuously

counted as the performance period of time for the benefit of appointment to hold an academic position under this Act.

Section 72. The students who are studying in the Thai Red Cross College of Nursing on the day before the date this Act comes into force shall be the students of the Institute under this Act.

The curriculums of the Thai Red Cross College of Nursing which are still applied on the day before the date this Act comes into force shall continue to be applied as the curriculums of the Institute.

Section 73. In the operation of Institute's works under this Act, the by-laws, regulations, notifications or rules issued or prescribed under the law on Thai Red Cross Society shall apply *mutatis mutandis* in so far as they are not contrary to or inconsistent with this Act, until the by-laws, regulations, notifications or rules are issued or prescribed under this Act.

The issuance of the by-laws, regulations, and notifications to implement this Act shall be finished within two years from the date this Act comes into force.

Any problem occurred in relation to the operation of works under paragraph one shall be determined by the final decision of the Institute Council.

Countersigned by

General Prayut Chan-o-cha

Prime Minister

Remarks: The reason to promulgate this Act is the following; whereas the Thai Red Cross College of Nursing, which is an institution to produce personnel in nursing as required by the society and the Thai Red Cross Society and operates for public charity and humanity under the universal principle of Red Cross, is just a work unit under the Thai Red Cross Society, it is expedient to raise up its status to be a higher education institution on nursing and be a juristic person with aims to produce nursing personnel, manage education in nursing and other relevant sciences, promote and develop academic knowledge, conduct research and provide academic services to the society, and to operate with more efficiency for the utmost benefit of the people and the country. It is therefore necessary to enact this Act.