

(Unofficial Translation)*



**National Statistical Office Regulation
on Code of Conduct for Complaints, B.E. 2555 (2012)**

To handle complaints within the National Statistical Office with a clear and transparent procedures, by virtue of Section 32, Section 36 and Section 37 of the National Government Organization Act, B.E. 2534, as amended by The National Government Organization Act (No. 5), B.E. 2545, the National Statistical Office sets forth the following regulations;

Clause 1 This regulation is called “The National Statistical Office's Code of Conduct for Complaints, B.E.2555 (2012)”

Clause 2 This Regulation shall enter into force on the date of its announcement.

Clause 3 In this regulation

“Complaint” means allegations of civil servants, government employees or employees under the National Statistical Office to behave in violation of the Code of Civil Servants Code of Conduct or a violation of the Code or Code of Conduct in accordance with the provisions of the Civil Service Act B.E. 2551, Chapter 6, Discipline and Maintenance of Discipline or Regulations of the Office of the Prime Minister on government employees B.E. 2547, Chapter 4, Discipline and Maintenance of Discipline, or the Ministry of Finance regulations on permanent employees, Chapter 4 on Discipline and Maintenance of Discipline, and cases of subcontractors violate of the terms of the employment contract, and includes suggestions, comments, criticisms, or questions in the performance of the tasks of the National Statistical Office

“The Official” means civil officials, government employees or wage-earners under the National Statistical Office.

“A supervising official authorized to make an instatement” means a supervising official authorized to make an instatement and appoint the accused official or suspected to violate the discipline. The supervising officials are such as the Director-General of the National Bureau of Statistics or the provincial governor.

“Supervisor” means the primary supervisor of the complainant ranging from the head level to the group director.

*Translated by Translation Working Group of National Statistical Office of Thailand

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Clause 4 Information regarding the complaint accusing the violation of the discipline is considered confidential by the government to prevent damage to the reputation of the complainant in the event of bullying and protect the complainant from harm from the complaint.

Clause 5 To make complaint, one should submit a written notice and have the following items.

- (1) Name and address of the complainant.
- (2) Identify the cause of the complaint with facts or reasonable circumstances about complaints
- (3) Use polite words.
- (4) Complainant signature

Any complaints those are not complete in accordance with the first paragraph or unclear or incomprehensible, should the relevant officials advise complainants to revise the submitted complaint correctly within 7 working days.

In case that anonymous letter is submitted, should the relevant officials consider for operation only the letter identifying witness and evidentiary support, provided that the circumstance is clear, as well as the individual witness is pointed out. Unless it is the case that the Recipients of the complaint considers that it is in the interest of the government to accept the letter.

If it is a suggestion, comment, criticism, or question, consider only the subject that matters. To provide civil officials with quality, morality, ethics, quality of life, morale and self-reliance in performing the duties of the National Statistical Office.

Clause 6 Filing a complaint can be proceeded through the following channels.

- (1) Filing by yourself.
- (2) Send by mail
- (3) Complaints cabinet
- (4) National Statistical Office website
- (5) Other channels that can be referred to the National Statistical Office

Clause 7 The legal division shall analyze the complaints, then deliver to the relevant agencies as follows:

(1) The case is a complaint about disciplinary action, violation of the Code of Ethics or any act of harassment or sexual harassment, should the legal division be responsible for the operation and execution.

(2) In the case of any suggestion, comment, criticism or question, should the mission-related bureau be responsible for the operation.

(3) In case of complaints other than (1) and (2), the legal division shall consider the preliminary action, in accordance with the rules and guidelines set forth in this regulation, and if it appears later that, the complaint also related to other agencies, the legal division shall propose the supervisor to consider appropriately.

The details are shown in the flowchart of the complaint procedure attached to this regulation.

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Clause 8 Complaints under Clause 7 (1) allow the legal division to comment and submit complaints to hierarchical supervisor, up to the supervising official authorized to make an instatement to consider ordering the investigation or preliminary consideration by appointing an investigator or investigative commission to seek the truth that the circumstances in the complaint are grounded in alleging that the person has committed a wrongful act. Then, report the result of investigation or consideration to the supervising official authorized to make an instatement.

In the case where supervising official authorized to make an instatement have been reported and found that the results of the investigation or preliminary consideration is a groundless allegation of official who are accused to violate the discipline. Then, the supervising official shall order the termination.

In the case where the supervising official authorized to make an instatement, consider results of the investigation or preliminary consideration well-grounded with initial evidence to accuse the officials violating the discipline, should the disciplinary action to the person complained in accordance with the relevant laws be executed.

Clause 9 Prescribing from Clause 7 (2), only the recommendation and the comments are deliver to those who are related to use as information for the better performance of the officials or the progress of the government.

In the case of the inquiry, should it be submitted to the person related to provide information and answer the inquirer.

In the case of compliments, should it be delivered to the complimented person or take any other action to serve as a good example to the agency, which may be a compliment, medal of honor or rewards.

Clause 10 Any complaint identifying the contact of the complainant, should the person in charge of the complaint under Clause 8 or Article 9, as the case may be, notify the complainant of the result or progress of the action within 15 working days from the date of receiving the complaint and also inform the legal division.

Clause 11 In the investigation of facts under Clause 8, should the person responsible for the examination, consider any evidence and witness that is deemed necessary to prove the facts. In this regard, one should include the following actions.

- (1) Seek important and necessary evidence.
- (2) Listen to evidence, witness, complainant's statement, the accused person, the relevant persons, and expert witness' opinion. Unless it is deemed unnecessary, superfluous, or deferred.
- (3) Request the holder to submit the relevant documents.
- (4) Proceed the site investigation.

Clause 12 The supervisor shall exercise due discretion and order accordingly to protect complainants and witnesses, prevent them of harm or unfairness which are resulted from being a complaint or witness.

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Clause 13 In carrying out investigative procedures confidentially to find the facts, if confidential investigators commit any damage to accused officials or outsiders, and such damage is incurred by actions, even without intention, or negligence, the agency is liable to pay compensation to the injured party in accordance with the provisions of the Act on Liability for Wrongful Act of official B.E. 2539

Clause 14 The Director-General of the National Statistical Office shall act under this regulation.

Notified on the 16th July, B.E. 2555 (2012)

Viboondhat Sudsantanakit

Director-General of the National Statistical Office

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