

**ANNOUNCEMENT OF THE MINISTRY OF PUBLIC HEALTH
ON
CRITERIA, METHODS AND CONDITIONS GOVERNING MEDICAL CERTIFICATES OF SEAFARERS
INDICATING THE HEALTH PREPAREDNESS FOR ONBOARD OPERATION**

By virtue of Section 5 and Section 18 of the Maritime Labour Act B.E.2558, the Minister of Public Health has prescribed the criteria, methods and conditions on the issuing and presenting of medical certificates of seafarers, as follows:

Clause 1 This Announcement shall enter into force as from the date following the date of its publication in the Royal Gazette onwards.

Clause 2 In this Announcement:

(1) “Physician” means a person who has been registered and licensed as a medical practitioner by the Medical Council of Thailand and received the seafarer health examination training program certified by the Ministry of Public Health and registered with agencies as prescribed by the Ministry of Public Health appended hereto;

(2) “Sanatorium” means a sanatorium under the Sanatorium Act B.E.2541 and a sanatorium registered as per the criteria prescribed by the Ministry of Public Health;

(3) “Medical Certificate” means a document issued or certified by physician under (1) for confirmation of medical fitness of seafarers under the Maritime Labour Act B.E.2558;

(4) “Director General” means the Director General of the Department of Medical Services;

Clause 3 The Director General shall be in charge hereunder and shall be empowered to adjudicate and issue orders for operations to be in accordance herewith.

Clause 4 Health standard including standard of physical condition, standard of physical and mental health as per the standard prescribed and announced by the Department of Medical Services and in conformity with the Guidelines for Medical Examination of the International Labour Organization or the International Maritime Organization or the World Health Organization.

(1) Having the effective hearing, speaking and communication abilities, including the correct alarm signal hearing ability, the visual acuity, physical fitness, effective normal and emergency working ability;

(2) Having no illness, abnormality or dysfunction which may affect the efficiency and safety of regular and emergency operation;

(3) Having no symptoms of illnesses which tend to be more serious resulting from onboard operation and may be health hazardous or causing unpreparedness for operation or affecting health and safety of others;

(4) Not being under psycho-pharmacological therapy which has side effects on impairment of decision making, loss of balance or having other restrictions resulting in impairment of regular and emergency operation;

Clause 5 A seafarer physician committee shall be established consisting of not less than 11 members appointed by the Director General, including physicians with knowledge on standards of the International Labour Organization or the World Health Organization, and a civil servant of the Department of Medical Services shall act as the Secretary; whereas, the Committee shall have powers and duties relating to the determination of qualifications, criteria and method of certification, suspension and revocation of sanatorium, seafarer physicians and people assigned by the sanatorium to supervise and to be responsible for operation of the sanatorium relating to seafarer health checkup and determination of criteria and method of appeal.

Clause 6 The Director General shall be empowered to issue a certificate of sanatorium with the following characteristics to be an accredited sanatorium:

- (1) Having proper facilities and instruments for physical checkup, physical and mental health checkup;
- (2) Having enough physicians appointed under Clause 8;
- (3) Having the evaluation system of physical checkup, physical and mental health checkup;

Clause 7 The standard of characteristics under Clause 6 (1), (2), (3) shall be in accordance with those approved by the Director General as per the criteria proposed by the Seafarer Physician Committee.

Clause 8 A sanatorium accredited by the Director General shall be entitled to conduct a checkup for issuing of a seafarer medical certificate; whereas, the criteria and method of accreditation of sanatorium under Paragraph 1 shall be in accordance with the rules prescribed by the Director General.

Clause 9 An accredited sanatorium shall assign a person responsible for supervision of the sanatorium operation relating to the seafarer health checkup.

Clause 10 The Director General shall be empowered to appoint physicians who have the required knowledge and experience and having received the training on health checkup hereunder.

(1) The criteria and method of appointment of physicians under Paragraph 1 shall be in accordance with those prescribed by the Director General and with advice of the Seafarer Physician Committee.

(2) Certificate of appointment of physicians shall be in accordance with the Form prescribed by the Director General.

(3) The Director General shall provide registration for appointment of physicians under this Clause; whereas, the Director of the Medical Information and Communications Bureau, the Department of Medical Services shall act as the Registrar.

Clause 11 The physical checkup and the physical and mental health checkup for issuing of a medical certificate shall be conducted at an accredited sanatorium.

The physical checkup and the physical and mental health checkup shall be in accordance with the criteria and method as approved by the Director General as per the criteria proposed by the Seafarer Physician Committee.

Clause 12 An accredited sanatorium shall have duties, as follows:

(1) To provide and maintain health checkup instruments and equipment for issuing of a medical certificate;

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- (2) To provide attending physicians as accredited by the Director General;
 - (3) To conduct physical checkup and physical and mental checkup of applicants for checkup as per the criteria and method prescribed by the Director General under Clause 10 and to issue a medical certificate to recipients of health checkup;
 - (4) To supervise physicians under its attentive supervision to act in accordance with the criteria prescribed by the Director General;
 - (5) To evaluate the physical checkup and physical and mental checkup;
 - (6) To keep the data relating to the health checkup and issuing of medical certificate;
 - (7) To report the result of health checkup of applicants for medical certificates to the Director General on a monthly basis;
 - (8) To report the result of health checkup in cases of failure to pass or passing of evaluation with restrictions or conditions of performance of duties to the Director General within 3 days as from the date of acknowledging the result of health checkup;
 - (9) To report any misstatement in the application form for medical certificate to the Director General promptly;
 - (10) To provide the storage system of result of health checkup of all recipients of health checkup as per the form and period of time prescribed by the Director General;

The storage of data, the forms of reporting and period of reporting shall be in accordance with those prescribed by the Director General as per the criteria proposed by the Seafarer Physician Committee.

Clause 13 Regarding the physical checkup and physical and mental checkup, the attending physician shall comply with the rules of the accredited sanatorium and other duties as prescribed by the Director General.

Clause 14 A person wishing to receive a medical certificate shall submit an application thereof at a sanatorium accredited by the Director General and shall receive the health checkup at such accredited sanatorium.

The criteria and method of application and issuing of a medical certificate shall be in accordance with those prescribed by the Director General.

Clause 15 An accredited sanatorium shall issue a medical certificate to an applicant for medical certificate when the seafarer attending physician has conducted the health checkup and evaluated the health condition of the applicant for medical certificate as per the following criteria:

(1) In case, it appears that the evaluation result is in accordance with the standard of physical condition, standard of physical and mental health as prescribed in Clause 4 without restrictions of performance of duties (Fit for Sea Service with No Restrictions), then, a medical certificate shall be issued to the applicant without restrictions;

(2) In case, it appears that the evaluation result is in accordance with the standard of physical condition, standard of physical and mental health as prescribed in Clause 4 with conditions and restrictions of performance of duties (Fit for Sea Service with Restrictions), then, a medical certificate shall be issued to the applicant with restrictions or conditions of performance of duties, and it shall be empowered to prescribe shorter period of validity of medical certificate than those prescribed in Clause 16 as per opinions of the evaluating physician.

A medical certificate shall be displayed with the particulars in Thai and English languages, provided that other languages may also be given, and signed by the attending physician appointed by the Director General, using the printed form with significant particulars and criteria for health checkup as per the Form appended hereto.

Clause 16 An accredited sanatorium shall not issue a medical certificate to an applicant for medical certificate when the seafarer attending physician has conducted the health checkup and has evaluated the health condition of the applicant for medical certificate as per the following criteria:

(1) In case, it appears that the evaluation result is not in accordance with the standard of physical condition, standard of physical and mental health as prescribed in Clause 4 (Temporarily Unfit for Sea Service) and that, after having received the treatment, the health condition shall be recovered, then, the applicant for medical certificate shall be notified of the result thereof and shall undergo the health checkup for a new medical certificate before the period of time prescribed by the sanatorium;

(2) In case, it appears that the evaluation result is not in accordance with the standard of physical condition, standard of physical and mental health as prescribed in Clause 4 (Permanently Unfit for Sea Service), then, the applicant for medical certificate shall be notified of the result thereof.

In case, the sanatorium fails to issue a medical certificate to the applicant, then, such applicant shall be entitled to appeal to the Director General within 15 days as from the date of receiving the notification of result thereof.

Clause 17 An appeal committee shall be established consisting of not less than 3 members as appointed by the Director General, including not less than 2 physicians who have the required knowledge on standards of the International Labour Organization or the World Health Organization, 1 expert on administrative law, and a civil servant of the Department of Medical Services shall act as the Secretary; whereas, the Committee shall have powers and duties relating to the screening of appeals to be proposed to the Director General for adjudication of appeals. The Appeal Committee shall consider the appeals and may order the appellants to receive the additional checkup; and the Appeal Committee shall report the result of consideration, including reasons thereof to the Director General whether medical certificates may be issued to applicants with conditions or restrictions or medical certificates may not be issued to applicants.

Appeal and appeal procedures under Paragraph 1 shall be in accordance with the criteria and method as prescribed by the Director General, with advice of the Seafarer Physician Committee.

In case, the Director General has considered the appeal and deemed it expedient to issue a medical certificate to the appellant; whereas, the attending physician or a physician as assigned by the Seafarer Physician Committee shall issue a medical certificate to the appellant.

Clause 18 During the period of validity of a medical certificate, the holder of medical certificate may perform duties as usual; but when any or several of the following cases occurred:

(1) Defective competency of hearing, speaking and communication in an efficient manner, including the correct alarm signal hearing ability;

(2) Having illness, abnormality or defective competency which affected the efficiency and safety of regular and emergency operation;

(3) Having symptoms of illness which tend to be more serious resulting from onboard operation and may be health hazardous or causing unpreparedness for operation or affecting health and safety of others, or being under psycho-pharmacological therapy which has side effects on impairment of decision making, loss of balance or having other restrictions resulting in impairment of regular and emergency operation;

Then, the holder of medical certificate shall cease the performance of duties.

When the incidents under (1) (2) (3) were terminated and the holder of medical certificate has received the examination and certification from the physician, then, the holder of medical certificate may continue the performance of duties.

Clause 19 A medical certificate shall be valid for not exceeding 2 years as from the date of issuing thereof, except, in case of issuing thereof to a person aged under 18, such medical certificate shall be valid for not exceeding 1 year.

Clause 20 In case, a medical certificate has expired during the ship voyage, such medical certificate shall still be valid until arriving at a port where a physician can conduct health checkup and issue a medical certificate; provided that such period shall not exceed 3 months as from the expiry date of such medical certificate.

Clause 21 In case of emergency, the Director General or his designated person may allow ship crews to work onboard and to hold such expired medical certificate until arriving at a port where a physician can conduct health checkup and issue a medical certificate, thus, for not exceeding 3 months.

Clause 22 The Director General shall be empowered to order suspension or revocation of an accredited sanatorium when:

(1) Breaching or failing to comply with duties prescribed in Clause 12 (1) (2) (3) and (4);

(2) Breaching or failing to comply with duties prescribed in Clause 12 (7) for a total period of exceeding 3 cycles of reporting;

(3) Issuing of a medical certificate without complete checkup as per standard or actual health condition;

Provided that it shall be considered as per advice of the Seafarer Physician Committee

Clause 23 The Director General shall be empowered to suspend or revoke the certification of the attending physician upon the breach or non-performance of duties under Clause 13 as per advice of the Seafarer Physician Committee.

Clause 24 A medical certificate issued under the law of other state parties with the standard of issuing for not lower than those prescribed under the Maritime Labour Convention 2006, shall be used as a medical certificate issued hereunder.

Clause 25 A seafarer medical certificate issued by the Marine Department prior to the date of promulgation hereof shall still be valid until such medical certificate shall expire.

Clause 26 During the transfer of mission of issuing of seafarer medical certificate from the Marine Department to the Department of Medical Services, the procedures or processes of issuing of a seafarer medical certificate for the management by the Marine Department as well as sanatoriums and physicians registered with the Marine Department shall still be valid for 6 months as from the date of promulgation thereof.

Announced on this 13th day of June 2016

Mr. Piyasakon Sakonsattayatorn
Minister of Public Health

APPENDIX TO THE ANNOUNCEMENT OF THE MINISTRY OF PUBLIC HEALTH

**SUBJECT: CRITERIA, METHODS AND CONDITIONS GOVERNING SEAFARER
MEDICAL CERTIFICATE FOR CONFIRMATION OF MEDICAL FITNESS OF
SEAFARERS FOR ONBOARD OPERATION**

QUALIFICATIONS OF SANATORIUM

A sanatorium shall:

1. Be a sanatorium under the Sanatorium Act B.E.2541
2. Have the registration of sanatorium as prescribed whether during the suspension or revocation of registration
3. Have at least 1 physician having received training on maritime labour health checkup
4. Have the health checkup instruments, as follows:
 1. Vision tester and visual field tester
 2. Audiometric test room
 3. Ishihara colour blindness test plate
 4. X-ray machine
 5. Ophthalmoscope and knee jerk tester
 6. Urine analyzer (U/A) and complete blood count analyzer
 7. Other instruments as prescribed and announced by the Medical Committee
5. Having a person responsible for management of health checkup and issuing of seafarer medical certificate particularly under the Maritime Labour Act B.E.2558
6. Having online system for maritime labour health checkup

Qualifications of Physicians Issuing a Medical Certificate to Seafarers

Physicians shall have qualifications, as follows:

1. Shall be registered as a medical practitioner with the Medical Council of Thailand and shall not be during the suspension or revocation of medical license;
2. Shall work at a sanatorium accredited as sanatorium hereunder;
3. Shall have specialized knowledge and abilities on maritime labour health checkup and evaluation relating to maritime operation, with particular training programs on certification of seafarer physical fitness and passed the test as per the prescribed criteria;
4. Shall be registered as a physician hereunder and the certification shall not be cancelled hereunder;
5. Shall conduct the checkup and certification as per the procedures, processes, patterns and conditions as prescribed by the Seafarer Physician Committee.
6. Shall hold a medical license hereunder with the validity period of 5 years;

Documents Relating to the Issuing of Seafarer Medical Certificate

Documents relating to the issuing of seafarer medical certificate and form of medical records relating to seafarer health checkup shall include:

1. Form of recording of data relating to the illness of seafarers as per the form issued by the Ministry of Public Health appended hereto, consisting of 2 parts of data:

1.1 Records of illness of seafarers and

1.2 Record of health checkup by the competent physician

Such data shall be kept at the sanatorium as medical personal data.

2. Form of medical certificate as prescribed by the Ministry of Public Health which can be downloaded as per the application in the system, and shall be given with the medical certificate number as issued by the Ministry of Public Health through the online system, Maritime Labour Law Section of the Department of Medical Services, as per the Form appended hereto;

3. Medical certificate shall be issued in 3 sets; whereas, the original thereof shall be given to the seafarer who has received the health checkup, Set No.2 thereof shall be kept at the sanatorium, and Set No.3 thereof shall be sent to the Ministry of Public Health;

Criteria for health checkup and issuing of certificate of medical fitness of seafarers, including:

1. The standard of sight shall be as follows:

- Measuring of sight distance by using “Snellen Test” or equivalent

- Short distance vision measured by means of reading of alphabets

- Colour blindness checked by using Ishihara colour blindness test plate or equivalent;

- Visual field measured by Confrontation Test such as Donders, etc.

- Definitions of night vision measured by the ophthalmological process and by other prior methods of testing or by the low-contrast vision test

- Test when wearing the visual aids and sight adjustment with “passed” result;

- To be in accordance with Table A 1/9;

2. The standard of hearing shall be as follows:

- Can be hearing at the average of 30 decibels without the hearing aids in the ear of better hearing capacity and can be hearing at the average of 40 decibels without the hearing aids in the ear of worse hearing capacity at 500, 1,000, 2,000 and 3,000 Hertz;

Tested by the pure tone audiometer; other testing methods with measuring and calibration with the said method are acceptable.

- Test when wearing the hearing aids with “passed” result;

3. Requirements of physical fitness

Physical capacity for sea service; in case, the physician has doubts on physical capacity, the physician may send the seafarer for health checkup, as follows:

- Strength

- Flexibility

- Balance and coordination

- Body size compatible with the access to limited areas

- Motor abilities considered from the capacities of heart and the breathing system

- Fitness to work requiring the use of respirators