



Legal Update Week 11 - 12 (9 – 22 March 2020)

Highlights: - CP – Tesco Lotus deal requires approval from OTCC

- Thai massage was added to the list of 40 occupations reserved for Thai citizens
- Supportive measures from the Social Security Office to help employers and employees during COVID-19 pandemic
- Disclosure form for related companies or juristic partnerships

Thailand legal news

- **9 March 2020:**

- Acquisition of Tesco Lotus by CP requires approval from the Office of Trade Competition Commission (“OTCC”), as it tends to create a dominant position over the market. The OTCC will determine within 90 days from the request date for acquisition.

- **10 March 2020:**

- The Ministry of Digital Economy and Society ordered the National Science and Technology Development Agency to develop an application to monitor foreigners and Thai people arriving in Thailand, starting from 12 March 2020.

- **11 March 2020:**

- The Ministry of Labour added Thai massage to the list of 40 occupations reserved for Thai citizens. The punishment in case of violation remains the same as follows:

	Fines (THB)	Imprisonment	Other punishment
Foreign worker	5,000 – 50,000	-	Deportation
Employer	10,000 – 100,000 per foreign worker	-	-

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Employer (repetitive violation)	50,000 – 200,000	1 year	Blacklisted for 3 years from hiring foreign workers
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- **20 March 2020:**

- The Social Security Committee approved supportive measures to help employers and employees during COVID-19 pandemic by increasing benefits in case of unemployment due to force majeure. For an insured person who does not work or is not allowed to work, the Social Security will pay half of the salary for not exceeding 180 days. In the event that the government orders employers to stop operation of business, the Social Security will pay half of the salary for not exceeding 60 days. The salary base for calculation is up to THB 15,000.
- The Department of Trade Negotiations prepared to use virtual conference after COVID-19 affects several international trade conferences, including WTO, ASEAN, APEC, ASEP.

New Cabinet resolutions

- **10 March 2020:**

- **Approved Principle:** Draft Royal Decree issued under the Revenue Code re: tax reduction (No. ..) B.E. (tax measures to support donations to fight COVID-19)
 - An individual or juristic person who donates to the Office of the Permanent Secretary to support the mission to prevent COVID-19 can use such amount as a tax deduction.
 - Exempt VAT for donation to support the mission to prevent COVID-19.
 - Donate via e-Donation between 5 March 2020 – 5 March 2021.

- **17 March 2020:**

- **Acknowledged:** Measures to help people affected by the COVID-19 pandemic
 - Reduce water and electricity rates by 3% from April to June 2020;

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- Extend the payment period for water/electricity bills in certain businesses (e.g. hotel and accommodation rental business) without interest for the bills in April and May 2020 (installments up to 6 months).
- Return deposits for installation of electricity/water meters.

Royal Gazette Update:

Date	Part	Subject
10 March 2020	Gor	<ul style="list-style-type: none">● Min. Reg. No.357 (B.E. 2563) issued under the Revenue Code re: tax reduction- The following items shall be exempt from the calculation of income tax:<ol style="list-style-type: none">1. Money or benefits received from selling investment units back to the long-term equity fund;2. Payment for the purchase of investment units in a mutual fund for saving; and3. Money or benefits received as a result of the sale of investment units back to the saving fund.- <u>Effective date</u>: Assessable income received from 1 January 2020 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/019/T_0004.PDF</p>
18 March 2020	Ngor Piset	<ul style="list-style-type: none">● Announcement of the Ministry of Justice re: agency for mediation under the Mediation Act B.E. 2562- Internal agencies under the Ministry of Justice (e.g. provincial justice office) shall be appointed as government agencies who can settle the dispute by means of mediation.- <u>Effective date</u>: 19 March 2020 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/063/T_0006.PDF</p>
19 March 2020	Gor	<ul style="list-style-type: none">● Min. Reg. No.26 (B.E. 2563) issued under the Factory Act B.E. 2535- Revise rules and procedures on the control of drainage from plants.

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		<p>- Specify rules and procedures relating to the control of air pollutants or chemicals which are caused by the operation of a plant, to reduce pollution from the factory to the outside.</p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/022/T_0012.PDF</p>
	Gor	<p>● Min. Reg. No.27 (B.E. 2563) issued under the Factory Act B.E. 2535</p> <p>- Factory operators must provide necessary information about pollutants or chemicals in the operation of a factory for the purpose of preserving the environment.</p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/022/T_0015.PDF</p>
	Ngor	<p>● Announcement of the Director-General of the Revenue Department re: Disclosure Form for related companies or juristic partnerships</p> <p>- Report information about related companies or juristic partnerships and the total value of transactions in each accounting period.</p> <p>- <u>Effective date</u>: for accounting periods beginning on or after 1 January 2019</p> <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/D/023/T_0131.PDF</p>