



Thammasat University Regulations
on Student Discipline B.E. 2564 (2021)

Whereas the view is that it is expedient to amend the regulations of the University on student discipline in order for the conduct of students to be in good disciplinary order to create peaceful coexistence and an atmosphere of learning;

By virtue of the powers conferred by Section 23(2) of the Thammasat University Act B.E. 2558 (2015), the University Council passed a resolution in meeting no. 6/2564 on 21 June B.E. 2564 (2021) approving the issuance of these Regulations.

Article 1. These Regulations are called “Thammasat University Regulations on Student Discipline B.E. 2564 (2021)”.

Article 2. These Regulations will be in force from and including the day on which they are announced.

Article 3. In these Regulations:

“University” means Thammasat University;

“Rector” means the Rector of Thammasat University;

“Division” means a faculty, a college, or an institute established for teaching in accordance with a programme of the University;

“Dean” means the head of a Division at faculty level and will include the director of an institute established for teaching pursuant to a programme of the University; and

“Student” means a student at any level who has registered as a student of the University.

Article 4. The Rector is the competent person under these Regulations. In the event that there is a problem concerning compliance with these Regulations, the Rector will have the power to issue orders to ensure compliance in accordance with what he or she thinks fit, which will be deemed final.

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Chapter 1

Student Discipline and Maintenance of Discipline

Article 5. A Student shall maintain and conduct himself or herself in accordance with the standards of discipline and conduct provided in these Regulations and announcements of the University and Divisions, strictly at all times.

Behaviour in breach of the standards of conduct that constitutes a disciplinary offence will be subject to a procedure pursuant to these Regulations.

Article 6. A Student shall maintain discipline as follows:

(1) a Student shall maintain unity, good order, and the reputation and honour of the University and shall not cause chaos, commit physical assault, or destroy property of the University or of any person;

(2) a Student shall behave himself or herself in a civilised manner, and shall not behave in a way that may result in reputational damage or loss to himself or herself, another person, or the University;

(3) a Student shall obey and conduct himself or herself in accordance with orders or warnings of faculty members and officers of the University in the performance of their duties;

(4) a Student shall wear a student uniform or dress politely in conformance with regulations and announcements of the University or a Division;

(5) a Student shall not consume alcohol or intoxicating substances in the area of the University or while wearing student uniform; and

(6) a Student shall not smoke cigarettes or electronic cigarettes in a non-smoking area of the University.

Article 7. A Student who performs one of the following acts is deemed to have committed a serious disciplinary offence:

(1) gambling or performing any act related to gambling, or taking any part in the support of any kind of gambling that is illegal;

(2) performing any act that is within the scope of an act that is an offence related to narcotics that carries a criminal penalty;

(3) performing any act that is within the scope of an act that is an offence related to property that carries a criminal penalty and that is a seriously aggressive act;

(4) performing any act against property of the University intentionally that causes serious loss to the University;

(5) possessing or carrying firearms or seriously dangerous items into the University that may cause danger to the life or property of another person;

(6) committing an obscene or indecent act or sexual offence or behaviour that contravenes good morals, that causes serious reputational damage to the University;

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(7) physically assaulting another person causing grievous harm to or death of a person, or causing serious reputational damage to the University;

(8) being subject to a final judgment imposing a sentence of imprisonment, except in the case of a penalty for an offence committed through negligence or a petty offence;

(9) being dishonest in an examination of the University;

(10) forging another's signature, forging a document, or altering the content of a genuine document, or using such a document as evidence for the University that may cause serious damage to the University; or

(11) performing any act that results in reputational damage to the honour of being a Student at the University and is the cause of serious reputational damage to the University.

Chapter 2

Penalties and Consideration of Disciplinary Penalties

Article 8. There are the following 5 disciplinary penalties:

(1) parole;

(2) removing the right to take examinations for all courses or some courses, in the case of dishonesty in examinations only;

(3) suspension from education for not more than 1 academic year;

(4) prevention of submission of a Student's name for authorisation of graduation pursuant to a programme, for not more than 1 academic year; and

(5) termination of Student status.

Article 9. Regarding a Student who has committed a minor disciplinary offence, and when there exists a reason for refraining from the imposition of a penalty, the head of a Division shall consider refraining from imposing the penalty by way of giving a verbal warning, and may consider the application of Article 12 to the situation, *mutatis mutandis*.

Article 10. A Student who commits a disciplinary offence and is subject to a penalty pursuant to Article 8(1), when the University considers his or her history, behaviour, state of mind, and the surrounding circumstances, or the state of the offence or other mitigating factors, the University may order for the penalty to be suspended, to give the Student an opportunity to reform himself or herself within the period of time specified by the University, provided that it will not be more than one year from and including the date on which the University makes the order, and the University may specify conditions for controlling the behaviour of that Student also, such as being required to enter a self-development course, to perform public service, or work for the Division, or to refrain from any behaviour that might lead to a disciplinary offence of that Student.

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Article 11. A Student who commits a serious disciplinary offence will be subject to a penalty pursuant to Article 8(2), (3), (4) or (5), as the case may be.

Regarding a Student who commits a disciplinary offence and is subject to a penalty pursuant to Article 8(2), (3), (4) or (5), if he or she is remorseful and submits a request to the University for a reduction of penalty, when it considers his or her history, behaviour, state of mind, and the surrounding circumstances, or the state of the offence or other mitigating factors, the University may order a reduction in the time of the penalty, or an absolution of the penalty, by requiring the Student to enter a self-development course, to perform public service, work for the Division, or to refrain from any behaviour that might lead to another disciplinary offence of that Student.

Article 12. In the event that the disciplinary offence of a Student has its cause in a mental disorder or another major problem, the University may order that Student to be placed under the care of a social worker, psychologist or psychiatrist, and the University may use the opinion of the social worker, psychologist or psychiatrist in granting the Student a reduction in, or a reprieve from imposing, a penalty.

Chapter 3

Disciplinary Procedure

Article 13. In a case where a Student is accused, with justifiable evidence that he or she has committed a disciplinary offence, or it appears to a Dean that a Student has committed a disciplinary offence, the Dean shall conduct a disciplinary procedure in accordance with these Regulations without delay, except when the case concerns Students from several Divisions or where there are other justifiable reasons, in which case the Rector may conduct the procedure.

In the event that a Student who is accused confesses in writing to the Rector or the head of a Division, or he or she is subject to a final judgment imposing a sentence of imprisonment, the Rector or the Dean may order a disciplinary penalty to be imposed on the Student without appointing an Investigation Committee, or that the Investigation Committee terminate the investigation.

Article 14. The Rector or the head of a Division shall appoint an Investigation Committee composed of a President who is to be a full-time faculty member of the relevant Division, and at least 2 other Investigation Committee members, with one Investigation Committee member acting as Secretary, and there may also be an Assistant Secretary.

Article 15. The Investigation Committee shall conduct the investigation procedure, and produce a report with its opinion without delay, to be completed during the 60 days from and

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including the day on which the President of the Investigation Committee is informed of the order of appointment.

In the event of necessity, the Investigation Committee may propose an extension of the time period for the investigation from the person with the power to make the appointment, of not more than 30 days each time, and not more than 2 times.

Article 16. The Investigation Committee shall notify the accused Student of the facts of the accusation regarding the Student's commission of an offence, the basis for the disciplinary offence, and relevant evidence to the extent to which it is available, together with notifying on the rights of the accused Student, that he or she has the right to give an explanation and to present his or her own evidence in defence of the accusation.

Article 17. An accused Student has the right to give an explanation to the accusation in writing to the Investigation Committee during the 15 days from and including the day on which he or she is notified pursuant to Article 16.

Article 18. Regarding a Student who commits a disciplinary offence that is not a serious disciplinary offence, the Investigation Committee shall consider and form an opinion and report to the head of the Division to consider making an order imposing a penalty pursuant to Article 8(1) in writing as appropriate to the situation of the offence, and report to the University for information without delay.

Article 19. Regarding a Student who commits a serious disciplinary offence, the Investigation Committee shall consider and form an opinion and report the results of the investigation to the person with the power to make the appointment, to recommend to the Rector to consider making an order imposing a penalty pursuant to Article 8(2), (3), (4), or (5), in accordance with the seriousness of the circumstances of the offence.

In making an order imposing a penalty pursuant to Article 8(2) or (3), the Rector may delegate power to the Dean to be the person making the order imposing a penalty instead, and to report to the Rector.

Article 20. The imposition of a penalty on a Student for committing a disciplinary offence pursuant to Article 8(2), (3), (4), or (5) will be made by an order of the University, and a written notification of such order shall be sent to the Student, with a notification of the right to appeal pursuant to Article 26 and Article 27 to the Student.

In the event that a Student is of the level of bachelor's degree or below, when an order has been made imposing a penalty on the Student, his or her parents or guardian shall also be notified.

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Article 21. In the event that there is the imposition of a penalty on a Student pursuant to Article 8(2), (3), (4), or (5), the Rector shall report the imposition of the penalty to the University Council.

Chapter 3

Student Disciplinary Appeals Committee

Article 22. There will be a Student Disciplinary Appeals Committee, which the University will appoint, composed of:

- (1) an expert in the field of law, as President;
- (2) two full-time faculty members of the University as committee members; and
- (3) one full-time faculty member of the University, who is proposed by the Student Council.

The committee members pursuant to (2) are to come from different Divisions

The Director of the Student Affairs Division or his or her representative will be a committee member and Secretary, and one officer from the Student Affairs Division will be the Assistant Secretary.

Article 23. The Student Disciplinary Appeals Committee has a term of office of 2 years, calculated from and including the day on which it is appointed, and may be re-appointed.

In the event that the President of the Student Disciplinary Appeals Committee and the committee members of the Student Disciplinary Appeals Committee vacate office due to expiry of term, the procedure for appointing new persons to fill the vacant positions will be conducted before the expiry of the 60 day period calculated from and including the day on which the original President of the Student Disciplinary Appeals Committee and committee members of the Student Disciplinary Appeals Committee vacated their offices. In the event that new appointments have not been made, the original President of the Student Disciplinary Appeals Committee and committee members of the Student Disciplinary Appeals Committee shall continue to perform their duties until new persons are appointed to fill the vacant positions.

In the event that the position of President of the Student Disciplinary Appeals Committee or of a committee member of the Student Disciplinary Appeals Committee becomes vacant before expiry of term, the procedure for appointing a new person to fill the vacant position as a replacement will be conducted before the expiry of the 60-day period calculated from and including the day on which the position became vacant. The person who is appointed as replacement President of the Student Disciplinary Appeals Committee or committee member of the Student Disciplinary Appeals Committee will occupy the position only until the expiry of the term of office of the person whom he or she replaces.

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Article 24. The Student Disciplinary Appeals Committee has the following powers and duties:

- (1) considering and determining matters that are appealed;
- (2) calling any person to give a statement or submit documents or any object for the consideration process as necessary;
- (3) appointing a person or a committee of persons to consider or act on any matter that is within the power of the Student Disciplinary Appeals Committee; and
- (4) performing other duties as assigned by the University.

Article 25. A meeting is to have committee members of the Student Disciplinary Appeals Committee in attendance of at least half of the total number in order to be quorate.

In a meeting, if the President of the Student Disciplinary Appeals Committee is not present at the meeting, or is not able to perform his or her duties, or if there is no President, the meeting shall choose an appeals committee member to perform the duties of the President of the Student Disciplinary Appeals Committee.

Decisions will be made by a vote of the majority of those who attend the meeting. If the score of votes is equal, the President of the Student Disciplinary Appeals Committee, in that meeting, will cast one additional vote as the deciding vote.

Article 26. An appeal may be made only regarding the Student himself or herself, and an appeal shall be made during the 30 days following and including the day on which a person is informed or is deemed to have been informed of the order.

An appeal shall be made in writing, indicating the facts and the reason for the appeal, and making it evident that the order is incorrect, inappropriate, or unjust in some manner, together with the signature, Division, and address of the Student who is appealing.

In an appeal, if the Student who is appealing wishes to make an oral declaration at the consideration stage of the Student Disciplinary Appeals Committee, he or she shall indicate this wish in the written appeal or may do so separately in writing, provided that he or she shall submit or send such written request to make an oral declaration directly to the President of the Student Disciplinary Appeals Committee before the Student Disciplinary Appeals Committee makes its decision.

Article 27. A student who is appealing has the right to request for an examination or to take a record of a person's statement, other evidence or relevant documents, provided that it is within the discretion of the person who orders the imposition of the penalty whether to permit this or to permit this subject to any conditions.

In the event that there is a request to take a record of a person's statement pursuant to paragraph one, if the person who orders the imposition of the penalty, after consideration, is of the view that such evidence is required for the benefit of the appeal, he or she shall permit the person's statement to be recorded anonymously.

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Article 28. A Student who is appealing has the right to object to any member or members of the Student Disciplinary Appeals Committee, if such person has any of the following causes:

- (1) knowing of the events in the action that is the subject of the appeal;
- (2) having an interest at stake in the action that is the subject of the appeal;
- (3) having a cause to be angry with the student who is appealing;
- (4) being a spouse, ascendant, descendant, or sibling or having the same mother or father as the accuser or the person who ordered the imposition of the penalty; or
- (5) having another reason that may harm the justice of the appeal decision.

The objection to the member of the Student Disciplinary Appeals Committee shall indicate the facts that are the cause of the objection in the written appeal, or may be reported supplementarily in writing before the Student Disciplinary Appeals Committee commences its consideration of the matter under appeal.

When there is a cause or an objection pursuant to paragraph one, that member of the Student Disciplinary Appeals Committee may request to recuse himself or herself from consideration of the matter under appeal. If that member of the Student Disciplinary Appeals Committee does not request to recuse himself or herself, the President of the Student Disciplinary Appeals Committee shall consider the facts of the objection, and if he or she is of the view that the facts are credible, he or she shall inform that member of the Student Disciplinary Appeals Committee and shall not allow the member to be included in the consideration of that matter, provided that if the President of the Student Disciplinary Appeals Committee, after consideration, is of the view that allowing that member of the Student Disciplinary Appeals Committee to be included in consideration of that matter would be of greater benefit, because truth and justice may come from authorising that member of the Student Disciplinary Appeals Committee to be included in considering the appeal, he or she may do so.

Article 29. For benefit in calculating the period of time of an appeal, it will be deemed that the day on which a Student who signs his or her name acknowledging the order imposing a penalty is the day on which he or she is informed of the order imposing the penalty.

If a Student on whom a penalty is imposed refuses to sign his or her name acknowledging the order imposing the penalty, and the person notifying the Student has notified the Student on whom the penalty is being imposed of the order imposing the penalty, together with having delivered a copy of the order imposing the penalty to the Student on whom the penalty is being imposed, the person who has the duty of notifying the Student of the order imposing the penalty shall record the day, month, year, time, and place where he or she notified the Student, and shall sign the name of the person notifying the Student together with any eye witness as evidence, and it will be deemed that the day on which he or she notified the student is the day on which the student on whom the penalty is being imposed acknowledged the order imposing the penalty.

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If the Student on whom a penalty is being imposed may not be notified directly to sign his or her name acknowledging the order imposing the penalty, he or she shall be notified in writing by registered post containing copies of the order imposing the penalty, to the address of the Student on whom the penalty is being imposed as it appears according to official evidence. Two copies of the order imposing the penalty shall be sent, one copy for the Student on whom the penalty is being imposed to retain, and one copy for the Student on whom the penalty is being imposed to sign and write the day, month and year on which he or she acknowledges the order imposing the penalty, and to send back in return to be kept as evidence. In such a situation, after the expiry of 30 days from and including the day that appears on the registered postal receipt showing that the Student on whom the penalty is being imposed received the document, or a person received it on his or her behalf, notwithstanding that the copy of the order imposing the penalty that the Student on whom the penalty is being imposed signed and wrote the day, month and year on which he or she acknowledged the order imposing the penalty has not been returned, it will be deemed that the Student on whom the penalty is being imposed has acknowledged the order imposing the penalty.

Article 30. An appeal shall be made in writing to the President of the Student Disciplinary Appeals Committee by submitting or sending a written appeal, which may be done by submitting or sending it directly to the President of the Student Disciplinary Appeals Committee or via the head of the Division that the Student who is appealing belongs to, and the head of that Division shall proceed in accordance with Article 31.

In the event that the person bringing a written appeal comes to submit it, the person receiving the written appeal shall issue a receipt in writing to the person submitting the appeal, and shall register the receipt of the written appeal as evidence on the day on which the written appeal was received in accordance with the archival system of the University, and it will be deemed that the day on which the written appeal was received according to this evidence is the day on which the written appeal was submitted.

In the event that a written appeal is sent by registered post with a receipt, it will be deemed that the day on which the postal certificate of delivery is issued is the day on which the written appeal was submitted, and when the written appeal is received, the person receiving the written appeal shall proceed to issue a written receipt and register the receipt of the written appeal as evidence on the day on which the appeal was received in accordance with the archival system of the University.

When a written appeal has been submitted or sent, the Student who is appealing may submit or send a declaration or supplementary documentary evidence before the Student Disciplinary Appeals Committee makes its decision on the matter under appeal, by submitting or sending it directly to the President of the Student Disciplinary Appeals Committee.

Article 31. When the head of a Division receives a written appeal that has been submitted or sent pursuant to Article 30, that head of Division shall procure that the written appeal together with a copy of the evidence of the acknowledgement of the order of the Student

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who is appealing, the report of the investigation, and the report of the disciplinary proceedings, together with an explanation from the person who made the order and relevant documents, are sent to the President of the Student Disciplinary Appeals Committee during the 7 working days from and including the day on which the written appeal was received.

Article 32. For a matter under appeal to receive consideration, the matter under appeal is to be substantially correct pursuant to Article 26 and the Student Disciplinary Appeals Committee shall consider it promptly and in not more than 60 days calculated from and including the day on which the written appeal was received.

In the event that there is a problem as to whether any matter under appeal is a matter that is to receive consideration or not, the Student Disciplinary Appeals Committee will consider that decision, and report its resolution to the Student who is appealing for information promptly.

Article 33. A Student who is appealing may request to withdraw his or her appeal before the Student Disciplinary Appeals Committee finalises its decision, by making a request in writing to the President of the Student Disciplinary Appeals Committee. When the appeal has been withdrawn, consideration of the appeal will come to an end.

Article 34. Regarding consideration of an appeal, the Student Disciplinary Appeals Committee shall consider the report of the investigation, or shall consider the disciplinary proceedings at the lower level, and in the event that it is necessary and justifiable, it may request additional documents and evidence from a relevant person or agency as a part of its consideration.

In the case of that a student who is appealing requests to make an oral declaration, if the Student Disciplinary Appeals Committee, on consideration, is of the view that the making of an oral declaration is not necessary for its consideration of the decision on the appeal, it may cancel the oral declaration.

In the case that there is an appointment for the student who is appealing to make an oral declaration to the Student Disciplinary Appeals Committee, the person who issued the order imposing the penalty shall be informed that, if he or she wishes to make a declaration, he or she may come to make a declaration to the meeting on that occasion, and advanced notice shall be given as appropriate to the situation, and, for the benefit of making such a declaration, the person who issued the order imposing the penalty, or his or her representative, may attend to listen to the oral declaration of the student who is appealing.

Article 35. When the Student Disciplinary Appeals Committee, on consideration, has made a decision on the appeal, it shall make one of the following resolutions:

(1) If it is of the view that the order is correct and appropriate for the offence, it shall make a resolution to dismiss the appeal.

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(2) If it is of the view that the order is incorrect and/or not appropriate for any of the offences, it shall make a resolution amending the order to make it correct and appropriate, provided that it may not increase the severity of the penalty.

(3) If it is of the view that it is justifiable to proceed otherwise to ensure justice or legal correctness, it may make a resolution to proceed in accordance with what is appropriate to the situation.

In the event that there are Students who are subject to an order imposing a penalty for an act that was committed jointly, and it is an offence in the same matter, with behaviour in the same manner in committing the act, when any one of the Students uses his or her right to appeal the order imposing the penalty and the result of the consideration is in favour of the Student who is appealing, notwithstanding that the other Students have not used their right to appeal, if the behaviour of the Students who did not use their right to appeal is of the same character as in the case of the Student who is appealing, the Committee shall make a resolution so that the Students who did not use their right to appeal receive consideration with the same favourable result as the Student who is appealing.

Article 36. When the Student Disciplinary Appeals Committee has made a resolution pursuant to Article 35, the President of the Student Disciplinary Appeals Committee shall inform the Rector and the Student who is appealing, and shall inform the person who issued the order imposing the penalty in order to proceed according to the decision of the Student Disciplinary Appeals Committee promptly.

Chapter 6

Transitional Provisions

Article 37. In the event that there are disciplinary proceedings underway or an appeal against a penalty has been submitted prior to the coming into force of these Regulations, proceedings will be in accordance with the Thammasat University Regulations on Student Discipline B.E. 2547 (2004) until the proceedings are concluded, provided that any provisions of these Regulations that are favourable to a Student will be used in place of those provisions.

Announced on 8 July B.E. 2564 (2021)

[Signature]

(Adjunct Professor Noranit Setabutr)
President of the University Council

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