(Unofficial Translation)

NOTIFICATION OF MINISTRY OF PUBLIC HEALTH
RE: CRITERIA, PROCEDURES AND CONDITIONS OF THE APPOINTMENT OF QUALIFIED MEMBERS IN THE PATHOGENS AND ANIMAL TOXINS COMMITTEE
B.E.2559 (2016)

Whereas it is expedient to define the criteria, procedures, and conditions of the appointment of qualified members in the Pathogens and Animal Toxins Committee to enable clarity, transparency and conformity to the Pathogens and Animal Toxins Act B.E.2558 (2015);

By virtue of section 5 paragraph one and section 7 paragraph three of the Pathogens and Animal Toxins Act B.E.2558 (2015), the Minister of Public Health hereby issues the Notification as follows:

Clause 1 This Notification is called the "Notification of Ministry of Public Health Re Criteria, Procedures and Conditions of the Appointment of Qualified Members in the Pathogens and Animal Toxins Committee B.E.2559 (2016)".

Clause 2 This Notification shall come into force as from the day following the date of its publication in the Government Gazette.

Clause 3 The appointment of qualified members under section 7 (3); the Director-General of Department of Medical Sciences shall notify in writing President of the Medical Council of Thailand, President of Veterinary Council of Thailand, President of the Medical Technology Council, President of the Pharmacy Council of Thailand and President of Council of Science and Technology Professionals, to make a nomination from each professional council to the Director-General of Department of Medical Sciences within a specified period of time for Minister of Public Health to appoint as qualified members afterwards.

The nomination under paragraph one shall be limited to two nominees from each professional council, along with a professional portfolio and consent of the nominees in accordance with the form prescribed by the Director-General of Department of Medical Sciences; such nominees shall have qualifications and possess no prohibited characteristics as follows:

(1) being a professional under control of such professional council;
(2) having the knowledge and experience of pathogens or animal toxins;
(3) possessing no prohibited characteristics under section 8.

The Director-General of Department of Medical Sciences shall nominate the persons who have passed the qualifications and prohibited characteristics requirements, along with relevant information to Minister of Public Health for consideration to appoint as the qualified members under section 7 (3).

Clause 4 The appointment of qualified members under section 7 (4); one selection committee for qualified members under section 7 (4) shall be established, consisting of one Chairperson and three members appointed by the Permanent Secretary of Ministry of Public Health, and the Permanent Secretary of Ministry of Public Health shall appoint the government officials of Department of Medical Sciences as a secretary and an assistant secretary; one per such individual position.

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The committee under paragraph one shall have power and duties to conduct the personnel selection for proposal to the Permanent Secretary of Ministry of Public Health who shall make a nomination to Minister of Public Health for consideration to appoint qualified members under section 7 (4).

Clause 5 At a meeting of the committee under Clause 4, the presence of no less than half of all members is required to constitute a quorum.

At a meeting of the committee under paragraph one, if the Chairperson is not present at the meeting or is unable to perform the duties, the meeting shall elect one member to act for the Chairperson.

A decision of the meeting shall be made by a majority of votes. In casting a vote, each member shall have one vote. In the case of an equality of votes, the presiding member shall have an additional vote as the casting vote.

Clause 6 The appointment of qualified members under section 7 (3) and (4) for the next term shall commence at least sixty days prior to the expiration of the term of holding office of such qualified members.

Clause 7 In the case where a qualified member under section 7 (3) vacates office prior to the expiration of the term and it is necessary to appoint a replacement qualified member, the Director-General of Department of Medical Sciences shall notify in writing the president of professional council who has nominated such qualified member under section 7 (3) vacating office prior to the expiration of the term to operate in accordance with Clause 3 paragraph one and paragraph two, and the Director-General of Department of Medical Sciences shall apply *mutatis mutandis* to proceed the nomination in accordance with Clause 3 paragraph three.

In the case where a qualified member under section 7 (4) vacates office prior to the expiration of the term and it is necessary to appoint a replacement qualified member, *mutatis mutandis* shall be applied to the operations in accordance with Clause 4 and Clause 5.

Clause 8 The Permanent Secretary of Ministry of Public Health shall have charge and control over the execution of this Notification.

Notified on the 11th day of April B.E.2559 (2016)
Piyasakol Sakolsatayadorn
Minister of Public Health

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