

Implementation of Digital Platform Legislation



The Digital Economy and Society (DES) has announced that the Digital Platform legislation will be effective from August 21st, 2023. This legislation mandates digital platform service providers, including social media, e-commerce, sharing economy platforms, search engines, news aggregators, hosting clouds, and content platforms, to notify the Electronic Transactions Development Agency (ETDA) prior to conducting business operations.

Mr. Chaiwat Thanakomansoon, Minister of Digital Economy and Society, explained that the legislation supports the Digital Platform Act BE 2565 (2022), which takes effect on August 21st. Key provisions of the legislation apply to digital platform service providers with annual revenues exceeding 50 million baht for corporate



entities or 1.8 million baht for individuals, as well as those with over 5,000 monthly users. These providers must notify the ETDA before commencing operations. If service providers are located outside the jurisdiction but serve users within it, they must appoint a coordinator within the jurisdiction. The Digital Platform legislation assigns responsibilities based on the nature and potential impacts of the services provided. It will be enforceable starting from August 21st. Existing digital platform service providers are required to notify the ETDA within 90 days, by November 18th, BE 2566 (2023). Failure to comply may lead to imprisonment for up to one year, a fine of up to 100,000 baht, or both.

The Digital Platform legislation aims to regulate digital platform service providers, ensuring transparent and fair practices, user protection, and sustainable digital economic growth. However, it is important to note that individuals engaged in online sales, livestreaming, or content creation on digital platforms are not obligated to notify the ETDA, as clarified by Mr. Chaiwat.

To enhance the legislation's comprehensiveness, the ETDA has conducted four public hearings on subsidiary regulations under the Digital Platform Act. The latest hearing, held on June 26th, BE 2566 (2023), addressed the "Draft Guidelines for Identity Verification and Authentication for User Registration." This measure aims to address significant issues related to fraud and unidentified identities by promoting best practices and appropriate self-regulation mechanisms.

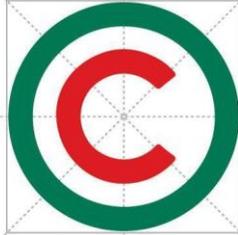
Furthermore, the Minister of Digital Economy and Society has engaged in discussions with two digital platform service providers, Pantip and Blockdit, regarding user registration methods using User IDs. This initiative seeks to expedite the development of self-regulation mechanisms and appropriate user protection under the Digital Platform Services legislation.

During the meeting, discussions also covered measures to ensure user care, prevention, and resolution of potential issues. Pantip and Blockdit serve as examples of social media service providers that have implemented clear user registration methods through User IDs, boasting a large number of active user accounts. Both service providers have established distinct levels of credibility verification and identity authentication, tailored to the risks associated with their services. For instance, basic usage with minimal risk requires registration and identity verification using names, email addresses, or phone numbers. However, high-risk activities like product sales necessitate additional verification measures.

In conclusion, the Digital Platform legislation establishes regulatory measures for digital platform service providers, ensuring transparency, fairness, and user protection. The legislation encourages the adoption of best practices and suitable self-regulation mechanisms to mitigate potential risks associated with the use of digital platforms.

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