

SUKHOTHAI THAMMATHIRAT OPEN UNIVERSITY ACT, B.E. 2521 (1978)

BHUMIBOL ADULYADEJ, REX. ,

Given on the 5th Day of September B.E. 2521;

Being the 33rd Year of the Present Reign.

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

Whereas it is expedient to establish Sukhothai Thammathirat Open University;

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 “Sukhothai Thammathirat Open University Act, B.E. 2521”

Section 2. This Act shall come into force as from the day following the date of its publication in the Government Gazette.¹

Section 3. In this Act:

“University” means Sukhothai Thammathirat Open University;

“University Council” means Sukhothai Thammathirat Open University Council;

“Senate” means Sukhothai Thammathirat Open University Academic Senate;

Section 4. The Minister of University Affairs shall have charge and control of the execution of this Act.

CHAPTER I

General Provisions

Section 5. There shall be established a university called “Sukhothai Thammathirat Open University” as an open educational institute having as its objects the provision of education and promotion of technical knowledge and advanced professional knowledge, research, provision of technical service to the society and cultural preservation.

Sukhothai Thammathirat Open University shall be a juristic person having the status of a Department attached to the Office of University Affairs

¹ Published in the Government Gazette Vol.95, Part 99, Special Issue, dated 21st September B.E.2521 (1978)

Section 6. The education provided by the University shall be given through correspondence, radio and television broadcasting or other media which will enable student to learn by themselves without having to attend classes.

Eligibility for enrolment and admission to the University shall be in accordance with the regulations prescribed by the University Council and shall be without entrance examination.

Section 7. The education provided by the University shall be divided into fields of studies.

The creation, dissolution, merger and abolition of a field of study shall be made by a Notification of the Office of University Affairs and published in the Government Gazette.

Section 8. The University may be divided into:

- (1) Office of the President;
- (2) Research Institutes and Academics for educational promotion or technical service.

The Office of the President may be divided into divisions and sections or government offices called by other names.

An Institute and Academy may be divided into centre, sub-division and secretariat.

The Centre, sub-division and secretariat may be divided into sections or government offices called by other names.

Section 9. The establishment merger and abolition of the Office of the President, Institute and Academy under section 8 shall be made by a Royal Decree.

The division of a government office into centre, sub-division, secretariat, divisions and sections or government offices called by other names shall be made by a Notification of the Office of University Affairs and published in the Government Gazette.

Section 10. Subject to the objects under section 5, the University may admit other advanced technical institute to affiliate to the University and shall have the power to grant and confer degrees, advanced education certificates, diplomas or certificates to and on graduates of such advanced technical institute.

Admission of an advanced technical institute to affiliate to the University shall be made by a Notification of the Office of University Affairs and published in the Government Gazette.

The supervision of the affiliated advanced technical institute shall be in accordance with the regulations prescribed by the University Council.

Section 11. In addition to the fund allocated by the budgetary appropriations, the University may acquire the following incomes:

- (1) interests and fees of the University;
- (2) properties donated to the University.

The incomes of the University need not be remitted to the Ministry of Finance under the law on budgetary procedure.

Section 12. All properties of the University shall be managed for the benefit of the University or in accordance with the objects of the University.

CHAPTER II

Administration

Section 13. There shall be the University Council consisting of the Chairman of the University Council to be appointed by the King, the Under- Secretary of State for University Affairs or representative, the Director-General of the Department of Public Relations or representative, the Director-General of the Post and Telegraph Department or representative, the Director of the Mass Communications Organization of Thailand or representative, the General Manager of the Communications Authority of Thailand or representative and the President as ex-officio members, one member of the Senate to be elected by the Senate and not less than four but not more than nine qualified members of the University Council to be appointed by the King.

The University Council shall elect a member of the University Council Vice-Chairman of the University Council who shall act on behalf of the Chairman when the Chairman is unable to perform his duties or the Chairmanship is vacant.

The University Council shall, upon the advice of the President, appoint a Vice-President Secretary of The University Council.

Section 14. The Chairman of the University Council and qualified members of the University Council hold office for a term of two years but may be re-appointed by the King.

In the case where the Chairman of the University Council or a qualified member of the University Council vacates office before the expiration of his term and the King has appointed another person to replace him, or in the case where the King has appointed additional qualified members during the term of the members already appointed, the new appointees shall hold office for the remaining terms of the member already appointed.

In the case where the Chairman of the University Council and qualified members of the University Council vacate office upon the expiration of their terms and the King has not appointed the new Chairman and qualified members, the outgoing Chairman and qualified members shall continue to perform their duties until the new Chairman and qualified members are appointed by the King.

Section 15. The University Council shall have the powers and duties to control and exercise general supervision of the affairs of the University and especially the following powers and duties;

(1) to lay down the policy of the University relating to education, research, technical service for society and cultural preservation, so as to be in conformity with the objects of the University and the State policy;

(2) to issue rules and regulations of the University;

(3) to approve the granting and conferring of degrees, advance education certificates, diplomas and certificates;

(4) to consider the establishment, dissolution, merger and abolition of the Office of the President, Institute, Academy and field of study, as the case may be;

(5) to approve the affiliation of an advanced technical institute;

(6) to consider the appointment and dismissal of the President and Professors;

(7) to approve the appointment and dismissal of the Vice-President, Director of the Institute, Director of the Academy, Deputy Director of the Institute, Deputy Director of the Academy, Associate Professors and Assistant Professors;

(8) to issue rules relating to finance and properties of the University;

(9) to appoint a committee to carry out any matter as entrusted by the University Council;

(10) to carry out other duties relating to the University affairs which have not been specifically entrusted to any particular person.

Section 16. There shall be the Senate consisting of the President as Chairman, Chairman of Fields of Studies, Directors of Institutes, Directors of Academies and Professors as ex-officio members, and a representative from each field of study who is elected by the academic staff of each field of study as members.

The Senate shall, upon the advice of the President, appoint a Vice-President Secretary of the Senate.

Section 17. A representative of the academic staff shall hold office for a term of two years but may be re-appointed.

In the case where a representative of the academic staff vacates office before the expiration of his term and another person has been elected to replace him, the new appointee shall hold office for the remaining term of the person he replaces.

Section 18. The Senate shall have the following powers and duties;

- (1) to consider and prescribe curricula, teaching and evaluation;
- (2) to propose the granting and conferring of degrees, advanced education certificates, diplomas and certificates;
- (3) to propose the establishment, merger and abolition of the Institute, Academy and field of study;
- (4) to consider the affiliation of an advanced technical institute;
- (5) to propose the appointment of qualified members of the University Council;
- (6) to consider the appointment and dismissal of Professors, Associate Professors and Assistant Professors;
- (7) to find way and means for the better development of the teaching, research and other technical services of the University;
- (8) to advise the University Council on academic affairs, and
- (9) to appoint a committee to carry out any matter as entrusted by the Senate.

Section 19. The meeting of the University Council, Senate, field of study committee as well as the rules and procedure concerning the proposal for appointment or election of members of the University Council and members of the Senate shall be in accordance with the regulations prescribed by the University Council.

Section 20. There shall be a President as superior official responsible for the administration of the University, and there may be one or more Vice-Presidents to be responsible for the duties as entrusted by the President.

The King shall appoint the President, upon the advice of the University Council, from persons possessing a degree of any level from the University or a degree of any level or its equivalent from other university or other advanced education institutes recognized by the University Council.

The President shall hold office for a term of four years, and may be re-appointed by the King. The proposal to dismiss the President before the expiration of his term, shall be submitted to the King for dismissal.

The Vice-President shall possess the same qualifications as the President. The President shall propose the appointment and dismissal of the Vice-President to the University Council.

The Vice-President shall vacate office at the same time as the President.

Section 21. In the case where the President is unable to perform his duties, the Vice-President shall become Acting President. If there are several Vice-President, the Vice-President designated by the President shall become Acting President. If the President does not designate any person, the most senior Vice-President shall become Acting President.

In the case where there is no Vice-President or the Vice-President is unable to perform the duties or the presidency is vacant, the Chairman of the University Council shall appoint the Acting President from members of the University Council.

Section 22. In a field of study, there shall be a field of study committee consisting of a chairman and not less than three but not more than seven members elected by the full-time academic staff of that field of study.

The field of study committee shall appoint a person secretary of the committee.

The Chairman and members of the field of study committee shall hold office for a term of four years and may be re-elected.

The field study committee shall be in charge of all the academic and administrative affairs of the field of study, as well as other matters entrusted by the University Council or the Senate.

Section 23. In an Institute or Academy, there shall be a Director of the Institute or Director of the Academy as superior official responsible for the affairs of the Institute of Academy, and there may be one or more Deputy-Directors of the Institute or Academy to be responsible for the duties as entrusted by the Director.

The Director of the institute or Director of the Academy shall be appointed by the University Council from the academic staff or other staff of the University, and shall hold office for a term of four years but may be re-appointed.

The Deputy-Directors of the Institute or Deputy-Director of the Academy shall possess the same qualifications as the Director. The President shall, with the approval of the Director of the Institute or Director of the Academy, propose the appointment and dismissal of the Deputy-Director of the Institute or Deputy-Director of the Academy to the University Council.

The Deputy-Director of the Institute or Deputy-Director of the Academy shall vacate office at the same time as the Director of the Institute or Director of the Academy.

Section 24. The rule and procedure on election of the Chairman and members of a field of study committee, as well as the management of a field of study committee and the management of an Institute of Academy, shall be in accordance with the regulations prescribed by the University Council.

Section 25. The academic staff in the University are as follows:

- (1) Professors who may be full time or part-time Professors;
- (2) Associated Professors;
- (3) Assistant Professors;
- (4) Lecturers who may be full time or part-time lecturers.

Section 26. The qualifications and procedure for the appointment of Professors, Associate Professors and Assistant Professors shall be in accordance with the law on university civil service.

Section 27. A part-time Professor shall be appointed by the King upon the advice of the University Council from those who are not full time academic staff but possess the same academic qualifications as those of the Professor.

Section 28. A Professor who vacates office without fault shall be Professor Emeritus.

Section 29. A lecturer must have a degree or its equivalent from the University or other institution of higher education recognized by the University Council or have experience in a field of study taught in the University.

The President shall, upon the advice of the chairman of the field of study committee, appoint part-time lecturers for each academic year, from persons processing the same qualifications as those of lecturer or having experience in a field of study taught in the University.

CHAPTER III

Degrees and Academic insignia

Section 30. There are three level of degrees, i.e.,

- Doctor degree or abbreviation D.
- Master degree or abbreviation M.
- Bachelor degree or abbreviation B.

Section 31. The University has the power to confer degrees in the field of studies taught in the University.

A degree for any field of study to be conferred and its abbreviation shall be prescribed by the Royal Decree.

Section 32. The University Council may issue regulations on conferring a Bachelor Degree with first or second class honors.

Section 33. The University Council may issue regulations on advanced education certificates, diplomas and certificates as follows;

(1) advanced education certificates for persons who have completed any academic course after having been conferred a degree;

(2) diplomas for persons who have completed the curriculum of any course below a Bachelor degree;

(3) certificates for persons who have completed a specific course.

Section 34. The University has the power to confer an honorary degree on a person whom the University Council is of the opinion that he is qualified for such degree.

Section 35. The University may provide for academic gowns or academic badges signifying the academic standing of the recipients of degrees, advanced education certificates, diplomas or certificates.

The descriptions, kinds, categories and composition of the academic gowns and academic badges shall be prescribed by a Royal Decree.

The occasion and condition for the use of academic gowns and academic badges shall be in accordance with the regulations prescribed by the University Council.

Section 36. The University Council may issue a regulation prescribing the emblems and the usage thereof by publishing them in the Government Gazette.

CHAPTER IV

Penalties

Section 37. Any person using an academic gown, academic badge, or emblem of the University knowing that he has no right to use, or show in whatever manner that he has been granted or conferred a degree, advanced education certificate, diploma, or certificate of the University to which he is not entitled, if committed in order to cause other persons to believe that he is entitled to use or has obtained such academic standing, shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding ten thousand baht or to both.

Transitory Provision

Section 38. Pending the appointment of the Chairman of the University Council and the qualified members of the University Council by the King, the University Council shall consist of the Minister of University Affairs as a Chairman, the Under-Secretary of State for University Affairs or representative, the Director of the Budget Bureau or representative, the Secretary-General of the National Economic and Social Development Board or representative, the Secretary-General of the National Education Commission or representative, the Director-General of the Department of Public Relations or representative, the Director-General of the Post and Telegraph Department or representative, the Director of the Mass Communications Organization of Thailand or representative and the General Manager of the Communications Authority of Thailand or representative as members of the University Council and Director of the Planning Division, Office of the Under-Secretary of State for University Affairs as member and secretary of the University Council.

Countersigned by:

General Kriangsak Chomanand

Prime Minister

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