



Legal Update Week 19 - 20 (4 – 17 May 2020)

- Highlights:**
- The Personal Data Protection Act (“PDPA”) will come into effect on 27 May 2021 after one-year postponement
 - The Cabinet approved additional measures to help water users
 - Lockouts and strikes are prohibited during the period of COVID-19
 - New government emergency regulations and guidelines

Thailand legal news

- **8 May 2020:**
 - The Social Security Board unanimously agreed not to increase the unemployment benefits from 62% to 75% due to the concerns of the possible unemployment crisis in the future and financial status of the fund.
- **10 May 2020:**
 - The Civil Aviation Authority of Thailand (“CAAT”) announced the following operating hours for airports:

Airport	Timing (hrs.)
Surat Thani Airport (URT)	05.00 – 24.00
Hua Hin Airport (HHQ)	06.00 – 18.00
Samui International Airport (USM)	06.00 – 22.00
Chiang Mai International Airport (CNX) Hat Yai International Airport (HDY)	06.00 – 24.00
Krabi International Airport (KBV) U-Tapao International Airport (UTP) Chiang Rai International Airport (CEI) Don Mueang Airport (DMK) Suvarnabhumi Airport (BKK)	00.00 – 24.00
Others (NNT, PHS, PRH, MAQ, HGN, LPT, KKC, KOP, BFV, ROI, LOE, SNO, UTH, UBP, CJM, TST, NST, UNN)	07.00 – 19.00

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- **11 May 2020:**
 - The Thai Chamber of Commerce, together with its partners, developed the web application “[Thai.care](#)” to prepare business operators for the new normal. This website offers voluntary registration. After registration, the business operators will receive advice and suggestions regarding requirements to comply with the COVID-19 measures. They will also receive a QR code to be presented at the establishment to assure customers.

- **13 May 2020:**
 - The Board of the Office of the National Broadcasting and Telecommunications Commission (NBTC) approved 17 education channels produced by the Ministry of Education to be broadcast on channels number 37 to 53 to support distance learning during the global health emergency.

- **16 May 2020:**
 - Service hours of public transport in Bangkok are changed from 17 May 2020 onwards in accordance with the easing of lockdown restrictions formerly announced by the government:
 - a) **Public bus:** 05.00 – 22.00 hrs.
 - b) **BTS:** Sukhumvit line 05.15 – 22.30 hrs./Silom line 05.30 – 22.30 hrs.
 - c) **MRT:** Purple line 05.30 – 22.30 hrs./Blue line 06.00 – 22.30 hrs.

 - The CAAT extended the ban on foreign aircraft entering Thailand (excluding state or military aircraft, emergency landing, technical landing, etc.) for one more month until 30 June 2020 to effectively prevent the spread of COVID-19 in the country.

New Cabinet resolutions

5 May 2020:

- **Approved Principle:** Royal Decree to return unused public property to IEAT
 - The general industrial zone in the extension of Eastern Seaboard Industrial Estate (Rayong) located at Bo Win Sub-district, Sriracha District, Chonburi

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Province, and Tasit Sub-district, Pluak Daeng District, Rayong Province (7 Rai 2 Ngan 70.8 Wah²) shall be owned by the Industrial Estate Authority of Thailand (IEAT) to further be allocated and managed.

- **Approved Principle:** Monetary Policy Committee's Performance Report (prediction for the year 2020)
 - Monetary policy goals: headline inflation in the range of 1-3%.
 - The Thai economy is likely to grow below 2.8% due to the COVID-19 outbreak which affects the economy of trade partners and the tourism sector in Thailand.
 - Headline and core inflation are expected to be 0.8% and 0.7%, respectively.
- **Approved Principle:** Development project for Government Data Center and Cloud Services (GDCC) to reduce rental costs and secure the government systems

- **Acknowledged:**

Additional measures to help water users affected by COVID-19

1. **Metropolitan Waterworks Authority:**

1.1 Reduce/waive water bill for the billing cycle of April – June 2020 (invoiced on May - July);

Water usage	Price
The first 10 cubic meters	Waive water charges/ monthly service fees/ raw water
More than 10 cubic meters	Usage beyond 10 cubic meters: charge 80%

1.2 Return the deposit for water users type 1 (residence) and type 2 (businesses, government entities, state-owned enterprises, industries, and others);

1.3 Waive the fee for water bill payment when paying through Counter Service, 7-11, Tesco Lotus, Big C, and CenPay for 3 months from 17 April – 30 June 2020;

1.4 Stop temporary and permanent water supply cuts for 6 months from 23 March – 30 September 2020.

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2. **Provincial Waterworks Authority:**

- 2.1 Reduce water bill by 20% for all types of users (and 3% for government entities and state-owned enterprises) and excluding monthly service fees for the billing cycle of April – June 2020 (invoiced on May – July);
- 2.2 Waive the fee for water bill payment for 3 months when paying through Counter Service and 7-11 (during 17 April – 30 June 2020) and Tesco Lotus and Big C (during 1 May – 30 June 2020);
- 2.3 Extend the payment via agents from within 10 days to within 20 days for 3 months (the billing cycle of April – June 2020).

12 May 2020:

- **Approved:** Determining the important day of the country
 - Every 4th of December shall be the “Day of Love and Unity” to honor Rama IX, but this shall **not** be deemed as a public holiday.
- **Acknowledged:** Report re: payments of unemployment benefits for insured persons affected by COVID-19
 - 1,028,334 people applied for unemployment benefits between 24 March and 7 May 2020.
 - More than half have already received payments (568,604 people), while the payments for the rest are in progress (459,730 people).
 - The official tracking of 50,862 employers found the following:

	Issue	Number of establishments	Number of employees
1	Employers still operate their business and pay wages as usual	3,029	23,129
2	Employers make payments to employees as per Section 75 of the Labour Protection Act	1,066	14,455
3	N/A (on tracking progress)	46,767	108,701

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Royal Gazette Update:

Date	Part	Subject
5 May 2020	Ngor Piset	<ul style="list-style-type: none">● Regulations of the Chief Traffic Officers (No.2) <p>- Prohibit trucks with 4, 6, 10 wheels to travel during night curfew (10 p.m. – 4 a.m.), unless falling into any exception.</p> <p>- <u>Effective date:</u> 6 – 31 May 2020</p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/107/T_0075.PDF</p>
	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Board of Investment <ol style="list-style-type: none">1. Work position of a foreigner http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/107/T_0028.PDF2. List of investment promotion activities http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/107/T_0033.PDF3. Investment stimulation measures http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/107/T_0036.PDF4. Investment promotion measures for SMEs http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/107/T_0038.PDF
8 May 2020	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Ministry of Labour re: unsettled disputes, lockouts, and strikes during announcement of emergency state (COVID-19 situation) <p>- Unsettled labour disputes must be settled by the Labour Relations Committee;</p> <p>- Lockouts (by employers) and strikes (by employees) are prohibited;</p> <p>- In case lockouts or strikes were effectibve before the enactment of this announcement, both employers and employees must return to operation (back to work).</p> <p>- <u>Effective date:</u> 8 May 2020</p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/110/T_0002.PDF</p>
13 May 2020	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Skill Development Promotion Committee re: financial aid and reimbursement to Labor Development Fund (No.6)

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		<p>- To alleviate the COVID-19 crisis, the payment date will be postponed to “within the <u>20th day</u> of each month” instead of the 5th day.</p> <p>- <u>Effective date</u>: 1 May 2020 – 31 August 2021</p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/112/T_0015.PDF</p>
14 May 2020	Ngor	<p>● Announcement of the Director-General of the Revenue Department on Income Tax (No.369) re: rules, procedures, and conditions for income tax exemption for income paid for investment units in mutual funds for saving</p> <p>- SSF 1/2563 form (certificate of purchase of investment units in mutual funds for saving according to the Securities and Exchange Act)</p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/D/038/T_0191.PDF</p>
15 May 2020	Ngor Piset	<p>● Announcement of the Ministry of Public Health re: cancellation of areas of a dangerous communicable disease outside of Thailand in case of Coronavirus Disease 2019 (COVID-19) B.E. 2563</p> <p>- Remove Korea, China, Macau, and Hong Kong from the list.</p> <p>- The rest shall remain on the list, i.e. Italy, Iran, Malaysia, Cambodia, Laos, Indonesia, Myanmar.</p> <p>- <u>Effective date</u>: 16 May 2020</p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/114/T_0021.PDF</p>
	Ngor Piset	<p>● Regulations by virtue of Section 9 of the Emergency Decree on Public Administration in Emergency Situation B.E. 2548 (No.7)</p> <p>1. Nationwide curfew: during 23.00 – 04.00 hrs.;</p> <p>2. Schools buildings: for children aid or foster care only;</p> <p>3. Economic and lifestyle activities: allow the following activities:</p> <p>a) Restaurants and food courts (excluding places of entertainment, pubs, bars): dine-in with no alcohol served;</p> <p>b) Department stores, shopping centers, and community mall (open until 8 p.m. only): some parts, e.g. goods and services, food and drinks (no alcohol served), beauty salon, hairdressing, haircut, and manicure;</p>

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		<p>c) Large retail/wholesale stores;</p> <p>d) Foster homes for children and the elderly (staying overnight);</p> <p>e) Television, film, and video production with working group of up to 50 people but no audience;</p> <p>f) Conference rooms in hotels or convention halls: meeting of directors or shareholders/seminar/training if the attendants come from the same entity and the number of attendants is limited;</p> <p>4. Exercise/health care/entertainment activities: allow the following activities:</p> <p>a) Beauty clinic, beauty salon, nail salon (inside/outside malls): body and skin care only (excluding facial area);</p> <p>b) Fitness center (outside malls): yoga and free weights only (no cardio equipment such as treadmill, bike);</p> <p>c) Indoor sports complex: sports with international rules where players are not closely engaged but no viewers. For team sports, players are limited to 3 people for each side;</p> <p>d) Public swimming pools, both indoor and outdoor;</p> <p>e) Botanic garden, flower garden, museum, learning center, historical sites, public library, and art galleries.</p> <p>5. Closing arenas: e.g. for fish or bull fighting competition.</p> <p>- <u>Effective date:</u> 17 May 2020</p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/114/T_0039.PDF</p> <p>- <u>Guidelines below:</u></p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/115/T_0050.PDF</p>
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