

Legal Update Week 47 - 48 (21 November – 4 December 2022)

Thailand Legal News

AMLO seize over THB 5.3 billion (USD 150 million) of assets over “More” stock purchase fraud (22 November)

On 21 November 2022, the deputy secretary of the Anti-Money-Laundering Organization (AMLO) issued an order to temporarily seize 34 items worth totaling over THB 5.3 billion (approx. USD 150 million), which are the assets of suspects from the “More” stock purchase fraud case. The alleged fraudulent transactions are reportedly expected to cause over THB 3 billion (approx. USD 86 million) of damages to stockbrokers nationwide.

<https://www.nationthailand.com/business/40022340>

Points deduction system for a traffic violation (4 December)

From 9 January 2023, the police will use the demerit point system for traffic violations. Under this system, a driving license holder will have 12 points (no matter how many licenses he/she possesses), and 1 - 4 points will be deducted for each traffic violation. For example: using a phone while driving (1 point), driving through a red light (2 points), hit and run (3 points), and drunk driving (4 points). If the point reaches 0 or less, the license will be suspended for 90 days. The deducted point will be given back 1 year after the violation. However, in case the license is suspended, only 8 points will be given back. This system is in addition to the usual penalties.

<https://www.bangkokpost.com/opinion/opinion/2452650/point-system-can-deter-bad-drivers>

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Cabinet Resolutions

Transaction tax on securities trading (29 November)

The Cabinet approved a financial transaction tax on securities trades on the Stock Exchange of Thailand (SET). The tax rate will be calculated based on the trade value. For the first year, the rate will be at 0.055% and 0.11% for the second year onwards. It is important to note that the basic transaction tax law has been introduced over 30 years ago, but the Cabinet had always chosen to waive it in the name of market development. This has now been changed for the first time. However, market makers, pension funds, and mutual funds that sell investment units to pension funds will be exempted from the tax measures. The law will have to be reviewed by the Council of State and will come back to the Cabinet for final approval.

<https://www.bangkokpost.com/business/2449310/cabinet-approves-tax-on-share-sales>

Government Gazette

Tax exemption for community enterprise (25 November)

A Community enterprise which is an unregistered ordinary partnership or non-juristic body of persons, and has an annual revenue not exceeding THB 1.8 million (USD 51,000) is exempt from income tax for the revenue between 1 January 2009 – 31 December 2025 (extension).

https://www.ratchakitcha.soc.go.th/DATA/PDF/2565/A/073/T_0014.PDF

Cessation of the fine for COVID prevention measures violation (30 November)

As the COVID situation in Thailand has eased out, the Minister of Health decided to suspend the Regulations of the National Communicable Disease Committee regarding the fine for the violation of disease prevention measures as of 1 December 2022 onwards.

https://www.ratchakitcha.soc.go.th/DATA/PDF/2565/E/281/T_0001.PDF