

# THE CIVIL SERVICE SYSTEM

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The administration of the Government of Thailand is carried out at three basic levels—central, provincial and local. The civil service system embraces most government officials at the central and provincial levels. Local officials are not normally included in the national civil service system.

In the Thai language, the words "civil servant" literally means "servant in the King's Service." As defined in the Civil Service Act of B.E. 2497 (A.D. 1954), amended in 1956, a civil servant is any person employed in the service of the government drawing a salary from the state budget under salary appropriation for any civilian ministry, public body or department of the civil service and including police officials whom the Police Department have appointed to carry out police service by drawing salary from the employer but excluding judicial officials under the law governing judicial service.

There are eight categories of civil servants: political officials; ordinary officials; state commercial officials; Royal Household officials; police officials; teaching officials; special foreign service officials; and special civil servants. The total number of these civil servants is approximately 250,000. Outside the civil service system are judicial and public prosecutor officials; hired workers paid on a monthly, daily or hourly basis; municipal officials; and state enterprise employees.

The central administration of the Thai Government is carried on by the Office of the Prime Minister, 12 ministries and four independent public bodies. The ministries are divided into departments, the departments into divisions, and the divisions into sections.

Each ministry is headed by a minister who is a political official. The minister has a secretary and one or more assistant secretaries, who are also political officials. Directly below the minister is the under-secretary, who is a permanent civil servant and the top administrative official of the ministry. He is frequently assisted by one or more deputy under-secretaries.

The departments of a ministry are headed by directors-general. Divisions are headed by a director or a chief, depending on the quality and quantity of work in the division. Each section is supervised by a chief of section.

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Each province is under the direction of a governor, who reports directly to the Under-Secretary of the Ministry of Interior. Other provincial personnel include a principal administrative officer, officials of various ministries having technical responsibilities in the province and subordinate officials who are appointed by central authority.

Provinces are divided into districts, each headed by a district officer. The district officer is assisted by officials of the various ministries who are assigned to work in his area.

### **Evolution of the Civil Service**

The present Thai civil service system evolved from the bureaucracy of the absolute monarchy. Before 1929, the supervisors of government organizations had full authority to recruit personnel on any basis they liked. There were no prescribed qualification standards for those who entered the civil service. No centralized control over civil service administration existed. Such state of affairs was, however, changed by an advent of a civil service act which took effect on 1 April 1929. The purpose of this act is reflected in its preface:

"It is the desire of His Majesty to systematize the civil service administration so that competent men will be selected for public office. They will have a career in the civil service so that they will not be anxious to earn their income in other ways. The public service will gain more benefits because there will be public servants who are competent and who know the ways and means of public service and also are aware of their duties and responsibilities and have permanent discipline."

The result was a system in which the civil servant had personal rank not dissimilar to that of the military forces. Salaries were determined by rank and the duties of the post occupied. A Civil Service Commission was created to serve as a central personnel agency. Recruitment was made on the basis of ability and competence. A career civil service system was established which provided the civil servant with status and security.

In 1933, immediately after the coup d'état which changed the form of government from an absolute monarchy to a constitutional one, the civil service system was drastically changed by the introduction of a position classification system. Three years later, however, the position classification system was combined with a personal rank system. The combined system has been in effect ever since and is embodied in the present Civil Service Act of B.E. 2497 (A.D. 1954).

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### The Control of the Civil Service System

The present Act, which governs the administration of the Thai Civil Service, establishes a Civil Service Commission consisting of the Prime Minister as Chairman, the Deputy Prime Minister as Vice-Chairman and not less than five, nor more than seven, other commissioners experienced in the principles of the public services who are appointed by the King. This Commission is responsible for the detailed regulation of the civil service and the control of personnel practices to insure conformity to the Act. Other functions are the conduct of competitive examinations for recruitment to the civil service; the classification and qualification requirements of civil service positions; and the approval of special personnel practices which are not covered in general civil service regulations.

Requests for additional personnel or new positions are cooperatively handled by the Administrative Advisory Council, the Budget Bureau and the Civil Service Commission. The Administrative Advisory Council approves proposals for the organization and reorganization of government agencies, together with their staffing patterns. The Budget Bureau approves requests for funds for additional positions. The Civil Service Commission fixes the classification and qualification requirements of new or revised civil service positions.

Civil Service Sub-Commissions are established at ministerial, departmental and provincial levels to perform certain functions, such as considering cases of termination of service, and assisting the Civil Service Commission in the conduct of competitive examinations.

Certain categories of public servants are administered by central personnel bodies other than the Civil Service Commission. Teaching officials are under the control of the National Education Council, composed of the Minister of Education as chairman, and the Under-Secretary of the Ministry of Education as vice-chairman. Other members of the Council include the director-general of each department of the Ministry of Education as *ex officio* members and an equal number plus three other members, selected by the Council, who are or have been teaching officials for not less than ten years. University officials are governed by a set of personnel regulations which are separate from but similar to those of the civil service. The regulations are administered by a university personnel commission.

Other categories of public servants have their own personnel systems. Officials in the public prosecutors' office and judicial officials, for example, are governed by personnel regulations

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administered by the Public Prosecutors' Council and the Judicial Council, respectively. Administrative officials of these two organizations, however, are under the control of the Civil Service Commission.

The personnel rules and regulations applicable to municipal officials are very similar to civil service rules and regulations. They are administered by the Municipality Commission. This Commission provides central direction of municipal personnel matters in the same way as the Civil Service Commission does for the civil service. There are also municipality and changwad (i. e. provincial) sub-commissions which are delegated certain responsibilities for municipal personnel administration.

### **Personnel Practices**

Administration of admission to service, appointment, promotion in class, grade and salary step, maintenance of discipline, retirement and other personnel functions are primarily the responsibility of the superior officials in each agency. These personnel functions are performed in accordance with specific laws and civil service rules and regulations. The central personnel agencies, i. e. the Civil Service Commission, the National Education Council, the University Personnel Commission, etc., are required to insure that agency officials perform their personnel functions in conformity with existing policies and procedures. The responsibility of these central personnel agencies includes fixing the classification and qualification requirements of positions; conducting competitive examinations; reviewing appeals; approving the recruitment of persons possessing unusual qualifications; and considering special cases which are not covered by the general rules and regulations.

The Public Prosecutor Personnel Commission closely controls personnel transactions of public prosecutors. Admissions to service, appointments, transfers and disciplinary cases must be approved by the Commission before they can be effected. The Judicial Personnel Commission operates in a similar manner. The policies and practices which govern municipal personnel administration are similar to those of the civil service system. The Municipal Personnel Commission performs the same type of functions as the Civil Service Commission and the mayor of the municipality acts in a "Chief of Ministry" capacity.

Some personnel functions are assigned to the Comptroller General's Department in the

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Ministry of Finance. These include the administration of retirement benefits and other remuneration; the regulation of salary payments, special allowances, transportation allowances and other fringe benefits; and the determination of the conditions of employment of temporary workers.

#### **Class, Grade and Position**

A civil servant holds personal rank in one of five classes: fourth (the lowest), third, second, first, and special. Each class is divided into a varying number of grades which are somewhat similar to sub-classes.

When a new recruit is admitted into the civil service, he is placed in a specific class. In consideration of his rank, he is then appointed to a position the salary grade of which has been fixed by the Civil Service Commission. Appointments of civil servants to positions must be made in accordance with the prescriptions of the Civil Service Act. These prescriptions are as follows :

Appointment to a position of clerk or its equivalent is made from fourth class civil servants;

Appointment to a position of official in a section or its equivalent is made from third or fourth class civil servants;

Appointment to a position of chief of section or its equivalent is made from second or third class civil servants;

Appointment to a position of chief of division or its equivalent is made from first or second class civil servants;

Appointment to a position of ministerial under-secretary, deputy under-secretary, director-general, deputy director-general, division director or their equivalents is made from special class civil servants.

The rank of a civil servant, as reflected in his class, is attached to him personally and is not affected by change of position within the limits prescribed above. Civil servants who have left the government service may be reinstated in the same class, grade and salary step that they were in before leaving.

The status of certain civil employees in other categories is not fixed on the above basis. Political officials are appointed to certain positions and are of no fixed class. A similar situation is found in the case of special civil servants, public prosecutor employees and judicial officials. In the

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case of police officials, rank similar to the military are conferred, thereby distinguishing them from other types of civil service officials. The classes and grades of municipal officials, however, correspond to those of civil servants.

### **Recruitment and Selection**

The recruitment of persons into the civil service is primarily the responsibility of the Civil Service Commission.

A provision of the Civil Service Act assigns the Civil Service Commission the responsibility of conducting competitive examinations and selecting candidates for scholarships to study abroad as required by the various agencies of the government. The Civil Service Commission is also responsible for superintending the study abroad of both government and private students. For this reason, the Civil Service Commission is close to the sources of highly educated persons and is able to supply them for the civil service system. Local universities, colleges and technical schools are also sources of qualified persons for the government service.

Recruitment into the civil service is done mainly by means of competitive examination. The conduct of such examinations is the responsibility of the Civil Service Commission but, in practice, the task is delegated to ministerial, departmental and provincial civil service sub-commissions which conduct examinations for the recruitment of persons for administrative positions in accordance with the syllabus and procedure fixed by the Civil Service Commission. A representative of the Civil Service Commission acts as an examiner in each examination conducted by a civil service sub-commission.

The minimum qualification for candidates for a fourth class position is completion of Matayom VI-equivalent to completion of American Junior High School. For a third class position, a candidate must have a bachelor's degree or must have been a fourth class civil servant for at least five years.

The competitive examination is carried out both orally and in writing and includes tests for general as well as specialized knowledge. Admission to service of candidates is done strictly in order of examination grade.

When special circumstances require the use of different selection methods, the agency involved reaches agreement with the Civil Service Commission to issue a Royal Decree permitting

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the variation. Civil Service Commission regulations permit those who have received an academic degree or vocational training certificate to be selected or given a selective examination and admitted to no higher than second class. After completing their education or vocational training, government scholars are admitted into the civil service without selective examination.

Selective examinations, which are similar to competitive examinations, give more weight to specialized knowledge than to general knowledge. As in the case of competitive examinations, those having higher marks are entitled to admission before those with lower marks.

In the case of persons having exceptional qualifications, the Civil Service Commission may, subject to final approval by the Council of Ministers, authorize admission without examination. Police officials, state commercial officials, Royal Household officials and special civil servants are admitted into the service by special methods prescribed in the appropriate Royal Decree or Civil Service Commission regulations. Political officials are, of course, appointed to political positions for political reasons. Certain overseas positions may be filled by special foreign service officials who are admitted after approval of the Council of Ministers, without examination. Admission to service of public prosecutors and judges is done on the basis of special selective examinations. Municipal officials are admitted to administrative positions by means of competitive examinations conducted by municipal personnel commissions. Examinations for appointments to municipal positions requiring academic degrees or vocational training certificates are also conducted by the municipal council.

All person admitted into the civil service must have certain basic qualifications as prescribed in the Civil Service Act. These are as follows :

- (1) Be a Thai national.
  - (2) Completed eighteen years of age.
  - (3) Sincerely believe in the constitutional form of government.
  - (4) Not suffer physical infirmity or being adjudged incompetent or of unsound mind or inflicted with any such disease as specified in the Civil Service Commission regulations.
  - (5) Not under suspension from the service.
  - (6) Not deficient in good moral.
  - (7) Not insolvent.
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- (8) Not been sentenced to a term of imprisonment by a final judgement of the Court except for petty offence or offence punishable like petty offence or offence committed through negligence.
- (9) Not been retired from a government organization, public organization, municipality or sanitation district because of misconduct.
- (10) Not been retired from the service in connection with discipline.
- (11) Not been discharged from the service under the Civil Service Act or other law.
- (12) Not been dismissed from the service under the Civil Service Act or other law.

Candidates' qualifications are reviewed by the sub-commission conducting the examination. Names and fingerprints of candidates for admission to service are checked by the police for criminal activities and by the Civil Service Commission for disqualifying disciplinary actions. The qualifications of candidates for judicial and public prosecutor positions are carefully checked by the Judicial Council or Public Prosecutors' Council to insure honesty and integrity. Candidates who successfully meet the qualification requirements are admitted as special temporary civil servants and serve on a probationary basis for not less than six months and not more than one year. If, at the end of this period, their conduct, knowledge and ability warrant it, they are appointed ordinary civil servants.

### **Training**

An Advisory Training Council was established by the Council of Ministers in 1956. The Council, with the Prime Minister as chairman and under-secretaries of all ministries and five other experts as members, is responsible for recommending civil service training policies and programmes and for administering training programmes in various government agencies. The Council is to work in cooperation with the Institute of Public Administration, Thammasat University, in the administration of the training policies and programmes developed by the Council.

There is a training committee in each ministry composed of the under-secretary as chairman and directors-general and other high-ranking officials of the ministry as members. The ministerial training committee is responsible for the supervision and control of the training activities of the ministry in accordance with government training policies and procedures as fixed by the Advisory Training Council. There are also departmental training committees which perform duties similar to those of the ministerial committees.

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A number of major training programmes have been completed or are still in operation. These are as follows :

*1. Ministerial and Departmental Training Directors Programme*

Under the direction of the Advisory Training Council and the Institute of Public Administration, a training programme for ministerial and departmental training directors has been conducted to train these officials in methods of carrying on training activities in their own ministries and departments.

*2. Executive Development Programme*

The Institute of Public Administration has conducted seminars for special class civil servants on the subject of executive development. Officials attending these seminars must be of the rank of director-general, deputy director-general, or their equivalent, and include both the civilian and the military officials.

*3. In-Service Training*

In cooperation with the Institute of Public Administration, the training directors in the ministries and departments have carried out a number of in-service training programmes. These include orientation programmes and supervisory training programmes conducted by means of lectures, group discussions, case studies, observation tours, etc. Participants, including municipal officials, are those stationed in Bangkok as well as in the provinces.

*4. Academic Conferences*

Many academic conferences, both national and international, have been arranged which provide civil servants with opportunities to increase knowledge and exchange ideas.

*5. Study and observation Tours*

The government encourages civil servants to further their study and training abroad by permitting leave with pay. In addition, scholarships from the Thai Government, foreign governments, and private institutions are available. Government officials who go abroad for study or training must promise to return and work for the government for twice the length of time they spend abroad.

**Promotion**

Promotion of civil servants from one class to another is usually made on the basis of a written examination. Fourth class civil servants are promoted to third class in competitive

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examination with persons who have a college degree but are not in the service. However, fourth class civil servants who have served for not less than fifteen years, have been at the highest salary step of the fourth class for not less than four years, and have occupied the position of Member of Section for not less than one year, may be selected by departmental civil service sub-commission and promoted to third class without examination. Third class civil servants are promoted to second class and second class to first class by passing a qualifying examination. In the case of university officials, no examination is required, but service for a certain period of time in third or second class is necessary. In all cases, the director-general in charge must certify that candidates for promotion have the necessary conduct, knowledge and ability to warrant promotion, and the ministerial civil service sub-commission must approve the promotion. No examinations for promotion from first class to special class are required, but such promotion must have the approval of the Council of Ministers.

Commissioned police officers are promoted to higher ranks by virtually the same process as military officers. The positions of public prosecutor and judicial officials are classified on the basis of responsibilities and no personal rank is attached to these officials. Therefore, their promotion is based on the position which they hold, a system somewhat different from that of ordinary civil servants. Promotion of municipal officials is made in the same way as for ordinary civil servants with the exception that no examinations are required.

#### **Transfers**

Civil servants may be transferred from one ministry to another in a class, grade and salary step not higher than the one occupied at the time of the transfer by mutual agreement between the ministries, public bodies, or departments concerned. Military officials, judicial officials and public prosecutor officials may transfer to ordinary civil service status. In such cases, the Civil Service Commission will determine in which class, grade and salary step the transferring officials can be placed. Special civil servants, political officials and special foreign service officials who are appointed to specific positions cannot be transferred to other civil service categories. Municipal officials are not permitted to transfer to civil service status.

#### **Conditions of Service**

Conditions of service are prescribed in such laws as the Civil Service Act, the laws

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relating to Salary Payment, and the Pension Act. A person who is recruited into the civil service automatically is entitled to the rights and privileges prescribed by these laws.

Most civil servants draw their salaries in accordance with their class and grade. Salary increments may be obtained annually up to a specified maximum salary step in a grade.

In certain categories the pay of civil servants is fixed on a different basis. Political officials receive salaries fixed at a flat rate. Police officers draw salaries based on their rank. The salaries of public prosecutor officials and judicial officials are fixed by the position they occupy.

In addition to salaries, civil servants enjoy some fringe benefits, including subsidy in payment of income taxes, subsidy at least of one half of the tuition fees for their children and reduction of at least one half of the cost of medical treatment in public hospitals. Houses are provided for officials in certain provincial positions. Those who are transferred to the provinces in which they were not originally appointed and own no houses in those provinces, are entitled to receive a rent allowance. Officials working in foreign countries, in hazardous positions or in certain special positions locally receive special allowances while occupying such positions. Officials who are on a tour of duty in the province or in foreign countries are provided with transportation and per diem allowances based on their rank and status. When a civil servant dies, an amount equal to three months' salary is provided for funeral expenses and a sum of money equal to the last monthly salary multiplied by the number of years of service is given to the heir. Upon retirement with good disciplinary record, civil servants may receive either lump sum or annuity retirement benefits. The lump sum is calculated by multiplying the last monthly salary by the number of years of service. Annuities are calculated by multiplying the last monthly salary by the number of years of service and dividing by 50 for officials, including police officials, who have been in continuous service for not less than 25 years, or dividing by 55 for all others. When a pensioner dies, an amount equal to one month's pension is provided for funeral expenses and a sum of money equal to one month's pension multiplied by 30 is given to the heir. Special pensions are provided for those who face danger in official duties and become crippled or disabled as a result.

Retirement may take place when a civil servant reaches the age of sixty or has more than 30 years of service. Retirement may also be ordered in other cases such as in the case of disability or constant illness affecting the work.

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Civil servants officially work 35 hours a week. Official hours of work are 8:30 to 12 and 1 to 4:30. Saturday and Sunday are holidays. Other official holidays usually total about 14 days per year. An additional ten days are permitted for summer vacation. Because of the nature of their work, such civil servants as police officials, teaching officials and customs officials usually have different working schedules from ordinary civil servants.

A civil servant is regarded as possessing civil service status at all times and being on call twenty-four hours a day. He is expected to work at any time he is ordered to, regardless of holidays or overtime.

Civil servants are permitted to take sick leave up to 120 days a year, although in the case of certain contagious and dangerous diseases contracted through performance of duty this may be extended to 270 days. A civil servant is entitled to 45 days' annual leave except in his first year of service when it is limited to 15 days. Leave to go to foreign countries may be given for personal, business or vacation reasons. An additional 30 days may be granted for a visit to neighbouring countries and an additional 120 days to Europe or America. A maximum of 120 days' leave is permitted once only to male officials who desire to enter the Buddhist monkhood. Officials who wish to take leave to further their education, either within the country or abroad, may be permitted leave with full pay for a period of time fixed by the minister or under-secretary in charge. Officials assigned to duty in Europe and America may receive 180 days' home leave after five years of service. In the case of other areas, the amount of leave is limited to 120 days. Official leaves of all types cannot be accumulated or added to leave earned in previous years.

### **Political Activity**

The Civil Service Act does not prohibit civil servants from holding political positions, being members of political parties or of the Legislative Assembly. According to the present constitution which is provisional in nature, pending the drafting of a new constitution by the Constituent Assembly, civil servants may be appointed as members of this Assembly and hold political positions without losing their civil service status.

### **Discipline**

Civil servants are required to adhere to standards of behaviour prescribed by the Civil Service Act. They must be honest, obedient to their superiors and must devote their time and

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attention to the performance of their duties. They are prohibited from active participation in any commercial partnership or company. They must not reveal official secrets, must be courteous to their superiors and to the public, and preserve their own good reputation so as to avoid disrepute.

Civil servants who violate Civil Service disciplinary rules may be dismissed, discharged or retired from service. They may also be demoted in salary step, reduced in salary or reprimanded, depending upon the seriousness of the offense. In cases where the offense requires dismissal, discharge or retirement, an investigating committee consisting of at least three members must be appointed to consider the evidence. Such penalties are ordered only after consideration by this committee and approval by the ministerial or provincial civil service sub-commission. An official who is dismissed or discharged from the service loses his right to pension benefits and his readmission into the service. In the case of retirement, the offender loses his right to readmission into the service but retains his right to retirement benefits. Lesser penalties are inflicted by the offending employee's superior.

A civil servant against whom a decision to dismiss, discharge or retire has been taken, may appeal to the Prime Minister. Such appeals are first considered by the Civil Service Commission who makes a recommendation to the Prime Minister. Those who are subject to lesser penalties may appeal to the official level immediately superior to that making the decision.

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