



Legal Update Week 35 - 36 (27 August – 9 September 2019)

- Highlights:** - Notification of residence of foreigners now can be done via mobile application called “Section 38”
- “Thailand Plus Package”, a scheme to promote investment, has been approved

Thailand legal news

- **27 August 2019:**

- The new Land Transport Act (No.12) B.E. 2562 was effective on 20 September 2019. There are three major changes that directly affect majority of the drivers in Thailand, as follows:
 1. Traffic police are refrained from seizing the driver license;
 2. In case the driver cannot be found, and the fine ticket cannot be attached to the car in anyways, such ticket, together with other evidence, shall be delivered via registered mail to the residence of the car owner or possessor for fine payment; and
 3. The driver can present electronic driver license via DLT QR Licence app (Scan QR Code on the right →) or copy of the driver license as prescribed by law (not yet been specified).



- **29 August 2019:**

- General Motors Thailand (“GM”) terminated 394 permanent and outsourced employees due to the restructuring plan (downsize the company) to be aligned with the decreased purchase orders. Monetary benefits under the labour law and special ex-gratia will be paid to the employees (approx. THB 300 million in total). GM also provided consulting service and job interview preparation for the terminated employees to find new jobs. The Ministry of Labour also keeps track on this case to ensure that the employees will get benefits under the law at the soonest.

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- **30 August 2019:**

- Pursuant to Section 38 of the Immigration Act, householders, owners or possessors of residences, or hotel managers must notify residences of foreigners within 24 hours from the time of arriving at the residence by one of the following ways below:

1. In person: submit TM.30 form at the immigration office
2. Registered mail: mail TM.30 form to the immigration office
3. Website (online): <https://extranet.immigration.go.th/fn24online/>
4. Mobile application: “Section 38” (Scan QR Code down below ↓)



- **6 September 2019:**

- The Board of the Economic Cabinet approved “Thailand Plus Package” which is a scheme to promote investment and to attract manufacturers moving their production out of China due to trade war. This package consists of 7 measures as follows:

1. Benefit (BOI): additional 50% CIT relief for 5 years for the project with actual investment of THB 1 billion within 2021 (submit within 2020);
2. Efficiency improvement: appoint the committee to support investment and cooperate (one stop service);
3. Personnel: expenses for personnel training (advance technology) can be deductible for year 2019-2020;
4. Regulation improvement to ease the business doing: improve related laws and regulations to reduce obstacles and limitations for investment in target industries and link the database of the government entities;
5. IEAT: provide and develop areas to support investment for specific countries e.g. Korea, China, Taiwan;
6. Urge the Ministry of Commerce to find conclusion regarding FTA-EU and CPTPP; and
7. Expenses for investment on automatic system can be deductible (1.5 times increase) for year 2019-2020.

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- **9 September 2019:**

- The Ministry of Transport (“MoT”) prepared to defend the case against Cho Thavee Public Co., Ltd. after the MoT has been sued for THB 1.556 billion damages, plus 7.5% interest per annum due to the termination of contract regarding E-ticket and Cash-Box installation in public buses. The MoT claimed that the installed system was inconsistent, delayed, and unusable.

New Cabinet resolutions

----No interesting cabinet resolution----

Royal Gazette Update:

Date	Part	Subject
27 August 19	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Thai Customs No. 165/2562 re: Import/export regulations for Authorized Economic Operator: AEO- To be in line with the SAFE Framework of Standards to Secure and Facilitate Global Trade of the World Customs Organization: WCO- <u>Effective date:</u> 1 September 2019 http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/E/212/T_0017.PDF
28 August 19	Gor	<ul style="list-style-type: none">● Min. Reg. prescribing minimum capital and period for transfer of the minimum capital to Thailand B.E.2562- Required for foreign majority-owned companies- Compile all previous regulations together for convenience of usage (Min. Reg. prescribing minimum capital and period for transfer of the minimum capital to Thailand B.E. 2545, (No.2) B.E. 2547, and (No.3) B.E. 2552) http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/A/093/T_0001.PDF

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29 August 19	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Social Security Office re: registration of an insured person under Section 40 through electronic system (No.2) B.E.2562- Link: https://www.sso.go.th/wpr/ or Contact Center 1506- <u>Effective date</u>: 30 August 2019 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/E/216/T_0016.PDF</p>
30 August 19	Gor	<ul style="list-style-type: none">● Rules of the General Meeting of the Supreme Administrative Court re: mediation in administrative cases B.E. 2562- <u>Effective date</u>: 31 August 2019 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/A/094/T_0009.PDF</p>
5 September 19	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Skill Development Committee re: loan amount and repayment to the Skill Development Fund (No.5)- Interest-free loans scheme to the employers for the employees' training and/or the national skill standards test- Maximum amount of THB 1 million- Submit a request and all required documents between 2 September 2019 – 15 July 2020- When a request has been approved, the loan agreement must be concluded within 31 August 2020 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/E/222/T_0022.PDF</p>