



Legal Update Week 33 - 34 (13 – 26 August 2019)

- Highlights:** - First ruling on three competition cases since 1999
- Supportive measures for consumption and domestic investment
 - Contact for debt collection shall be limited to merely once a day

Thailand legal news

- **6 August 2019:**
 - The Trade Competition Commission (“**TCC**”) exercised its power under the new 2017 Trade Competition Act (“**TCA**”) for the first time since the TCC was established in 1999. The 3 rulings are as follows:
 1. **M-150**, as a dominant company of energy drink products, has been punished with THB 12 million fines for restricting competition and/or interfering with other companies, by setting conditions for its dealers not to sell any energy drink of the competitors’ brands, in exchange for supplying M-150 products;
 2. **Two middlemen in Mae Hong Son and Chiang Mai** have been punished with THB 25,000 fines for interfering with the prices of agricultural products (buying the products below price), and prohibiting other purchasers from purchasing in their areas; and
 3. **Lotus v. Carrefour in 2011:** Carrefour claimed that Lotus conducted an unfair competition aiming to destroy business of Carrefour, by unfairly inducing customers of Carrefour (giving privilege to Carrefour’s customers who subscribe for Lotus’s club card, etc.) which is a violation of Section 29 of the 1999 TCA (previous version) and subject to criminal punishment under the 1999 TCA. However, the criminal punishment has been repealed by the 2017 TCA, and replaced with the administrative fine. Since the change is in favor of the defendant (Lotus), the TCC will

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submit its opinion to cease the case against Lotus to the Office of the Attorney General for further consideration.

- **7 August 2019:**

- The Monetary Policy Committee of the Bank of Thailand agreed to decrease the policy interest rate from 1.75% to 1.50% per annum, effective immediately.

- **13 August 2019:**

- During 1 July 2018 – 12 August 2019, the Department of Employment (“**DE**”) has investigated 599,148 alien workers and found 7,826 cases of illegal workers (no work permit), which resulted in THB 35,552,900 fines. Working without a work permit or beyond the permitted scope of one’s work permit shall be subject to THB 5,000 – 50,000 fines and deportation.
*Reporting the case of illegal workers through DE hotline 1506 press 2.

- **20 August 2019:**

- The form of arrival and departure card (T.M.6) has been slightly changed by inserting Chinese and Hindi languages to the form to ease the tourists/travelers.

- **24 August 2019:**

- The Ministry of Digital Economy and Society prepared to propose to the Cabinet within September 2019 regarding the merger between TOT (20,000 employees) and CAT Telecom (60,000 employees) to become the National Telecommunications company (“**NT**”) to decrease overlap tasks and increase efficiency. This merger may be opposed by the employee union, but it will still be continued, and no employee will be terminated.

New Cabinet resolutions

20 August 2019:

- **Approved:** Guidelines on the administration and management of working of aliens 2019-2020
 - Targets: alien workers from Cambodia, Lao, Myanmar;
 - To support lawful employment of alien workers; and
 - Permission for temporary stay and health checkup for alien workers.
- **Approved Principle:** Supportive measures for consumption and domestic investment, consisting of 6 sub-measures as follows:
 1. Domestic travel supporting scheme;
“**Chim** (Tasting) **Shop** (Shopping) **Chai** (Consuming)”;
 2. Tourist visa exemption for Chinese and Indian nationals;
 3. SMEs fund;
 4. Portfolio Guarantee Scheme phase 8 (PGS8): loan guarantee for SMEs;
 5. Tax relief measures to urge private investment; and
 6. Home loan scheme.

Royal Gazette Update:

Date	Part	Subject
15 August 19	Ngor Piset	<ul style="list-style-type: none">• Announcement of the Bank of Thailand No. 17/2562 re: Financial Institutions’ Holidays for B.E. 2563- <u>Effective date:</u> 16 August 2019 http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/E/203/T_0029.PDF
20 August 19	Ngor Piset	<ul style="list-style-type: none">• Regulations of the Ministry of Interior re: proceedings under the Land and Buildings Tax Act B.E. 2562- Committees’ election and practices of the officials- <u>Effective date:</u> 21 August 2019 http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/E/207/T_0001.PDF

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23 August 19	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Debt Collection Committee re: frequency of contact for debt collection (issued under the Debt Collection Act B.E. 2558)<ul style="list-style-type: none">- The debt collector shall contact debtor, or any person specified by the debtor, for an acknowledgement of debt collection not more than once a day.- In case of telephone call, only the call answered by the debtor is counted.- <u>Effective date</u>: 21 November 2019 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/E/210/T_0020.PDF</p>
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