Thailand’s Electronic Transactions Act B.E. 2544 (2001) and Subsequent Amendments

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Thailand’s Electronic Transactions Act B.E. 2544 (2001) and subsequent amendments

Provide legal certainty and harmonize with international rules
Electronic Transactions Act Is Based On:

**UNCITRAL Instruments**

- Model Law on e-Commerce
- Model Law on e-Signatures
- The United Nations Convention on the Use of e-Communications in International Contracts

**Main Principles**

- Functional Equivalence
- Technological Neutrality
- Party Autonomy
- To support e-Transaction
- To support cross border e-Transaction

**Future Steps ...**

- Model Law on e-Transferable Records
- Resolving legal issues related to Identity Management and Trust Services

**1 In Conjunction with other laws,**

**2 Legal effects,**

**3 Admissibility of evidence in court**
Legal Development of e-Transactions Act

- Model Law on e-Commerce
- Model Law on e-Signatures

Transition of
- paper-based documents to electronic documents
- electronic documents to paper-based documents

Adopt select principles from e-Communications Convention
- Invitations to make offers
- Use of automated message systems for contract formation
- Error in electronic communications

Provide legal recognition of Digital ID

ETA 2001
ETA 2008 (No.2)
ETA 2019 (No.3)
ETA 2019 (No.4)
Electronic Transactions Act (No. 3), B.E. 2562 (2019)

1. Adopted principles from e-Communications Convention by UNCITRAL
   • Invitations to make offers,
   • Use of automated message systems for contract Information,
   • Errors in electronic communications
     (Article 13/1, Article 13/2, Article 17/1)

2. Amended to reinforce the enforcement
e-Signatures (added another provable method) (Article 9),

3. Adjust the rules on the supervision of e-transaction businesses
   Set SLA and separate between registration and licensing process
     (Article 32 – Article 34/2)

4. Adjust the components and authorities of Electronic Transactions Commission and empower ETDA as the ETC secretariat
   (Article 36 – Article 41, Article 43 และ Article 43/1)
1. **Provide legal recognition of Digital ID and legal assumption**  
   (Article 34/3)

2. **Set Level of Assurance for Digital ID**

3. **Supervise Digital ID to improve trust**  
   (Article 34/4)
Trade Related Terminology

- Electronic Transactions Frameworks
- Electronic Authentication
- Electronic Signatures
- Electronic Contracts
- Electronic Invoicing
- Non-discriminatory Treatment of Digital Products
- Interactive Computing Services
- Cross-border Transfer of Information by Electronic Means
- Location of Computing Facilities
- Customs Duties on Electronic Transmissions
- Online Consumer Protection
- Personal Information Protection
- Trust and Electronic Commerce
- ...
THANK YOU

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