



Legal Update Week 31-32 (30 July – 12 August 2018)

Dear All,

Thailand legal news

- **30 July 2018:** The cabinet approved principle draft on Min. Reg. Prescribing Other Asset as Business Security B.E. which stated that 58 kinds of economic value perennial trees can be used as collateral (e.g. Teak, Siamese Rosewood, etc.).
- **31 July 2018:** Labour leaders urged Ministry of Labour to raise fees for alien labours working in Thailand from Baht 900 per year to Baht 3,000 per year (which is the former rate), as well as levy their income tax. Due to government supportive policy toward alien labours, now there are more than 3 million.
- **1 August 2018:** The Thai Embassy in London submitted a request to the Foreign and Commonwealth Office of the British government for the extradition of former prime minister Yingluck Shinawatra to serve her five-year jail term, rendered by the Supreme Court, in connection with her rice-pledging scheme.
- **2 August 2018:** The Civil Court of Southern Bangkok initially started 'Mini e-Court' to ease the process of contacting/filing with the court (e.g. e-filing, using smart card reader for ID card, etc.) for uncomplicated cases, latest in early 2019.
- **3 August 2018:** To support the Emergency Decree on Digital Asset Business B.E. 2561 (enforced on 14 May 2018), the Bank of Thailand announced the guideline on digital asset business for financial institutions and affiliated companies.
- **7 August 2018:** 239 non-licensed hotels in Krabi province were forced to temporarily close due to its unqualified constructions, modifications without permission, no fire exit, and unsafety.

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- **10 August 2018:** Permanent Secretary for Ministry of Interior sent urgent circular notice to staff and related agencies to cease the request for copies of ID card and house registration when contacting the government authority, according to Thailand Government 4.0 Policy. Although such cancellation has been the ‘talk of the town’ for a while, some government agencies still practically require copies.
- **10 August 2018:** BOI poll: trustworthiness of the foreign investors in Thailand, 2018, reaches the highest point after 5 years. 98.5% of foreign investors plan to continually investing in the country. 33% plan to expand their investments, and 65.5% still maintain the same investment. Merely 1.5% plan to decrease the investment due to business depressions, according to the poll.
- **Samsung -v- Apple case:** Apple and Samsung have finally settled a seven-year-long patent dispute, bringing to an end the long-running battle over the design of their rival smartphones, the terms were not disclosed.

New Cabinet resolutions

- **31 July 2018:**
 - **Acknowledged:** 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 Royal Decree indicating Restrictive Area for the Public Entertainment Place B.E., removing Kanchanaburi, Sisaket, Nong Bua Lamphu, and Phra Nakhon Si Ayutthaya from the restrictive list, on the contrary, maintained 22 previous restrictive areas.
 - **Approved Resolution:** Increase new government officers for the Ministry of Finance (475 positions) and the Board of Investment (78 positions).

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- **7 August 2018:**
 - **Acknowledged:** Draft on Forest Act (No. ..) B.E.
Every types of trees, grown or planted on the land of ownership or possessory under the Land Code, shall not be defined as forbidden trees.
 - **Approved Draft:** Draft on Royal Decree indicating specific areas of Prachuap Khiri Khan Province as a National Park B.E. (Ao Siam National Park)
 - **Approved Agreement:** Draft on the Higher Education Institute Act, B.E.
To specify major principles of higher education management, make the institute more independent with academic freedom and good governance, as well as define its responsibilities and build Higher Institute Development Fund.

Royal Gazette Update:

Date	Part	Subject
1 August 18	Gor	<ul style="list-style-type: none">• Min. Reg. on permission and license for selling particularly <u>controlled animal foods</u> B.E. 2561
1 August 18	Gor	<ul style="list-style-type: none">• Min. Reg. on fees charge related to <u>Thai traditional medical knowledge</u>. (No.2)
2 August 18	Ngor Piset	<ul style="list-style-type: none">• Announcement of the Ministry of Labour on <u>labour inspector's card</u> regarding Labour Protection Act B.E. 2541<ul style="list-style-type: none">- Green strip for Department of Labour Protection and Welfare- Purple strip for other agencies under the Ministry of Labour, except (1)- Orange strip for other government services or other government agencies, except (1) and (2)

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6 August 18	Ngor Piset	<ul style="list-style-type: none">• Announcement of the Social Security Office on regulations for disability or increasing disability of insured person on section 40.
7 August 18	Ngor Piset	<ul style="list-style-type: none">• Announcement of the Department of Land Transport on sound volume standard and car sound measurement method (No.2) B.E. 2561• For cars registered before 1 January 2014<ul style="list-style-type: none">- sound volume not exceed 100dB (A)• For cars registered from 1 January 2014<ul style="list-style-type: none">- Cars weight not over 2,200 kilograms: sound volume not exceed 95dB (A)- Cars weight over 2,200 kilograms: sound volume not exceed 99dB (A)