

## Rehabilitation of Disabled Persons Act, B.E.2534 (1991)

Translation

BHUMIBOL ADULYADEJ REX.

Given on the 20th day of November B.E.2534 (1991)

Being the 46th year of the Present Reign

His Majesty King Bhumibol Adulyadej has been graciously pleased to proclaim that  
Whereas it is expedient to enact the Law for Rehabilitation of Disabled Persons  
BE IT THEREFORE ENACRED BY THE KING, by and with the advice and consent of the  
National Legislative Assembly, as follows:

### Section 1

This Act shall be called. "Rehabilitation of Disabled Persons Act, B.E.2534 (1991)"

### Section 2

This Act shall come into force as from one hundred and eighty days following the date of its publication in the Government Gazette.

### Section 3

All other laws, regulations and rules in so far as they deal with the matters governed by this Act or are inconsistently with the provisions of this Acts, shall be replaced by this Act.

### Section 4

In this Act,

"Disabled Person" means a person with physical, intellectual or psychological abnormality or impairment as categorized and prescribed in the Ministerial Regulations.

"Rehabilitation of Disabled Persons" means the improvement of the potentials and capacities of disabled persons through medical, educational, and social methods, and vocational training in order to provide them the opportunities to work or lead their lives equal to that of the non-disabled.

"Committee" means the Committee for the Rehabilitation of Disabled Persons.

"Minister" means the Minister in charge of the enforcement of this Act.

### Section 5

There shall be a Committee for the Rehabilitation of Disabled Persons consisting of Minister of Interior as Chairman, and the Permanent Secretaries to the Ministries of Defense, Interior, Education, Public Health, and University Affairs, the Director of the Budget Bureau, the Director-Generals of the Departments of Medical Services, Public Welfare, General Education and not more than six other qualified persons appointed by the Minister, as Members.

The Head of the Office of the Counting for Rehabilitation of Disabled Persons shall be a secretary and the Committee shall have the power to appoint not more than two officials, from the Department of Public Welfare as its assistant secretaries.

The Minister shall appoint the qualified person, as prescribed in paragraph one, from among the disabled persons who are the representatives of the organizations associating with disabled persons, not less than two persons.

### Section 6

The committee shall have the following power and duties to:

- (1) propose and recommend to the Minister on policies and plans concerning the assistance, development and rehabilitation of disabled persons for submission to the Cabinet for approval and designate the concerned governmental organizations for further implementation in compliance with their respective authorities.
- (2) give advice, suggestions and opinions relating to the enforcement of this Act to the Minister.
- (3) support and promote the assistance, development, and rehabilitation of disabled persons undertaken by the concerned governmental and non governmental organizations, by providing technical and financial assistance, facilities or services as considered appropriate.
- (4) prepare projects to assist, develop and rehabilitate disabled persons
- (5) approve programs or projects utilizing the Fund for Rehabilitation of Disabled persons and set the rules and regulations pertaining to management and disbursement of such Fund.
- (6) set rules, regulations and ordinances within the purview of assistance, development and rehabilitation to ensure compliance with this Act.
- (7) carry out other tannest as designated by the Minister.

#### **Section 7**

The qualified Committee Members shall hold office for a term of two years.

Members who vacate office at the end of term may be re-appointed.

#### **Section 8**

In addition to the retirement at the expiration of the term of office according to Section 7, the qualified Committee Members shall vacate office upon

- (1) death
- (2) resignation
- (3) being a bankrupt
- (4) being an incompetent person
- (5) being imprisoned by a final judgment of imprisonment for an offense committee through negligence or a petty

#### **Section 9**

In case any qualified Committee Member is appointed at the time the former ones are still in office, whether an additional appointment or an appointment to fill up the vacant position, the Member so appointed shall retain his/her office either during such time only as the already appointed Members or the Members whom he/she replaced were entitled to retain the same, as the case may be.

#### **Section 10**

At the meeting of the Committee, the presence of not less than half of the committee members is required in order to constitute a quorum. If the chairman is not present at the meeting, the Members shall elect one among themselves to chair the meeting.

Ruling and decisions of the meeting shall be by majority of votes. One Committee Member shall have one vote. In case of equality of votes, the Chairman of the meeting shall be entitled to a second or casting vote.

#### **Section 11**

The Committee shall have the power to appoint one or more Sub-committee to consider or undertake any matter assigned by the Committee.

Each Sub-committee shall consist of not less than one member who is a disabled person registered in accordance with Section 14.

The provisions of Section 10 shall apply *mutatis mutandis* to the meeting of the Committee.

### **Section 12**

The Office of the Committee for Rehabilitation of Disabled Persons shall be established in the Department of Public Welfare, Ministry of Interior, having authorities to assist, develop and rehabilitate disabled persons including the following power and duties to:

- (1) coordinate and cooperate with the relevant go and non governmental organizations both within and outside the country in the undertakings relating to rehabilitation of disabled persons and ensure them their entitlement to assistance as stipulated in Section 15.
- (2) collect and retrieve information pertaining to disabled persons for disability prevention, treatment and rehabilitation.
- (3) prepare programs relating to disability prevention, treatment and rehabilitation of disabled persons for submission to the Committee.
- (4) initiate and accelerate the promotion of activities for disabled persons.
- (5) arrange training, for personnel working in assistance, development and rehabilitation of disabled persons, by cooperating with relevant government and non-governmental organizations.
- (6) promote occupations and find employment for disabled persons who have been rehabilitated.
- (7) act as a center for technical dissemination and publicizing activities associated with disabled persons
- (8) compile analytical and research results, implement, monitor and follow up policies and programs for assisting, developing and rehabilitating disabled persons undertaken government and non governmental organizations and further report to the Committee.
- (9) comply with the resolutions of the Committee or as assigned by the Committee.

### **Section 13**

The office of the Committee for Rehabilitation of Disabled Persons under Section 12 shall be the central registration office for disabled persons in Bangkok as well as other provinces, with the Head of the Office functions as the Central Registrar. The Provincial Public Welfare Office in every province shall also be the registration office for disabled persons in the respective provinces, with the provincial Public Welfare Officer junctions as the Provincial Registrar.

### **Section 14**

Any disabled person wishes to avail him/herself the right to assistance, development and rehabilitation under this Act shall submit an application for registration to the Central Registrar at the Office of the Committee for the Rehabilitation of Disabled persons or to the provincial Registrar at the provincial public Welfare Office in the province of his/her domicile.

In case the disabled person is a minor, a quasi-incompetent or incompetent person, or a severely disabled to the extent that registration by him/herself is not possible, his/her guardian custodian or caretaker, as the case may be, may submit the application for registration on his/her behalf.

Besides, such person has to be present along with or documentary evidence certifying that he/she is disabled has to be submitted to the Central Registrar or the Provincial Registrar, as the case may be.

Registration, determination, changing or renunciation of the rights by disabled persons shall comply with the criteria, procedures and conditions set forth in the rules and regulations prescribed by the Committee.

### **Section 15**

Disabled person who has been registered in accordance with Section 14 shall be entitled to the following development and rehabilitation:

- (1) Medical rehabilitation services, expenses for medical treatment, aids and equipment for rehabilitating physical, mental or psychological conditions or for improving capacities as prescribed in the Ministerial Regulations
- (2) Education in consonance with the vocational or university education under the National Education Plan as considered appropriate. Such education may be provided in the special school or through mainstreaming in the ordinary school whereby the Center for Innovation and Technology attached to the Ministry of Education shall provide support as deemed appropriate.
- (3) Advice and consultation relating to occupation and vocational training appropriate to their physical conditions and potentialities so as to ensure their potentials to work.
- (4) Entitle to participation in social activities and access to various facilities and services essential to them.
- (5) Government lawsuit services and contact with governmental organizations.

### **Section 16**

There shall be a fund called 64 A Fund for Rehabilitation of Disabled Persons set up in the Office of Committee for the Rehabilitation of Disabled Persons to serve as the revolving capital for expenses incurred in the implementation and provision of assistance to disabled persons and support of the institutions providing medical, educational, social rehabilitation and vocational training; including the Center or Innovation and Education Technology and organizations concerned with disabled persons.

The Fund of Rehabilitation of Disabled Persons shall comprise the following moneys and properties

- (1) government grants
- (2) donated money or property from the public, jurist entities or organizations, both within and outside the country, or those derived from organizing activities
- (3) other income

The monies and other properties prescribed in paragraph two shall be put into the Fund without having to be remitted to the treasury as Government revenue.

The pursuit of gain and the expanding of the Fund shall comply with the rules and regulations prescribed by the Committee with approval of the Ministry of Finance.

### **Section 17**

In order to protect and assist disabled persons, the Minister shall have the power to issue the Ministerial Regulations prescribing

- (1) The characteristics of the buildings, sites, vehicles or other public services requiring installment of equipment to directly facilitate disabled persons.
- (2) The employers or owners of private companies shall employ disabled persons suitable to the nature or work at an appropriate ratio with other employees.

In case any employer or owner of private company does not wish to employ disabled persons at the ratio prescribed, he/she may apply to contribute to the Fund as stipulated in Section 16 at the rate specified in the Ministerial Regulations instead of employing disabled persons.

## **Section 18**

An owner of a building, site, vehicle or a service provider who provides equipment to directly facilitate disabled persons as stipulated in Section 17 (1) is entitled to deduct double the expenses incurred for such purpose from the net income or net profit of the year during which those expenses were incurred, as the case may be, in accordance with the Revenue Code.

Any employer or owner of private company who employs disabled persons in accordance with Section 17 (2) is entitled to deduct the wages paid to such persons as expenses specified in the Revenue Code in an amount equal to twice the amount actually paid.

## **Section 19**

During the period that the Office of the Committee for Rehabilitation of Disabled Persons has not been established within Department of Public Welfare in accordance with Section 12, Department of Public Welfare shall have authorities under Section 12 and Section 13.

## **Section 20**

The Ministers of Ministries of Interior, Education and Public Health shall be in charge of the enforcement of this Act and shall have the power to issue Ministerial Regulations to ensure compliance with this Act in with their respective authorities. Such Ministerial Regulations shall come into force upon being published in the Government Gazette.

Countersigned by

Mr. Anand Panyarchun

Prime Minister

**Remarks:** The rationale for promulgation of this Act is:

Although disabled persons are a part of national resources, their disabilities often hamper their living, occupation and participation in social activities, it is deemed appropriate to support and promote disabled persons to have opportunities, lead their lives, work and participate in social activities equal to that of the "able-bodied". In this respect, it is deemed expedient that disabled persons be protected, assisted, developed and rehabilitate through medical, educational, social rehabilitation and vocational training; that existing problems be solved and economic and social barriers be removed for them; and that the society be promoted to be conducive to and to rehabilitate these disabled persons.

The Rehabilitation of Disabled Persons Act has passed on authorities and partial administrative duties of Ministry of Interior to Ministry of labor and Social Welfare B.E. 2536 (1993) Special Edition page 5 Volume 110 part 99 the Royal Gazette 25 July B.E. 2536.(1963)

### **Disclaimer**

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