



## Legal Update Week 41-42 (8 – 21 October 2018)

Dear All,

### Thailand legal news

- **10 October 2018:**
  - Ministry of Social Development revealed that 1,484 (11.18%) private-sector employers did not conform to Disabilities Act in hiring persons with disabilities or paying subsidies to the fund.
- **12 October 2018:**
  - After the Draft on Cruelty Prevention and Welfare of Animals Act was approved (on 10 October 2018) and came to serious argument, the Ministry of Agriculture agreed to demote such draft act to revise and reconsider about pet registration fee (THB 450) and fine (THB 25,000) to reduce burden of pet owner.
- **17 October 2018:**
  - Minister of the Labour Department invited university representatives to confer on the draft Min. Reg. about safety officers in establishment on 18 October 2018, after Article 13(4) which allowed people who are not educated from occupational health and safety field to be safety officers was objected.
- **19 October 2018:**
  - The NLA tended to approve Draft Act amending the Revenue Code (No. ..) B.E. .... on Nation e-Payment Master Plan which will help preventing corruption and illegal trading. In addition, the major matter is to include online stores to the tax system by monitoring their incomes. Financial institutes and online payment service providers shall report information of a person with the following transactions;
    1. Deposit or receive transferred money 3,000 times (or above) per year (all accounts included); or
    2. Deposit or receive transferred money 200 times (or above) per year (all accounts included) and sum amount of those transactions starting from THB 2 million per year.

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The report shall be made to the Director-General of the Revenue Department in March 2020 (Tax year 2019: Jan-Dec 2019).

- **21 October 2018:**

- Ministry of Digital Economy and Society prepared to set 3 working parties (government entity, private entity, and civil society) within 2 weeks to confer and discuss on Draft Cyber Security Act B.E. ...., since this draft raised public concern that it might allow government to intervene personal information.

## New Cabinet resolutions

### 10 October 2018:

- **Approved Draft:** Draft on Cruelty Prevention and Welfare of Animals Act (No. ..) B.E. ...., significant changes upon **pet registration** and enforcement to help reduce stray cats and dogs, as well as entitled local administration to issue related regulations.
- **Approved Draft:** Draft on Financial Services Control Act B.E. ...., aimed to control retail loans in provincial areas businesses (Pico-finance) by setting fair fees and interest and other regulations.
- **Approved Draft:** Draft Royal Decree issued under the Revenue Code regarding revenue tax exemption (No. ..) B.E. .... (Tax measures improvement for International Headquarter), 4 drafts in total i.e. (1) ROH 1 and ROH 2 (2) IHQ (3) ITC (4) IBC.
- **Approved Draft:** Draft Electronic Transactions Act (No. ..) B.E. .... and Draft Electronic Transactions Development Office Act B.E. ...., in accordance with international standard.
- **Approved Principle:** Draft Insurance Act (No. ..) B.E. .... and Draft Non-Life Insurance Act (No. ..) B.E. ....
  - support electronic transactions.
  - insert additional provisions e.g. procedure, punishment, license, etc.

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## 16 October 2018:

- **Approved Draft:** Draft Chambers of Commerce Act (No. ..) B.E. ....
  - Adding the definition of “Trade Association”: including associations registered under other law with stipulated purposes.
  - Amending authorities of the chamber of commerce in relation with its obligation.
  - Cease of the chamber: setting votes proportion to  $\frac{3}{4}$  of all members.
  - etc.
- **Approved Draft:** Draft Trade Association Act (No. ..) B.E. ....
  - Using the word ‘trade association’ in front of the name.
  - Amending authorities of trade association.
  - Crease of the association: discretion of registrar.
  - etc.
- **Approved Principle:** Draft Copyright Act (No. ..) B.E. .... and being member of WIPO Copyright Treaty
  - WIPO Copyright Treaty protects works and rights of authors in the digital environment.
  - The new draft act provides copyright protection for photograph, covering lifetime of the author plus 50 years after his death, and adds technological measures to be harmonized with the treaty.

## Royal Gazette Update:

Date	Part	Subject
--	Ngor Piset	<b>Official announcement:</b> cease the use of copies of ID card and house registration. <ul style="list-style-type: none"><li>- Department of Foreign Trade. (21 Sep. 2018)</li><li>- The Revenue Department. (28 Sep. 2018)</li><li>- The Customs Department. (9 Oct. 2018)</li></ul>

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10 October 18	Gor	<ul style="list-style-type: none"><li>● Royal Decree issued under the Revenue Code regarding VAT reduction (No. 669) B.E. 2561, amend Royal Decree No. 646 B.E. 2560; <u>To maintain the VAT rate (6.3+0.7=7%) until 30 September 2562.</u></li></ul>
10 October 18	Gor	♥ The Workmen's Compensation Act (No. 2) B.E. 2561. Please see the Memorandum as attached.