



Legal Update Week 1 - 2 (1 – 14 January 2020)

- Highlights:**
- Regulations regarding the appointment of the Personal Data Protection Commission have been approved by the Cabinet
 - Min. Reg. prescribing buildings constructed for non-residential purpose B.E. 2562
 - Employers must submit GorTor. 20 Gor form within February

Thailand legal news

- **1 January 2020:**
 - The Electronic Transactions Development Agency revealed that the minimum wage increase, effective as of 1 January 2020, does not directly affect e-commerce business, since such business does not require a large number of workers and most of them have higher wage than the minimum standard. Instead, e-commerce business continues to grow.
- **2 January 2020:**
 - According to the Franchise and Thai SMEs Association, the franchise business is forecasted to grow at least 10% in 2020 regardless of the economy, because the new generation prefers to have their own business, and the unemployed consider to invest in a franchise business as it is an investment that consumes less time.
- **7 January 2020:**
 - The Department of Industrial Works showed its plan in four aspects in 2020, namely, attempting to drive Industry 4.0, closely regulating 5,000 – 6,000 factories, preventing pollution (water, air, industrial waste), and improving safety issues.

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- **9 January 2020:**
 - The government agreed to improve long term care planning for the elderly, impose supportive measures, and raise awareness. Thailand will become an aged society in 2021, which means the elderly will account for 20% of the population (approx. 13 million people). The ratio will increase to 28% in 2031.
- **13 January 2020:**
 - The Deputy Prime Minister ordered the Board of Investment (“BOI”) to confer with the Ministry of Finance to impose investment support measures in the next 6 months, during the period of strong Thai Baht. The plan will be proposed to the BOI in the beginning of February 2020.

New Cabinet resolutions

7 January 2020:

- **Approved Principle:** Draft Min. Reg. prescribing regulations, procedures, and conditions for objection, deprivation, termination, and withdrawal of mediators B.E. (under Mediation Act B.E. 2562);
- **Approved Principle:** Draft regulation re: regulations and procedures for appointment of the chief commissioner and the qualified commissioners in the Personal Data Protection Commission B.E.
 - The said appointment shall be made within 90 days from the date the nominating committee is appointed, pertaining to Section 9 of the Personal Data Protection Act B.E. 2562. In case of necessity, the nominating committee shall request for further extension of max. 60 days.

14 January 2020:

- **Approved:** Merger between TOT and CAT Telecom to become the National Telecommunications Company to decrease overlap tasks and increase efficiency.
 - Changing from public enterprise to public limited company;
 - Not reducing the number of employees / no termination.

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Royal Gazette Update:

Date	Part	Subject																			
7 January 2020	Gor	<ul style="list-style-type: none"> Min. Reg. waiving or reducing fines B.E. 2562 Impose regulations regarding waiver of fines from overdue tax for land and buildings being seized or attached under the laws Effective date: 1 January 2020 http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/001/T_0004.PDF																			
	Gor	<ul style="list-style-type: none"> Min. Reg. prescribing regulations, procedures, and conditions for the calculation of land and buildings value of the land without appraised value (for tax purposes) B.E. 2562 The valuation methods vary depending on the type of land and buildings. http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/001/T_0006.PDF																			
	Gor	<ul style="list-style-type: none"> Min. Reg. prescribing the Small and Medium Enterprises B.E. 2562 <table border="1"> <thead> <tr> <th rowspan="2">Business</th> <th colspan="2">Small Enterprises</th> <th colspan="2">Medium Enterprises</th> </tr> <tr> <th>Employment (people)</th> <th>Income/year (million THB)</th> <th>Employment (people)</th> <th>Income/year (million THB)</th> </tr> </thead> <tbody> <tr> <td>Manufacturing</td> <td>≤ 50</td> <td>≤ 100</td> <td>51 - 200</td> <td>101 - 500</td> </tr> <tr> <td> <ul style="list-style-type: none"> Services Wholesale Retail </td> <td>≤ 30</td> <td>≤ 50</td> <td>31 - 100</td> <td>51 - 300</td> </tr> </tbody> </table> <ul style="list-style-type: none"> SMEs will be entitled to tax incentives from the Revenue Department and other supportive measures from the government. http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/001/T_0001.PDF	Business	Small Enterprises		Medium Enterprises		Employment (people)	Income/year (million THB)	Employment (people)	Income/year (million THB)	Manufacturing	≤ 50	≤ 100	51 - 200	101 - 500	<ul style="list-style-type: none"> Services Wholesale Retail 	≤ 30	≤ 50	31 - 100	51 - 300
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Gor	<ul style="list-style-type: none"> Min. Reg. prescribing buildings constructed for non-residential purpose B.E. 2562 This Min. Reg. is enacted in accordance with Section 34 para. 5 of the Civil Registration Act B.E. 2534, amended by 																				

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		<p>the Civil Registration Act (No.3) B.E. 2562 which states that <u>a building constructed to be a factory, warehouse, or purposes other than as residence must have building number and apply for a building registration as prescribed in the Min. Reg.</u></p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/001/T_0021.PDF</p>
9 January 2020	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Social Security Office re: GorTor. 20 Gor form B.E. 2562 (form for reporting annual wages of employees and contribution made by the company to the Workmen's Compensation Fund) - for an employer- This form must be submitted within February of each year.- <u>Effective date:</u> 9 January 2020 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/007/T_0009.PDF</p>
	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Social Security Office re: SorPorSor.1-05 form (No.2) B.E. 2562 (request for processing transactions through electronic method) - for an employer- <u>Effective date:</u> 9 January 2020 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/007/T_0010.PDF</p>
10 January 2020	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Department of Labour re: extension of time for submission of contribution report and e-Payment B.E. 2562 for Social Security Fund- Extending for 7 business days from the 15th day of the month following the month when the contribution is deducted (effective for 24 months) to ease the employers and for the benefits of the insured persons.- <u>Effective date:</u> 11 January 2020 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/008/T_0007.PDF</p>
	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Ministry of Finance and the Ministry of Interior re: regulations and procedure of tax levy for land and buildings with multiple purposes- Tax calculation method for multiple-use land and buildings- <u>Effective date:</u> 10 January 2020 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/008/T_0003.PDF</p>