

KINGDOM OF THAILAND

The Occupational Safety, Health And Environment Act B.E. 2554 (A.D. 2011)

The OCCUPATIONAL SAFETY, HEALTH AND ENVIRONMENT ACT B.E. 2554 (A.D. 2011) was granted the approval and published in the Governmental Gazette on January 17th, 2011 and effective on July 16th, 2011. This Act is aimed to elevate Thailand's occupational safety, health and environment management standard for the better working life of all workman.

The OCCUPATIONAL SAFETY, HEALTH AND ENVIRONMENT ACT B.E. 2554 (A.D. 2011) consist of 8 chapter:

- Chapter 1 General Provision
- Chapter 2 Administration, Management and Operation on Occupational Safety, Health and Environment
- Chapter 3 Occupational Safety, Health and Environment Committee
- Chapter 4 Control, Supervision and Administration
- Chapter 5 Safety Inspector
- Chapter 6 Occupational Safety, Health and Environment Fund
- Chapter 7 Occupational Safety, Health and Environment Promotion Institute
- Chapter 8 Penalty Provisions



Who involved with this ACT?

Employer , Employee , Subcontractor , Executive , Supervisor , Safety officer , Occupational Safety health and Environment Committee , person or juristic person who to render services on occupational safety and health , specialist , owner or an letter of the building, premise, tool, machinery, equipment or rental articles , government agency etc.

Therefore, the OSH Act shall be applied in all genres of establishments and agencies resulting in the comprehensive protection of Thai workforce on OSH matters.

Employer

“Employer” means an Employer under the labour protection law and also entrepreneur who allows any person to work for or to provide benefit for/or in an establishment, whether the working or providing some benefit in part or as a whole or a part of production process or business under responsibility of the entrepreneur.

Duty of Employer

An Employer is obligated to provide and keep an Establishment and an Employee in safe and hygienic working conditions and environment including to support and

promote an operation of the Employee preventing the Employee from any harm on life, physique, mentality and health

The OSH Act allow employer to have right to carry on operation on occupational safety , health and environment on the rental building and equipment.

"Whereas an Employer rents a building, premise, tool, machinery, equipment or any others to be used in an establishment, the Employer shall have powers to carry out an operation on occupational safety, health and environment involving with the rental building, premise, tool, machinery, equipment or any others in accordance with the standards as prescribed in the Ministerial Regulation.

This operation shall not have the right of an owner or an operator of the building, premise, tool, machinery, equipment or rental articles in order to claim for any damages or compensation and to terminate a rental contract."

Employee

"Employee" means an Employee under the labour protection law and also a person who is allowed to work or to provide benefit for or in an establishment of an Employer, regardless of the name used.

Duty of Employee

- Cooperate with employer in manage and operate the occupational safety, health and environment.
- Maintain the working environment according to the standards as prescribed in the Ministerial Regulation
- Report the defect or damage that can cause unsafe condition to a Safety Officer, a Supervisor or an Executive
- Wear the personal protective equipment where required throughout the working period and maintain in good condition.

Penalty provision

The OSH ACT has penalty for both employer and person who fail to comply with the law .

- The maximum punishment: imprisonment of not more than two years or a fine not exceeding eight hundred thousand Baht or both.
- The minimum punishment: a fine of not exceeding forty thousand Baht

Occupational Safety, Health and Environment Fund (the OSH Fund)

The OSH Fund shall serve as funding for OSH operations and activities such as OSH promotion campaigns/projects, OSH research and development, and loans for the OSH improvement of establishments.

The OSH Fund shall be directed by the OSH Fund Administration Committee which comprises of fifteen committee members; from governmental sectors, employer representatives and employee representatives.

Occupational Safety, Health and Environment Promotion Institute

The Institute is responsible for promoting and supporting errands concerning occupational safety, health and environment in Thailand. The powers and duties of the Institute as follows:

1. To promote and solve problems concerning with occupational safety, health and environment;
2. To develop and support the preparation of standards to promote occupational safety, health and environment;
3. To operate, promote, support and jointly operate with agencies on occupational safety, health and environment, both from public and private sectors;
4. To arrange a research, study on promotion of occupational safety, health and environment, both on personnel and technical development;
5. Any other powers and duties as prescribed by the law.

Duty of Government agency

The OSH Act shall not be enforced on government agencies ,however, it prescribes that the government agencies render OSH standards on occupational safety and health management as such standards shall not be lower than stipulated by this Act.

Download Occupational Safety, Health and Environment Act (full English version)

Occupational Safety, Health and Environment Act [!\[\]\(aa53ad6fea213b8b2226d3077e30533a_img.jpg\)](#)

Ministerial Regulation of Ministry of Labour under OSHE Act

2011

(To Cancel All OSH Ministerial Regulations issued during 1972-1997)

1. Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Work Environment in Confined Space B.E. 2547 (A.D.2004)
[Download](#)
2. Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Work Environment In Relation to Ionizing Radiation B.E. 2547 (A.D. 2004)
[Download](#)
3. Ministerial Regulation on The Prescribing of Criteria and Method of Conducting Health Check up of Employees and Forwarding The Results of Health Check up to Labour Inspector B.E. 2547 (A.D.2004)
[Download](#)
4. Ministerial Regulation on Prescribing the Standards of Administration and Management of Occupational Safety, Health and Environment in Relation to Diving Work B.E. 2548 (A.D. 2005)
[Download](#)
5. Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Work Environment in Relation to Heat Light and Noise B.E. 2549 (A.D. 2006)
[Download](#)
6. Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Work Environment B.E. 2549 (A.D. 2006)
[Download](#)
7. Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Work Environment for Construction Work B.E. 2551 (A.D. 2008)
[Download](#)
8. Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Work Environment for Machinery, Derrick and Boiler B.E. 2552 (A.D. 2009)
9. Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Work Environment ; 2nd Issue

(OSH-MS) B.E. 2553 (A.D. 2010)

10. Ministerial Regulation on the Prescribing of Standard for Administration, Management and Performance of Occupational Safety, Health and Work Environment in Relation to Fire Protection and Prevention B.E. 2555 (A.D. 2012)

11. Ministerial Regulation on the Prescribing of Standard for Administration, Management and Performance of Occupational Safety, Health and Work Environment in Relation to Hazardous Chemical B.E. 2556 (A.D. 2013)

12. Ministerial Regulation on the Prescribing of Criteria for Qualifying OSH Training Agency B.E. 2556 (A.D. 2013)

13. Ministerial Regulation on the Prescribing of Standard for Administration, Management and Performance of Occupational Safety, Health and Work Environment in Relation to Electricity B.E. 2558 (A.D. 2015)

Other key legislation that considerably related to occupational safety and health includes:

The Factories Act (1992) administered by the Ministry of Industry, for the controlling of factories establishment and their operations.

The Public Health Act (1992) administered by the Ministry of Public Health, for the controlling of activities those can be harmful to health.

The Hazardous Substances Act (1992) jointly administered by the Ministry of Industry, the Ministry of Public Health and the Ministry of Agriculture, for controlling the use of hazardous substances.

OSH Standards

A remarkable recent development in OSH in Thailand is the establishment of Thai Industrial Standard for Occupational Health and Safety Management System (OHS-MS) or TIS 18000. This standard is based on British Standard, BS 8800 (1996): Guide to Occupational Health and Safety Management Systems. This standard has been formulated by the joint collaboration of the Ministry of Industry and the Ministry of Labour. Currently, there are 2 series of standard:

- TIS 18001 – Occupational Health and Safety Management System: Specification
- TIS 18004 – Occupational Health and Safety Management System: Technical Guides on Implementing OHS-MS

The key objectives of this standard are:

- To minimize the risk among workers and concerned persons

- To enhance the organization's work performance and effectiveness
- To express responsibilities of the organization to the public

ASEAN OCCUPATIONAL SAFETY AND HEALTH NETWORK (ASEAN-OSHNET)

Ministry of Labour, Thailand

Occupational Safety and Health Division
Department of Labour Protection and Welfare
Ministry of Labour, Thailand