

INSTITUTE OF PHYSICAL EDUCATION ACT,
B.E. 2548 (2005).^{**}

Bhumibol Adulyadej, Rex.
Given on the 31st March B.E. 2548 (2005)
Being the 60th Year of the Present Reign.

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that:

Whereas it is expedient establish an institute of physical education.

Be it, therefore, enacted by the King, by and with the advice and consent of the Parliament, as follows:

Section 1. This Act is called the “Institute of Physical Education Act, B.E. 2548 ”.

Section 2. This Act shall come into force as from the day after the date of its publication in the Government Gazette¹.

Section 3. A college of physical education which has been established under the Notification of the Ministry of Education shall be a campus of the Institute of Physical Education under this Act.

A school of physical education which has been established under the Notification of the Ministry of Education shall be a Government authority under the Institute²

^{*} Translated by Tohpong Smiti under contract for the Office of the Council of State of Thailand's Law for ASEAN project. -Initial Version – pending review and approval by the Office of the Council of State.

^{**} As amended up to the Institute of Physical Education Act (No.2) B.E. 2555

¹ Published in the Government Gazette, Vol. 96, Part 38, Special Issue, dated 21st March, B.E. 2522 (1979).

Section 4. In this Act,

“institute” means the Institute of Physical Education;

“institute council” Institute of Physical Education Council;

“academic council”³ means the academic council of the Institute of Physical Education;

“Chancellor” means Chancellor of the Institute of Physical Education

“Vice Chancellor” means a Vice Chancellor who is performing the duty of assisting the Chancellor as he or she is appointed thereby.

“Vice Chancellor of the campus” means a Vice Chancellor who is performing the duty as the person who is responsible for all the work of each campus, and performs the duty of assisting the Chancellor as he or she is appointed thereby;

“assistant Chancellor” means an assistant Chancellor who is performing the duty of assisting the Chancellor as he or she is appointed thereby.

“assistant Vice Chancellor of the campus” means an assistant Vice Chancellor of the campus who is performing the duty of assisting the Vice Chancellor of the campus, as he or she is appointed thereby.

“Rector” means a person of authority who is responsible for the work of the faculty

“Vice Rector” means a Vice Rector who is performing the duty of assisting the Rector, as he or she is appointed thereby

“Vice Rector of the campus” means a Vice Rector who is performing the duty of assisting the Rector in the responsibility for each faculty in each campus.

Section 5.⁴ For the benefit and coherence in the management of personnel for teaching staff, teaching officials and educational personnel, the institute council has the power to administer the personnel of the institute according to the law on regulations of teaching officials and educational personnel, unless otherwise prescribed by this Act.

² Section 3 paragraph 2 was amended by the Institute of Physical Education Act (No.2) B.E. 2555

³ Section 4. The definition of “Academic Council” is added by the Physical Education Institution Act (No.2), B.E. 2555

⁴ Section 5 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

Section 6. The minister of tourism and sport shall have charge and control of this Act, and shall have the power to prescribe ministerial regulations and notifications for performance under this Act.

Such Ministerial Regulation and notification shall come into force upon its publication in the Government Gazette.

Chapter I General Provisions

Section 7. The physical education institute shall be an institute of higher education having the purpose of producing and developing personnel in physical education, sports, sports science, health science, recreation and personnel in other related areas, having the duty to teach, research and provide academic services, providing services to the community, the use and development of technology, building a learning environment for the locality, promoting and supporting the provision of education for persons who are capable in sports, recreation, and personnel who have a physical disability, including supporting arts and culture, traditional games and Thai sports.

The physical education institute shall be a juristic person under the Ministry of Tourism and Sports.

Section 8. The institute shall not refuse the admission of any entrant, or cease or delay the course of study of any student for the only reason that such student truly lacks financial means and is unable to pay educational fees to the institutes.

The criteria for assessing which student truly lacks financial means shall be in accordance with the regulations prescribed by the institute.

Section 9.⁵ The institute shall be divided into the following departments

- (1) the office of the Chancellor
- (2) graduate college
- (3) campus
- (4) faculty
- (5) sports academy

⁵ Section 9 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

The institute may have a bureau, center or other government department of another name within its institute that is equal to a faculty for the purpose of carrying out the duties under section 7.

Section 10.⁶ The establishment, merger and the dissolution of a graduate school, campus, faculty or other government department of another name within its institute that is equal to a faculty shall be prescribed by ministerial regulation.

The division of government department into the office of the Chancellor, department, unit or division, or any other government department of another name that is equal to a department, unit or division shall be prescribed by ministerial regulation.

The division of government department into a group or any other government department of another name that is equal to a group shall be prescribed by notification of the institute.

Section 11. In accordance with the purpose of section 7, the institute may accept other higher education institutes or other research centers as associates within its remit, and shall have the power to grant degrees, diplomas or certificates of any level to persons who have graduated from such associating institutes.

Acceptance of associated institutes or the cancellation of association with institutes of higher education or other research institutes shall be in accordance with the rules of the institute, and shall be prescribed by notification of the ministry.

The control of higher education institutes or research institutes which have been associated with the institute shall be in accordance with the rules of the institute.

Section 12. The ministry of tourism and sport shall allocate such budget to the institute as it deems fit, for the operations of the institute.

Other than the monies prescribed in the Annual Budget, the institute may have income and assets as follows;

(1) monetary benefits and fees which the institute receives from its operations;

(2) income or benefits received from the use of Ratchapasdu land which is under the administration, oversight or use of the institute for its operations;

(3) money and assets which has been donated by persons to the institute for use in its operations;

⁶ Section 10 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

(4) additional funds given by a local government authority to the institute for use in its operations;

(5) other income or benefits.

The institute shall have the power to administer, oversee, maintain, use and procure benefits from the assets of the institute which is intended for the operations of the institute, to include both Ratchapasdu land under the law on Ratchapasdu, and other assets under the regulation of the institute.

Income which the institute receives from its operation shall not be income which must be remitted to the Ministry of Finance under the law on treasury balance and the law on budgetary procedure.

Section 13. All immovable property which the institute has acquired for the purpose of carrying out its operations, or which was acquired due to the carrying out of its operations, or which was acquired through purchase, or exchange from money or assets which a person has given to the institute for the purpose of carrying out its operations, from the day on which this Act comes into force, shall not be deemed Ratchapasdu land, and shall be under the ownership of the institute.

Section 14. All income and assets which the institute has acquired for the purpose of carrying out its operations, or which the institute has acquired due to the carrying out of its operations shall be apportioned by the institute for the purpose of carrying out its operations.

Apportionment of income and assets under paragraph one shall be under the objectives of the institute in accordance with section 7, and the conditions set by the donor, thereby, under the regulations of the institute.

Section 15. Apportionment of income and assets which the institute has been allocated under section 14 shall be in accordance with the regulations of the institute and the conditions set by the donor.

Chapter 2 Operations

Section 16.⁷ There shall be an institute council comprising of:

(1) Chairperson of the council, who shall be appointed by Royal Proclamation;

⁷ Section 16 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

(2) Vice Chairperson of the council, who shall be the Chancellor;

(3) members of the institute council by position held, which shall include, the Permanent Secretary of the Ministry of Tourism and Sport, the Secretary-General of the Office of the Basic Education Commission of Thailand, the Secretary-General of the Office of Higher Education Commission, the Director-General of the Department of Physical Education, the Secretary of the Office of the Teacher Civil Service and Education Commission, the Governor of the Sports Authority of Thailand, and the Secretary of the National Olympic Committee of Thailand under the Royal Patronage of His Majesty the King;

(4) three members of the institute council who shall be selected from a Chancellor, or a Vice Chancellor of a campus;

(5) three members of the institute council, one of whom shall be selected from a Rector, one of whom shall be selected from a Director of the School of Sports, and one of whom shall be selected from the Head of a government department which is of equivalent level to a faculty;

(6) four members of the institute council, three of whom shall be selected from a permanent teaching staff member of a campus, and one of whom shall be selected from a teacher who is a civil servant of the sports academy;

(7) seven qualified members of the institute council, who shall be appointed by Royal Proclamation, from persons outside of the institute, by advice of the Chairperson of the institute council and the members of the institute council under (2) (3) (4) (5) and (6). Among this number, there shall be at least one qualified member on sports for persons with disabilities.

The institute council shall appoint a Vice Rector who is not a member of the institute council under (4) as a secretariat of the institute council by advice of the Rector, and the office of the Rector shall be responsible for the administrative affairs, meetings, research of information and other activities related to the work of the institute.

The criteria, acceptance and qualifications of a person who is acting in the position of the Chairperson of the institute council and qualified members of the institute council shall be as according to the regulations of the institute.

The qualifications of an appointed person, including the criteria and method for selection of a member of the institute council under (4) (5) and (6) shall be as according to the regulations of the institute.

Section 17. A Chairperson of the institute council and a qualified member of the institute council shall hold office for a term of two years, and a Royal

Proclamation may be made for reappointment, but the appointee shall hold office for not more than two consecutive terms.

A member of the institute council under section 16 (4) (5) and (6) shall hold office for a term of two years, and may be reappointed, but the appointee shall hold office for not more than two consecutive terms.

Section 18. In addition to vacating office under section 17, a Chairperson of the institute council and a member of the institute council under (4) (5) (6) and (7) member vacates office upon:

- (1) death;
- (2) resignation;
- (3) lacking the qualifications of being a member of the institute council according to each category;
- (4) being removed by the institute council for disgraceful behaviour, or negligence in the performance of duty, or incapability;

Vacation of office under (4) shall be in accordance with a decision from two-thirds of the number of existing members of the institute council.⁸

In the case where a Chairman of the institute council or a member of the institute council vacates office before no more than ninety days until the end of his or her term, the institute council shall not proceed to obtain appointment of a replacement by Royal Proclamation, or it may select a Chairman of the institute council or a member of the institute council to replace the vacating office.

In the case where a Chairperson of the institute council or a member of the institute council upon expiration of term, but where there has not been a Royal Proclamation to appoint a replacement Chairperson of the institute council or a replacement qualified member of the institute council, or where another replacement member of the institute council has not been selected, the Chairperson of the institute council or the member of the institute council shall be in office to continue to perform his or her duties until a Royal Proclamation has been made to appoint a new Chairperson of the institute council, or a new qualified member of the institute council, or until a new member of the institute council has been selected.

Section 19.⁹ The Institute council shall have the powers and duties as follows;

⁸ Section 18 paragraph two is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

⁹ Section 19 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

(1) to make policy and to oversee a development plan regarding education, research, provision of academic service, provision of community service, and to , build a learning environment, to modify, to pass on and to develop technology, to support arts and culture, to produce and develop personnel for physical education, sports, sports science, health science, recreation and related subjects;

(2) to make rules and regulations regarding the performance of activities of the institute;

(3) to consider the establishment, the merger and the dissolution of a government department of the institute in accordance with section 10, including to divide internal departments of such government department;

(4) to approve the acceptance of other higher education institutes or other research centers as associates, and to cancel the association of such institutes in accordance with section 11;

(5) to consider the approval of an educational curriculum according to the standard which the Higher Education Commission approves, and to ensure quality standards within the institute;

(6) to oversee the educational standard, to control quality, to monitor, to perform checks and to evaluate the provision of education by the institute to be in accordance with the standard for basic education and the standard for higher education of the Ministry of Education;

(7) to approve the issue of a degree, a higher graduate diploma, a graduate diploma, a diploma and a certificate;

(8) to consider and proceed for Royal Proclamation to appoint and remove a Chairperson of the institute council, a qualified member of the institute council, a Chancellor, a professor and an adjunct professor;

(9) to appoint a qualified member of the institute council in accordance with section 21;

(10) to appoint a Vice Chancellor, a Vice Chancellor of the campus, a Rector, a Director of a bureau, a Director of a center, a Head of a government department of another name having equal status to that of a faculty, an associate professor, an associate adjunct professor, an assistant professor, an assistant adjunct professor, and to remove such persons from office;

(11) to consider and approve the annual budget of the institute, to make rules and regulations regarding the administration of work, funds, the procurement of income and benefits from the assets of the institute, and the expenditure of the income of the institute;

(12) to approve the income expenditure plan of the institute;

(13) to consider the annual income report and to report on the operations of the institute;

(14) to consider and give opinion regarding physical education, sports, sports science, health sciences, recreation and other relevant activities;

(15) to appoint a committee, a sub-committee or any person to perform any act which is within the authority of the institute;

(16) to promote, sponsor and find ways to develop the progress of the institute;

(17) to consider and give approval on policy matters of the institute which is not prescribed as being under the power of duty of any specific person.

Section 20. The meeting of the institute council shall be in accordance with the regulations of the institute.

Section 21. There shall be an academic council, comprising of:

(1) the president of the academic council, who shall be the Chancellor;

(2) two members of the academic council, who shall be selected from a Chancellor, and a Vice Chancellor of a campus;

(3)¹⁰ three members of the academic council, one of whom shall be selected from a Chancellor, one of whom shall be selected from a Director of a sports academy, and one of whom shall be selected from a Head of a government department of another name having a status equal to that of a faculty;

(4)¹¹ three members of the academic council, two of whom shall be selected from a member of the permanent teaching staff of the campus, and one of whom shall be selected from a teaching official of a sports academy;

(5) eight members of the academic council who shall be appointed from unconnected persons, by advice of the member of the academic council in accordance with (2) (3) and (4);

The condition, acquisition and qualification of membership of the academic council shall be in accordance with the regulation of the institute.

Section 22. A member of the academic council shall hold office for a term of two years and may be reappointed.

¹⁰ Section 21 (3) is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

¹¹ Section 21 (4) is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

A member of the academic council under section 21 (2) (3) and (4) shall hold office for a term of two years, and may be reappointed, but may not be appointed for more than two consecutive terms.

Section 23. In addition to vacating office on the expiration of term under section 22, a Chairperson of the academic council and a member of the academic council under section 21 vacates office upon:

- (1) death;
- (2) resignation;
- (3) lacking the qualifications of being a Chairperson of the academic council or a member of the academic council according to each category;
- (4) being removed by the institute council for disgraceful behaviour, or negligence in the performance of duty, or incapability;

Vacation of office under (4) shall be in accordance with a decision from two-thirds of the number of existing members of the academic council.¹²

In the case where a Chairperson of the academic council or a member of the academic council vacates office before the end of his or her term, and where appointment has been made or where a person has been selected, the person appointed or selected to replace the vacated office for a term that is equivalent to that of the person who he or she replaces.

In the case where a member of the academic council vacates office before not more than ninety days until the expiry of his or her term, an appointment or selection of a replacement Chairperson or member of the academic council may or may not be made.

In the case where a Chairperson of the academic council or a member of the academic council vacates office upon expiration of term, but where a replacement has not been appointed or selected for a replacement member, such Chairperson of the academic council or such member of the academic council whose term has expired shall be in office to continue to perform his or her duties until a new Chairperson of the academic council has been appointed or until a new member of the academic council has been selected.

Section 24. The academic council shall have the following powers and duties:

- (1) to consider and propose a standard for curriculum, teaching, research, and evaluation of education to the institute;

¹² Section 23 paragraph two is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

(2) to consider and propose proceedings related to research, teaching, evaluation of teaching and the assurance of quality of education to the institute;

(3)¹³ to consider and propose the establishment, merger and dissolution of a graduate school, campus, faculty, bureau and center, or any other government department with any other name having a status equivalent to that of a faculty, including to propose the division of government department in such government department to the institute.

(4) to appoint a committee, a sub-committee or any person to perform any act which is within the authority and duty of the academic council under (1) (2) and (3), and as the institute council so entrusts.

Section 25. A meeting of the academic council shall be in accordance with the regulation of the institute.

Section 26. In each campus, there shall be a campus committee, comprising of;

(1) a Chairperson of the committee, who shall be appointed by the institute council;

(2) a Deputy Chairperson of the committee, who shall be the Vice Chancellor of the campus;

(3) three members of the campus committee, who shall be selected from a person who holds office as an assistant Chancellor of a campus, a Vice Rector of the campus, or the Head of a government department with any other name having a status equivalent to that of a faculty;

(4) three members of the campus committee, who shall be selected from a member of the permanent teaching staff of the campus;

(5) eight qualified members of the campus committee, who shall be selected from unconnected persons, by advice of the Deputy Chairperson of the committee and members of the committee in accordance with (3) and (4). In this number, one shall be a president of the provincial sports association in accordance with the law on the Sports Authority of Thailand.

The assistant Chancellor of the administrating campus shall be member and secretary.

The criteria, acceptance and qualification of a person who holds office of Chairperson of the committee and member of the campus committee under (3) (4) and (5) shall be in accordance with the regulations of the institute.

¹³ Section 24(3) is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

Section 27. A Chairperson of the campus committee and a qualified member of the campus committee shall hold office for a term of two years, and may be reappointed, but may not be appointed for more than two consecutive terms.

A member of the campus committee under section 26(3) and (4) shall hold office for a term of two years, and may be reappointed, but may not be appointed for more than two consecutive terms.

Section 28. . In addition to vacating office on the expiration of term under section 27, a Chairperson of the campus committee, a Deputy Chairperson of the campus committee and a member of the campus committee under section 26(3) (4) and (5) vacates office upon:

- (1) death;
- (2) resignation;
- (3) lacking the qualifications of being a Chairperson of the committee, or a Deputy Chairperson of the committee or a member of the campus committee according to each category;
- (4) being removed by the institute council for disgraceful behaviour, or negligence in the performance of duty, or incapability;

Vacation of office under (4) shall be in accordance with a decision from two-thirds of the number of existing members of the academic council.¹⁴

In the case where a Chairperson of the committee or a member of the campus committee under section 26 vacates office before the end of his or her term, and where appointment has been made, or where a person has been selected, the person appointed or selected to replace the vacated office for a term that is equivalent to that of the person who he or she replaces.

In the case where a Chairperson of the committee or a member of the campus committee under section 26 vacates office before not more than ninety days until the expiry of his or her term, proceedings may or may not be made for an appointment or selection of a replacement Chairperson or member of the campus committee council.

In the case where a Chairperson of the committee or a member of the campus committee under section 26 vacates office upon expiration of term, but where a replacement has not been appointed or selected for a replacement member, such person whose term has expired shall be in office to continue to

¹⁴ Section 28 paragraph two is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

perform his or her duties until an appointment has been made or a Chairperson of the committee or a member of the campus committee has been selected.

Section 29. The campus committee shall have the following powers and duties:

- (1) to supervise the campus's compliance with policy and campus plan in accordance with the prescription by the institute council;
- (2) to issue rules and regulations of the campus, insofar as these shall not contradict the other rules and regulations of the institute, as entrusted by the institute council;
- (3) to consider a proposal to establish, merge and dissolve departments of the campus to the institute council;
- (4) to consider a proposal to accept another higher education institute or another research institute as associate institute, or to cease the association of such institutes to the institute council;
- (5) to consider educational curriculum and the commencement of education of the campus to be in compliance with the standards prescribed by the institute council, for proposal to the institute council;
- (6) to develop academic work and to control the standard of education of the campus;
- (7) to consider and propose for the granting of degrees, graduate certificates, diplomas and certificates to the institute council;
- (8) to consider and propose the appointment of a professor, an adjunct professor, an associate adjunct professor, and an assistant adjunct professor to the institute council;
- (9) to consider the annual budget which consists of the state budget for approval of the institute council;
- (10) to consider and propose a financial plan for use of non budget money of the campus to the institute council;
- (11) to consider the annual income and expenditure report of the campus to the institute council;
- (12) to give advice and approval for the proceedings of the campus;
- (13) to establish a committee, a sub-committee or any person to perform any act which is within the power and authority of the campus committee;
- (14) to perform a task as entrusted by the institute council.

Section 30. The meeting of the campus committee shall be in accordance with the regulation of the institute.

Section 31. For the benefit of authority, it shall be deemed that a Chancellor is a Director-general, a Vice Chancellor and a Vice Chancellor of the campus is a Deputy Director-general, in accordance with the law on the regulation of government affairs and other related laws.

There shall be one Chancellor who shall be the person in charge and responsible for all work of the institute and there shall be a Vice Chancellor or an assistant Chancellor, or there shall be both a Vice Chancellor and one or more assistant Chancellors as prescribed by the institute council, to assist with the work entrusted by the Chancellor.

In each campus, there shall be a Vice Chancellor of the campus who shall be the person in charge and responsible for all work of the campus to assist in the performance of work as entrusted by the Chancellor, and there may be one or more assistant Chancellor of the campus to assist in the performance of work as entrusted by the Vice Chancellor of the campus.

Section 32.¹⁵ A Chancellor shall be appointed by Royal Proclamation from a person with the qualities under section 33 by advice of the institute council.

A Chancellor shall hold office for a term of four years, and may be reappointed by Royal Proclamation, but may not be appointed for more than two consecutive terms.

In addition to vacating office on the expiration of term under paragraph two, a Chancellor vacates office upon:

- (1) death;
- (2) resignation;
- (3) being removed by the institute council for disgraceful behaviour, or negligence in the performance of duty, or incapability;

Vacation of office under (3) shall be in accordance with a decision from two-thirds of the number of existing members of the institute council.

Section 32/1¹⁶ A Vice Chancellor and a Vice Chancellor of the campus shall be appointed by the institute council from persons with the qualities under section 33, by advice of the Chancellor.

¹⁵ Section 32 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

¹⁶ Section 32/1 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

Section 32 shall apply *mutatis mutandis* to the vacation of office before the expiry of the term of a Vice Chancellor and a Vice Chancellor of the campus.

Upon vacation of office by the Chancellor, the Vice Chancellor, Vice Chancellor of the campus, and assistant Chancellor shall also vacate office.

Section 32/2¹⁷ The Chancellor shall appoint an assistant Chancellor from persons with the qualifications under section 34.

The Chancellor shall appoint an assistant Chancellor of the campus from the permanent teaching staff of the campus, with the qualifications under section 34, by advice of the Vice Chancellor of the campus.

In addition to vacating office on the expiration of term under paragraph one, an assistant Chancellor and an assistant Chancellor of the campus vacates office upon:

- (1) death;
- (2) resignation;
- (3) being removed by the Chancellor for disgraceful behaviour, or negligence in the performance of duty, or incapability.

Upon vacation of office by the Vice Chancellor of the campus, the assistant Chancellor of the campus shall also vacate office.

Section 33. A Chancellor, Vice Chancellor and Vice Chancellor of the campus shall have the following powers and duties:

- (1) having graduated with no lower than a p.h.D or its equivalent from an institute or other higher education institute which the institute council recognizes, and having taught or having experience in administration in an institute or other higher education institute which the institute council recognizes for not less than two years, or having served as a committee member of the institute council or in an institute council of another higher education institute for not less than two years, or;
- (2) graduated with no lower than a degree or its equivalent from an institute or other higher education institute which the institute council recognizes, and having taught or having experience in administration in an institute or other higher education institute which the institute council recognizes for not less than four years, or having served as a committee member of the institute council or in an institute council of another higher education institute for not less than four years.

¹⁷ Section 32/2 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

Section 34. An assistant Chancellor and an assistant Chancellor of the campus shall have graduated with no lower than a degree level or its equivalent from an institute or other higher education institute which the institute council recognizes.

Section 35. A Chancellor shall have the following powers and duties:

(1) to administer the activities of the institute in accordance with the law, bye-laws, rules, government regulations and regulations of the institute, including the policy and objectives of the institute;

(2) to oversee and monitor personnel, finances, procurement, a building, premises and other assets of the institute to be in accordance with the law, rules and government regulations and regulations of the institute.

(3) to be a representative of the institute in general activities.

(3/1)¹⁸ to appoint an assistant Chancellor, an assistant Chancellor of the campus, a Vice Rector, a Vice Rector of the campus, a Deputy Director of a bureau, a Deputy Director of a center, a Deputy Head of a government department with any other name having a status equivalent to that of a faculty, and to remove such person from office;

(3/2)¹⁹ to appoint a Director of the office of the Chancellor, a Deputy Director of the office of the Chancellor, a Director of a sports academy, and a Deputy Director of a sports academy;

(4) to furnish an annual report on the operation of the institute for proposal to the institute council;

(5) to perform other duties in accordance with the rules and regulations of the institute, or as the institute so entrusts.

Section 36. A Vice Chancellor of a campus shall have the following powers and duties:

(1) to administer the activities of the campus to be in accordance with the law, bye-laws, rules, government regulations, regulations of the institute, and regulations of the campus, including the policy and objectives of the institute;

¹⁸ Section 35 (3/1) is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

¹⁹ Section 35 (3/2) is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

(2) to oversee and monitor personnel, finances, procurement, a building, premises and other assets of the campus to be in accordance with the law, rules and government regulations, regulations of the institute and regulations of the campus;

(3) to be a representative of the campus in general activities.

(4) to furnish an annual report on the operation of the campus for proposal to the institute council;

(5) to perform other duties in accordance with the rules and regulations of the institute, or as the institute so entrusts.

Section 37. In the case where a person who holds office of a Chancellor cannot perform his or her official duties, a Vice Chancellor shall be the acting official. If there is more than one Vice Chancellor, the Vice Chancellor who is entrusted by the Chancellor shall be the acting official. If the Chancellor has not entrusted an acting official, the Vice Chancellor who has the most seniority shall be the acting official.

In the case where no person holds office as a Chancellor, or where there is no acting official under paragraph one, or where there is an acting official but he or she cannot perform his or her duties, the Chairperson of the institute shall appoint one member of the institute committee under section 16(5) or (6) to be acting official for the Chancellor.

In the case a Vice Chancellor of the campus cannot perform his or her duties, an assistant Chancellor of the campus who is entrusted by the Vice Chancellor of the campus shall be the acting official. If the Vice Chancellor of the campus has not entrusted an acting official, the assistant Chancellor of the campus who has the most seniority shall be acting official.

In the case where no person holds office as a Vice Chancellor of the campus, or where there is no official acting for the Vice Chancellor of the campus under paragraph three, or where there is an acting official but he or she cannot perform his or her duties, the Chancellor shall appoint one member of the campus committee under section 26(3) or (4) to be acting official for the Vice Chancellor of the campus

Section 38²⁰. In a graduate school and a faculty, there shall be a Rector having authority and responsibility for the graduate school and the faculty.

²⁰ Section 38 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

In a bureau, center or other government department of another name within its institute that is equal to a faculty, there shall be a Director of the bureau, a Director of the center, and a Head of the government department of another name within its institute that is equal to a faculty who shall be the person in charge and responsible for the work of such government department.

In a graduate school, faculty, bureau, center and other government department of another name within its institute that is equal to a faculty, there shall be one or more Vice Rectors, a Deputy Directors of a bureau, a Deputy Directors of a center and Deputy Heads of another government department of another name within its institute that is equal to a faculty, as the case may be, to assist in the performance of work as entrusted by a Rector, a Director of the bureau, a Director of the center, and a Head of the government department of another name within its institute that is equal to a faculty.

In the case where there is a department, or another government department of another name within its institute that is equal to a department, there shall be a Head of the department, or a Head of another government department of another name within its institute that is equal to a department, who shall be the person in charge and responsible for the work of such department, as the case may be.

A Head of the department, or a Head of another government department of another name within its institute that is equal to a department shall be appointed by the Chancellor from a staff member having the qualification prescribed by the regulation of the institute, and the Chancellor shall have the power to remove a Head of the department, or a Head of another government department of another name within its institute that is equal to a department from office, by advice of the Rector.

Section 38/1.²¹ In the office of the Chancellor, there shall be a Director of the office of the Chancellor having authority and responsibility for the work of the office of the Chancellor, and there may be one Deputy Director of the bureau for assisting in work as the Director of the office of the Chancellor so entrusts.

The qualification and criteria in the appointment of a Director of the office of the Chancellor and a Deputy Director of the office of the Chancellor shall be in accordance with the regulations of the institute.

²¹ Section 38/1 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

Section 38/2.²² In a sports academy, there shall be a Director having authority and responsibility for the work of the sports academy.

In a sports academy, there may be one or more Deputy Director for assisting in work as the Director of the sports academy so entrusts.

Section 39.²³ A Rector shall be appointed from a selected person having the qualities under section 40, by advice of the Chancellor.

A Rector shall hold office for a term of four years, but may be reappointed, but may not be appointed for more than two consecutive terms, and section 32 shall apply *mutatis mutandis* to the vacation of office prior to expiry of term of a Rector.

The method for selection of a person for appointment of a Rector shall be in accordance with the regulations of the institute.

A Vice Rector shall be appointed from a person with the qualification under section 40 by advice of the Chancellor, and a Rector shall have the power to remove a Vice Rector by advice of the Chancellor.

A Vice Rector of a campus shall be appointed from a person with the qualification under section 40 by advice of the Chancellor, and a Rector shall have the power to remove a Vice Rector of a campus by advice of the Chancellor.

Upon vacation of office by the Rector, a Vice Rector and a Vice Rector of the campus shall also vacate office.

Section 40. A Rector, a Vice Rector and a Vice Rector of a campus shall have graduated with no lower than a degree or its equivalent from an institute or other higher education institute which the institute council recognizes, and shall have taught or have experience in administration in an institute or other higher education institute which the institute council recognizes for not less than three years.

Section 41.²⁴ A Director of a bureau, a Director of a center, or a Head of another government department of another name within its institute that is equal

²² Section 38/2 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

²³ Section 39 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

²⁴ Section 41 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

to a faculty shall be appointed by the institute council from a person having the qualification under section 42, by advice of the Chancellor.

A Deputy Director of a bureau, a Deputy Director of a center, or a Deputy Head of another government department of another name within its institute that is equal to a faculty shall be appointed by the Chancellor from a person having the qualification under section 42, by advice of the Director of a bureau, a Director of the center or a Head of another government department of another name that is equal to a faculty, as the case may be.

The operation of the bureau, center or another government department of another name within its institute that is equal to a faculty shall be in accordance with the regulation of the institute.

Section 42.²⁵ The qualification, term of office and vacation of office by a Director of a bureau, a Director of a center, or a Head of another government department of another name within its institute that is equal to a faculty, and the Deputy offices of all such persons shall be in accordance with the regulation of the institute.

Section 43.²⁶ A person holding office as a Chancellor, a Vice Chancellor, a Vice Chancellor of the campus, an assistant Chancellor, an assistant Chancellor of the campus, a Head or a Deputy Head of another government department of another name within its institute that is equal to a faculty shall not hold more than one of such offices at one time.

A person having office under paragraph one may act in the capacity of another office, but shall do so for not longer than one hundred and eighty days.

Section 44.²⁷ The method for selection of a person for appointment by Royal Proclamation shall be in accordance with the regulation of the institute.

Chapter III

Teaching staff

²⁵ Section 42 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

²⁶ Section 43 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

²⁷ Section 44 is amended by the Physical Education Institution Act (No.2), B.E. 2555 (2012).

Section 45. A teaching staff of the institute shall hold an academic post as follows:

- (1) professor;
- (2) associate professor;
- (3) assistant professor;
- (4) lecturer.

A professor, an associate professor, and an assistant professor shall have the qualification, teaching ability and academic work under the law on regulations of teaching officials and educational personnel.

A lecturer shall have graduated with not lower than a degree level or its equivalent from the institute, or another higher education institute which the institute recognizes, or shall have expertise in the field of study which is taught at the institute.

A professor shall be appointed by Royal Proclamation by advice of the institute council.

Section 46. An adjunct professor shall be appointed by Royal Proclamation from a person who is or has been an adjunct lecturer in that subject and who has expertise therein, by advice of the institute council.

The criteria for appointment and the qualification of an adjunct professor shall be in accordance with the regulation of the institute.

Section 47. The institute council may appoint a person having suitable qualification who is not a member of the permanent teaching staff as an associate adjunct professor or an assistant adjunct professor.

The institute may appoint a person having suitable qualification who is not a member of the permanent teaching staff as an adjunct lecturer by advice of the Chancellor or the Head of another government department of another name within its institute that is equal to a faculty.

The criteria for appointment, the procedure for appointment, and the qualification of an associate adjunct professor, an assistant adjunct professor, or an adjunct lecturer shall be in accordance with the regulation of the institute.

Section 48. A person who is a professor, an adjunct professor, an associate professor, an associate adjunct professor, an assistant professor or an assistant adjunct professor shall have a right to use the title of professor, adjunct

professor, associate professor, associate adjunct professor, assistant professor an assistant adjunct professor, as the case may be, to signify his or her academic standing indefinitely.

An title under paragraph one shall be as follows:

- Professor shall use the abbreviation of Prof.
- Adjunct Professor shall use the abbreviation of Adj. Prof.
- Associate Professor shall use the abbreviation of Assoc. Prof.
- Associate Adjunct Professor shall use the abbreviation of Assoc. Adj. Prof.
- Assistant Professor shall use the abbreviation of Asst. Prof.
- Assistant Adjunct Professor shall use the abbreviation of Asst. Adj. Prof.

Chapter 4

Degrees and Academic Standing

Section 49. The institute shall have the power to award a bachelors degree in a subject that is taught at the institute.

The naming of a degree in each field, and the abbreviation thereof, shall be prescribed by Royal Decree.

Section 50. The institute may prescribe regulations for a person who graduates at the level of a bachelor degree to receive a first-class honours award or a second-class honours award.

Section 51. The institute may prescribe regulations to award a graduate diploma, a diploma or a certificate for any subject, as follows:

- (1) a graduate diploma shall be awarded to a person who has successfully graduated any subject at the bachelors degree level;
- (2) a diploma shall be awarded to a person who has successfully completed a curriculum in any subject prior to a bachelors degree level;
- (3) a certificate shall be awarded to a person who successfully completes education in a specific subject.

Section 52. The institute shall have the power to award an honorary bachelors degree to a person who the institute sees fit to be awarded such degree, but shall not award such degree to a permanent member of teaching staff, a person who holds a position in the institute, and a person who holds office in the institute council while holding such office.

The field of a degree and the criteria for award of a honorary bachelors degree shall be in accordance with the regulations of the institute council.

Section 53. The institute council may prescribe an academic gown and a graduation pin to signify the academic standing of a person who is awarded a degree, a graduate diploma, a diploma or a certificate, and may prescribe an academic gown for the Chairperson of the institute council, the Vice Chairperson of the institute council, a member of the institute council and an official academic gown for the teaching staff of the institute council.

The prescription of the details, kind, type and the composition of an academic gown, a graduation pin, and an official academic gown shall be prescribed by Royal Decree.

An academic gown, a graduation pin and an official academic gown shall be used in an occasion and terms which shall be in accordance with the regulation of the institute.

Section 54. The institute council may prescribe regulations to specify a seal, a mark or a symbol of the institute council, or a seal, a mark or a symbol of the institute, by prescription in the Royal Gazette.

The use of a seal, mark or symbol under paragraph one for commercial purposes, or the use thereof that is not for the benefit of the institute shall be authorized in writing by the institute.

Section 55. The institute may prescribe a uniform, mark or the clothing of a student, by regulation of the institute and notification in the Royal Gazette.

Chapter V

Penalty Provisions

Section 56. Any person who uses an academic gown, a graduation pin an official academic gown, a uniform, mark or the clothing of a student, or anything that replicates such items without having the right to use or display that he or she has a degree, a graduate diploma, a diploma, a certificate, or any title in the institute in which he or she has no right, if such act is done so that other another person believes that such person has the right to, or possesses such academic

standing or title, shall be liable to imprisonment for a term not more than six months or to a fine of fifty thousand baht, or to both.

Section 57. Any person who:

- (1) falsifies, or replicates a seal, a mark or a symbol of the institute or the institute council, in whatever colour, or by whatever means;
 - (2) uses an inauthentic seal, a mark or a symbol of the institute or the institute council, or replicates such items;
 - (3) uses, or displays a seal, a mark or a symbol of the institute or the institute council on any object or any commercial goods, in violation of section 54 paragraph two;
- Shall be liable to imprisonment for a term of not more than one year, or to a fine of one hundred thousand baht, or to both.
- A person who commits an offence under (1) also commits an offence under (2), but shall be liable for the offence under (2) only.
- The offence under (3) is a compoundable offence.

Transitional Provisions

Section 58. All operations, assets, liabilities, officials, employees, budget in the part which is for educational institutions under the Personnel Development Bureau of the Office of Sport and Recreation Development of the Ministry of Tourism and Sports shall be transferred to the Institute of Physical Education, the Ministry of Tourism and Sports.

In the initial period, the officials who have been transferred to officials of the Institute of Physical Education under paragraph one shall continue to hold their office as before, and shall receive salary including benefits no less than before until they are appointed an office according to the law on the regulation on teaching officials and educational personnel.

Section 59. In the initial period, the institute council shall consist of:

- (1) The Permanent Secretary of the Ministry of Tourism and Sports as the Chairperson of the institute council;
- (2) the Director-General of the Office of Sport and Recreation Development as the Vice Chairperson of the institute council;

(3) three Director-Generals of colleges of physical education, and the Director of a sports academy, who shall be appointed by the Chairperson of the institute council to be a member of the institute council;

(4) four representatives of higher education institutions, and four persons having the knowledge and capability in physical education, sports and recreation, who shall be appointed by the Chairperson of the institute council to be a member of the institute council;

(5) a Deputy Director-General of the Office of Sport and Recreation Development, who shall be appointed by the Chairperson of the institute council, with advice of the Vice Chairperson of the institute council, to be a member and secretary.

The institute council under paragraph one shall continue to perform its duties until an appointment is made by Royal Proclamation of a Chairperson, a Chancellor, and qualified members of the institute council, and until selection has been made or appointment has been made of the members of the institute council under this Act, which shall be in not more than one hundred and eighty days as from the day this Act comes into force.

Section 60. The Director-General of the Office of Sport and Recreation Development shall perform the duties of a Chancellor under this Act, until a Royal Proclamation is made to appoint a Chancellor, which shall be in not more than one hundred and eighty days as from the day this Act comes into force, and a person who holds office of a Director of a college of physical education on the day this Act comes into force shall perform the duties of the Vice-Chancellor of a campus under this Act, until an appointment is made of a Vice-Chancellor of a campus, which shall be in not more than one hundred and eighty days as from the day this Act comes into force.

Section 61. The person who holds office as the Assistant Director-General of a college of physical education on the day this Act comes into force shall perform the duty of the Assistant Chancellor of a campus under this Act until an appointment is made of an Assistant Chancellor of a campus under this Act, which shall not be more than one hundred and eighty days as from the day this Act comes into force.

Section 62. A Director-General of the Office of Sport and Recreation Development who holds office as a Chancellor under section 60 shall consider the appointment of a Chancellor or the a Head of a government department of another

name having equal status to that of a faculty, a Vice-Chancellor, or a Deputy Head of a government department of another name having equal status to that of a faculty, with the approval of the Institute Council.

A Chancellor or a Head of a government department of another name having equal status to that of a faculty, a Vice-Chancellor, or a Deputy Head of a government department of another name having equal status to that of a faculty under this Act shall remain in office until appointment has been made of a Chancellor or a Head of a government department of another name having equal status to that of a faculty and a Vice-Chancellor, or a Deputy Head of a government department of another name having equal status to that of a faculty under this Act, which shall be not more than one hundred and eighty days as from the day this Act comes into force.

Section 63. A person who holds office as a Director, Head teacher, Assistant Director, and an Assistant Director of a sports academy on the day this Act comes into force shall be the Head or the Deputy Head of a government department of another name having equal status to that of a faculty under this Act.

Section 64. During the time period in which no Royal Decree has been issued, or in which no Ministerial Regulation, Rules or Regulation of the Institute to implement this Act, the Royal Decrees, Ministerial Regulation of the Ministry of Education , the Notification of the Ministry of Tourism and Sports, the Rules and Regulations of the Physical Education Department, the Rules and Regulations of the Office of Sport and Recreation Development, the Rules and Regulations of the Sports academy which are in force on the date this Act comes into force shall apply *mutatis mutandis*.

Countersigned by

Police Lieutenant Colonel Thaksin Shinawatra

Deputy Prime Minister