



Legal Update Week 37 - 38 (7– 20 September 2020)

Thailand legal news

Highlights:

- Amend the organizational structure of BOI

-Introduction of Special Tourist VISA (STV)

- Amending the Civil Procedure Code on the mediation procedure

- **7 September 2020**

- Thailand's Securities and Exchange Commission (SEC) announced the combination of the annual registration statement (Form 56-1) and annual report (Form 56-2) into the new "Form 56-1 One Report" to reduce redundancies and overlaps of the two forms, starting from 1 January 2022.

- **10 September 2020**

- The Tourism Authority of Thailand signed a partnership campaign with Alipay (China's mobile payment platform) stimulating domestic spending among foreigners, especially Chinese expats who reside in Thailand during the pandemic. There will be exclusive promotions for hotels and flights, via a digital cash coupon rewarding for each booking on the platform.

- **15 September 2020**

- Ministry of Finance allocated THB 45 billion budget for new financial measures to boost domestic consumption among low-income groups to encourage small types of business by providing THB 3,000 per each person for spending at a small shops.

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- **16 September 2020**
 - SEC submitted the case to the Attorney-General's Office against three offenders accused of insider trading of investment units of UOB Freehold Eight Thonglor Property Fund (UOB8TF) whereby one used inside information to buy the investment units, through the securities trading accounts of internal officers in exploitation of other persons' interest.
- **18 September 2020**
 - Office of Insurance Commission (OIC) enters MOU agreement regarding the data sharing system with the Ministry of Transportation for the more comprehensive Compulsory Motor Insurance monitoring system. The data system allows people to examine whether a given vehicle has an insurance, and also allows the annual vehicle tax to be paid online.
- **19 September 2020**
 - RD is no longer request for a copy of the company's affidavit and copies of the company's registration documents including lists of shareholders, company's memorandum, in contacting the RD, in order to provide better services and more convenience to entrepreneurs.

New Cabinet resolutions

- **8 September 2020:**
 - **Acknowledge draft:** draft Min. reg. change the organizational structure of the BOI B.E. ...
 - Reorganize the structure of the BOI by
 - Establishing the Monitoring and Evaluation of the Investment Promotion Division 1-2, and the Thai entrepreneur promotion division (combine the Thai Overseas

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Investment Promotion Division and the Industry Linkage Development Division);

- Amending the structure and the name from the Investment Management Division 1-5 (“กองบริหารการลงทุน 1-5”) to the Investment Promotion Division 1-4 (“กองส่งเสริมการลงทุน 1-4”).

- **Approved guideline:** the guidelines for the amendment of laws that are obstruct govern e-service development:
 - There are 84 issues to be studied and amended. For example, the law that require applicants to submit applications or/and pay the fees in person at the government office, or require a signature on the copy of original documents.
- **Acknowledged:** the resolution of the COVID-19 economic management board re: the measure to promote the employment of new graduates by private and government divisions.
 - The government will support 50 percent of the total monthly wage of new graduates’ employment (under the maximum of THB 7,500 for the bachelor's degree, THB 5,750 for the High Vocational Certificate, THB 4,700 for Vocational Certificate) for 12 months from 1 October 2020 to 30 September 2021. The new graduates must be less than 25 years old and graduates in 2020 or 2021.
- **Approved principle:** Draft Ministerial Regulation re: determining that the industrial motorcycle tires product and moped must complete the standard B.E. ...
 - Determine that the motorcycle tires product and moped must be in accordance with TISI number 683 – 2562 as per described in the notification of the ministry of industrial no. 5710 (B.E. 2563) in order to promote and develop the quality of industrial product.

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- **15 September 2020:**
 - **Approved principle:** Draft guidelines for Special Tourist VISA (STV)
 - The qualifications of permitted foreigners are as follows:
 1. for foreigners long-stay;
 2. consent to participate in COVID-19 preventive measures and agree to alternative quarantine (in-room) for 14 days;
 3. have evidence/payment of long stay, including the receipt of a hotel or hospital payment in Thailand during the quarantine and any evidence showing the place to stay after the quarantine such as the receipt of hotel booking, the rental agreement, the deed of an apartment.
 - The entitled foreigners will be permitted to stay for 90 days and can be extended 2 times (under the maximum 90 days per time). The application fee is THB 2,000.
 - **Approved Draft:** Draft road traffic act (issue no....) B.E....
 - Amend major traffic rules such as:
 - Allow the truck, public bus and motorcycle to drive on the right lane as necessary;
 - Amend the weight of a personal pickup truck which doesn't have to drive on the left-most lane or near the bus lane, from 1,600 Kg to 2,200 Kg.
 - **Approved Draft:** Draft national police act B.E. ...
 - Amend some major parts regarding the appointment and transfer of police officers such as appointing the board for considering the complaint to police officers, prescribe the procedures of promotion.

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Government Gazette Update:

Date	Part	Subject
8 September 2020	Phiset Ngor	<ul style="list-style-type: none">• Notification of Revenue Department (Issue no. 379) re: determination of the criteria, procedure, and conditions of income tax exemption of company, or juristic partnership for the actual expense of salary paid for senior employees who are more than 60 years old.- Amend that the data of the senior employees for the accounting period which has the last date within or after 1 April 2020 but not more than 31 August 2020 must be informed within 31 August 2020.- <u>Effective date:</u> 9 September 2020 http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/204/T_0056.PDF
	Phiset Ngor	<ul style="list-style-type: none">• Notification of Revenue Department (Issue no. 20) re: determination of criteria, procedure, and period of the tax remittance via electronic system of the revenue department.- Prescribe the procedure and criteria of commercial banks who wish to be a service provider for data and tax remittance on behalf of the Revenue Department.- <u>Effective date:</u> 15 July 2020 http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/204/T_0052.PDF
	Khor	<ul style="list-style-type: none">• Act Amending the Civil Procedure Code (No. 32) B.E. 2563- (mediation prior to filing case) allows one of the parties of the dispute to file the petition to the Court for appointing the mediator to settle the conflict. If the opposition party agrees to join the mediation process and the mediation yields a successful settlement, the court will allow parties to sign the settlement agreement.- <u>Effective date:</u> 7 November 2020 http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/071/T_0001.PDF

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10 September 2020	Phiset Ngor	<ul style="list-style-type: none">• Notification of Revenue Department (Issue no. 378) re: determination of measure, procedure, and criteria of corporate income tax exemption for investment in machinery, but not in the purpose for the maintenance under Section 65 ter (5) of the Revenue Code- Any company or partnership which invested in the machinery (but not for reparation to maintain) is eligible for 150 percent deduction on the amount actually paid during the period between 1 January 2020 and 31 December 2020 by average the same amount of the exempted income for the 5 accounting periods consecutively.- <u>Effective date:</u> 11 September 2020 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/D/070/T_0098.PDF</p>
15 September 2020	Khor	<ul style="list-style-type: none">• Min. reg. re: prescription on the types and characters of excise stamps and direct coding for the tax payment of the government B.E. 2563- Amend the types and characters of excise stamps for the production of soft drinks, liquor, and tobacco as well as the code for the tax payment.- <u>Effective date:</u> 16 September 2020 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/073/T_0001.PDF</p>
18 September 2020	Phiset Ngor	<ul style="list-style-type: none">• Notification of the central board of the price of products and service (issue no. 70) B.E. 2563 re: the display of the price and purchasing detail of products and service via e-commerce or online- Business operator is required to display the purchasing price, service fee, together with the types, categories, characteristics, sizes, amount, and detail of products and service via writing, typing, or other means on the electronic commerce or online system.- The text must be obvious, complete, and can be read easily. The mentioned price display must be shown at least in Arabic numbers, and the text must be in Thai (can be together with other language, if any).- <u>Effective date:</u> 19 September 2020 <p>http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/217/T_0233.PDF</p>