

Promotion of Non-Formal and Informal Education Act, B.E. 2551 (2008)

Translation

BHUMIBOL ADULYADEJ, REX;

Given on the 19th Day of February B.E. 2551;

Being the 63rd Year of the Present Reign

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

Whereas it is expedient to have a law on promotion of non-formal and informal education;

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

Section 1

This Act is called the "Promotion of Non-Formal and Informal Education Act, B.E. 2551 (2008)".

Section 2

This Act shall come into force as from the day following the date of its publication in the Government Gazette.

Section 3

This Act does not apply to the provision of non-formal and informal education by State and private higher education institutions under the laws relating to higher education institutions as already provided.

Section 4

In this Act:

"non-formal education" means educational activities which have clear target groups of service users and educational objectives, forms, curricula, methods of provision and course or training durations which are flexible and diverse according to the needs and learning aptitudes of such target groups, and standard procedures for assessments and evaluations of educational performance for the benefit of granting educational credentials or classification of educational performances;

"informal education" means educational activities in the daily lifestyle of a person through which a person may choose to continue learning throughout his/her lifetime pursuant to the interests, needs, opportunities, preparedness and learning aptitude of each person;

"educational establishment" means an educational establishment which provides non-formal and informal education in the Office of the Non-Formal and Informal Education;

"network party" means a person, family, community, communal society, local administrative organization, private body, professional body, religious institution, business operator and other bodies, including other educational establishments not attached to the Office of the Non-Formal and Informal Education, which participates in or has the objective of carrying out non-formal and informal education;

"Committee" means the Coordinating Committee for Promotion and Support of Non-Formal and Informal Education under the law on administration of the Ministry of Education;

"Office" means the Office of the Non-Formal and Informal Education;

"Minister" means the Minister having charge and control of the execution of this Act.

Section 5

For the benefit of promoting and supporting education, non-formal and informal education shall be provided to persons extensively and in accordance with the standards under the law

on national education. A person, whether or not having received basic education, shall have the right to receive education in the form of non-formal or informal education, as the case may be, in accordance with the process and proceedings as provided in this Act.

Section 6

The promotion and support of non-formal and informal education shall uphold the following principles:

- (1) non-formal education:
 - (a) equality of access to and receipt of wide scale, extensive, fair and quality education as appropriate for the living conditions of the people;
 - (b) decentralization of powers to educational establishments and participation of network parties in the provision of education;
- (2) informal education:
 - (a) access to educational resources which are consistent with the interests and lifestyles of learners in every target group;
 - (b) development of educational resources in order to create diversity in both local wisdom components and educational technology components;
 - (c) provision of educational framework or guidelines that are beneficial to learners.

Section 7

The promotion of non-formal education shall be carried out in order to achieve the following goals:

- (1) people shall receive continuing education in order to develop the competencies of manpower and of the society in the application of knowledge and wisdom as bases for development of the economy, society, environment, security and quality of life in accordance with national development approaches;
- (2) network parties be motivated and prepared to participate in the provision of educational activities.

Section 8

The promotion of informal education shall be carried out in order to achieve the following goals:

- (1) learners acquire basic knowledge and skills for seeking knowledge that would facilitate learning throughout one's life;
- (2) learners learn materials which are consistent with interests and necessities in raising the standards of living, with respect to politics, economy, society and culture;
- (3) learners are able to apply acquired knowledge to beneficial uses and transfer educational results to formal and non-formal education.

Section 9

The Ministry of Education shall promote and support non-formal and informal education by attaching importance to the relevant persons according to their roles and duties, as follows:

- (1) the learner, being the beneficiary, has a role in learning activities and the ability to choose from a variety of services according to his/her interests;
- (2) the provider of non-formal education and provider of learning resources for informal education carries out a variety of acts in order to meet the needs of learners through the integration of knowledge and the instillation of virtue and good values;
- (3) the promoter and supporter, being the conferrer of benefits to learners and providers of education, carry out a variety of acts in order to promote and support the initiation of continuing education.

Section 10

For the benefit of promoting and supporting non-formal and informal education, government agencies, relevant State agencies and network parties may carry out promotion and support on the following matters:

- (1) educational channels and technology which are necessary for non-formal and informal education, and financial assistance for the provision of non-formal education;
- (2) provision of education, academic and personnel development, utilization of resources for educational purposes and the recognition and honor of providers of non-formal and informal education;
- (3) appropriate benefits to promoters and supporters of non-formal education;
- (4) establishment and development of diverse educational resources in order to extend appropriate access to learners of informal education;
- (5) other resources relating to acts enabling persons and communities to learn according to their interests and needs, consistent with society requirements in informal education.

Rules, procedures and conditions for promotion and support under paragraph one shall be as prescribed by Ministerial Regulation.

Section 11

For the benefit of providing and developing non-formal and informal education, government agencies and relevant State agencies shall cooperate with network parties in undertaking the following matters:

- (1) the provision of a basic foundation for learning, e.g. learning resources, community learning centers, a variety of channels and technologies which extends learners' access to learning opportunities;
- (2) the promotion and support of activities of network parties in order to initiate continuing cooperation and development;
- (3) the promotion and support of network parties in terms of opportunities in the allocation of resources and access to financial sources for its activities.

Section 12

For the benefit of implementing this Act, the Committee shall have the following powers and duties:

- (1) to prescribe policies and plans for the promotion and support of non-formal and informal education which are consistent with the National Education Plan and the National Economic and Social Development Plan;
- (2) to prescribe guidelines for non-formal and informal education activities;
- (3) to promote and support the coordination of government agencies, State enterprises and the private sector, both domestically and internationally, in the provision of non-formal and informal education;
- (4) to advise the Minister on the formulation and development of a system for the equivalency transfer of educational results obtained from non-formal and informal education;
- (5) to carry out other acts as provided by this Act or other laws as powers and duties of the Committee, or as entrusted by the Council of Ministers.

Section 13

The Committee shall appoint a Sub-Committee called the "Sub-Committee on Network Parties", comprising various sectors of the society which participate in the promotion and support of non-formal and informal education.

The number of sub-committee members, qualifications, rules, procedures for obtaining the chairperson and sub-committee members, term of office and retirement from office, including the powers and duties of the Sub-Committee on Network Parties shall be as provided by Ministerial Regulation.

Section 14

There shall be an Office of the Non-Formal and Informal Education within the Office of the Permanent Secretary, Ministry of Education, abbreviated as "ONIE", with the Secretary-General of the Office of the Non-Formal and Informal Education, abbreviated as "Secretary-General of the ONIE", holding the status of Director-General and superior official of government officials, employees and wage-earners, and being responsible for the operations of the Office.

The Office has the following powers and duties:

- (1) to become a central agency in the operation, promotion, support and coordination of non-formal and informal education and to be responsible for the secretarial work of the Committee;
- (2) to prepare recommendations on non-formal and informal education policies, strategies, plans and standards for the Committee;
- (3) to promote, support and undertake the development of qualities with respect to academics, research, development of curricula and educational innovations, personnel and information systems relating to non-formal and informal education;
- (4) to promote, support and undertake the equivalency transfer of educational results, the equivalency transfer of knowledge and experience and the equivalency determination of educational levels;
- (5) to promote, support and coordinate the conglomeration of persons, families, communities, communal societies, local administrative organizations, private bodies, professional bodies, religious institutions, business operators and other bodies into network parties, in order to strengthen operations with respect to non-formal and informal education;
- (6) to prepare recommendations relating to the utilization of information technology networks, television and radio broadcasting stations for education, community radios, science centers for education, public libraries, museums, community learning centers and other educational resources in order to promote continuing learning and the development of quality of life of the people;
- (7) to carry out the monitor, inspection and evaluation of non-formal and informal education operation results;
- (8) to perform other work under this Act or other laws which provide for the powers and duties of the Office or as entrusted by the Minister.

Section 15

There shall be a Provincial Committee for Promotion of Non-Formal and Informal Education in every province, as follows:

- (1) in Bangkok, there shall be a Bangkok Committee for Promotion of Non-Formal and Informal Education, comprising the Governor of Bangkok Metropolis as chairperson, Permanent Secretary of the Bangkok Metropolitan Administration, Secretary-General of the ONIE, a representative of the Ministry of Social Development and Human Security, a representative of the Ministry of Interior, a representative of the Ministry of Labor, a representative of the Ministry of Public Health and eight qualified persons appointed by the Minister as members, of which no fewer than five persons must be appointed from persons engaged in private sector work relating to informal and informal education, and the Director of the Bangkok Office of the Non-Formal and Informal Education shall be a member and secretary;

- (2) in other provinces, there shall be a Provincial Committee for Promotion of Non-Formal and Informal Education, comprising the Provincial Governor as chairperson, Provincial Permanent Secretary, Provincial Agricultural Official, Provincial Public Health Official, Provincial Labor Official, Provincial Social Development and Human Security Official, Chairperson of the Provincial Administrative Organization and eight qualified persons appointed by the Minister, of which no fewer than five persons must be appointed from persons engaged in private sector work relating to non-formal and informal education in the province area, and the Director of the Provincial Office of the Non-Formal and Informal Education shall be a member and secretary.

The qualifications, term of office, retirement from office of qualified members and meetings of the committee under paragraph one shall be as provided by Ministerial Regulation.

Section 16

The Bangkok Committee for Promotion of Non-Formal and Informal Education and the Provincial Committee for Promotion of Non-Formal and Informal Education shall have the following powers and duties:

- (1) to provide consultation and cooperation in the development of non-formal and informal education to network parties;
- (2) to promote and support network parties so as to provide non-formal and informal education which is consistent with the policies and standards prescribed by the Committee;
- (3) to monitor the provision of non-formal and informal education by educational establishments and agencies providing non-formal and informal education so as to ensure compliance with the qualities and standards prescribed and consistency with national development trends, including the needs for local development;
- (4) to perform other work as entrusted by the Committee.

Section 17

There shall be a Provincial Office of the Non-Formal and Informal Education in every province, as follows:

- (1) in Bangkok, there shall be a Bangkok Office of the Non-Formal and Informal Education, abbreviated as "Bangkok ONIE", as an agency attached to the Office, and as an educational agency under the law on administration of teaching officials and educational personnel, to perform the duties of a secretariat to the Bangkok Committee for Promotion of Non-Formal and Informal Education, and shall have the powers and duties of administering the provision of non-formal and informal education in Bangkok;
- (2) in other provinces, there shall be a Provincial Office of the Non-Formal and Informal Education, abbreviated as "Provincial ONIE", as an agency attached to the Office, and as an educational agency under the law on administration of teaching officials and educational personnel, to perform the duties of a secretariat to the Provincial Committee for Promotion of Non-Formal and Informal Education, and shall have the powers and duties of administering the provision of non-formal and informal education in the province.

The educational agency under paragraph one shall have a Director as the superior official in charge of teaching officials and educational personnel attached to the Bangkok ONIE or Provincial ONIE, as the case may be, as well as to be the superior official in charge of teaching officials and educational personnel attached to educational establishments in the area of responsibility, and shall hold the status of an educational administrator under the law on administration of teaching officials and educational personnel, as well as be responsible for the performance of official functions by such agency.

Section 18

An educational establishment shall perform the duties of promoting, supporting, coordinating and providing non-formal and informal education in collaboration with network parties.

The operations of an educational establishment under paragraph one may provide for a community learning center as a unit organizing and promoting learning activities and process for the community.

The establishment, dissolution, termination, merger, determination of roles, powers and duties of educational establishments under paragraph one shall be as prescribed by notice of the Minister.

Section 19

Each educational establishment shall have an educational establishment committee.

The number of members, qualifications, rules, procedures for obtaining the chairperson and members, term of office and retirement from office, including the powers and duties of the educational establishment committee shall be as prescribed by notice of the Committee.

Section 20

The Office shall provide for a non-formal education quality assurance system, which shall be an internal quality assurance system for the educational establishment having the qualities and standards consistent with the law on national education.

The educational establishment shall undertake internal quality assurances consistent with the system, rules and procedures for internal quality assurance with the cooperation, promotion and support of network parties and the Office.

The system, rules and procedures for internal quality assurance shall be as prescribed by Ministerial Regulation.

Section 21

The Office of the Non-Formal Education Commission shall transform its functions to the Office of the Non-Formal and Informal Education, and the Director of the Office of the Non-Formal Education Commission who holds office on the day this Act is published in the Government Gazette shall perform the duties of the Secretary-General of the ONIE until the appointment of a new Secretary-General of the ONIE pursuant to this Act which shall be made no later than one hundred and eighty days as from the date this Act comes into force.

The Coordinating Committee for Promotion and Support of Non-Formal and Informal Education under the law on administration of the Ministry of Education holding office on the day this Act is published in the Government Gazette shall continue to maintain its status as such Committee and perform duties under this Act until the appointment of a new such Committee to implement this Act.

Section 22

The Secretary-General of the ONIE shall appoint an educational establishment administrator in the Bangkok area to perform the duties of Director of the Bangkok Office of the Non-Formal and Informal Education until the appointment of a new Director of the Bangkok Office of the Non-Formal and Informal Education under this Act.

The Director of the Provincial Non-Formal Education Center holding office on the day this Act is published in the Government Gazette shall perform the duties of Director of the Provincial Office of the Non-Formal and Informal Education until the appointment of a new Director of the Provincial Office of the Non-Formal and Informal Education under this Act.

The appointments under paragraph one and paragraph two shall be completed within one hundred and eighty days as from the date this Act comes into force.

Section 23

The Minister shall prepare a list of educational establishments attached to the Office of the Non-Formal Education Commission, Office of the Permanent Secretary, Ministry of Education, that are prepared to perform the functions of educational establishments as

provided under this Act, and shall publish such a list of educational establishments in the Government Gazette within ninety days as from the date this Act comes into force.

The educational establishments under the list published by the Minister under paragraph one shall be deemed as educational establishments under this Act.

Section 24

The Ministerial Regulations, Ordinances, Rules, Notifications and Orders relating to the provision of non-formal education in force on the day this Act comes into force shall apply *mutatis mutandis* until Ministerial Regulations, Ordinances, Rules, Regulations and Notifications are issued under this Act whereby such issuances must be made no later than two years as from the date this Act comes into force.

Section 25

The Minister of Education shall have charge and control of the execution of this Act and shall have the power to issue Ministerial Regulations and Notifications for the implementation of this Act.

Such Ministerial Regulations and Notifications shall come into force upon their publication in the Government Gazette.

Countersigned by

Gen. Surayud Chulanont

Prime Minister

Note: The reason for promulgating this Act is as follows. Whereas the law on national education contains principles for the provision of education as lifelong education for the people, and for all sectors of the society to participate in the provision of education, including educational establishments to provide formal, non-formal and informal education, either in one or in all three forms, through a combination of all three forms of education in order to enable the continual development of education and the people's quality of life. However, due to the lack of laws which support the mechanisms and proceedings relating to the provision of non-formal and informal education, therefore, in order to achieve such guidelines and goals, it is expedient to have a law for promoting and supporting the provision of non-formal and informal education which is systematic and continuous, with efficient administration and provision of education so as to extend learning opportunities to the people, and with the ability to develop one's quality of life according to individual capacities. This would create a learning and intellectual society, which would have an effect in the development of manpower and the further advancement of the nation. It is therefore necessary to enact this Act.

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