

Meetings Via Electronic Media

With the impact of the COVID situation, many countries, including Thailand, are undergoing many legal changes in order to provide assistance to all sectors and industries. WCP is closely monitoring the situation and will provide periodic updates on the significant legal changes.

This update focuses on the changes to the regulations on holding meetings via electronic media.

In Thailand, meetings via electronic media were first recognized in 2014. However, the government imposed some burdensome requirements on the conduct of these meetings, for example, all of the participants needed to be physically present in Thailand and at least one third of the participants had to be in the same location. As a result, holding meetings via electronic media was not popular, in particular, in the private sector.

Due to the COVID situation, the government recognized these limitations and announced changes to the regime. Effective from 19 April 2020, some of the burdensome requirements previously applicable to meetings via electronic media were removed.

Under the amended regime, the requirements for a meeting via electronic media are as follows:

- (a) the standards of the electronic media used to conduct the meeting must be in line with the standards prescribed by the Ministry of Digital Economy and Society in the Government Gazette (currently these have not been published and the existing standards will apply); and
- (b) The meeting organizer must ensure that:
 - all participants verify their identities via electronic media before the meeting;
 - all participants must be able to vote, both in open and secret votes;
 - the minutes of the meeting must be prepared and kept in writing;
 - all participants must be audio or video recorded, as the case may be, throughout the duration of the electronic meeting, except for secret votes; and
 - the electronic traffic data of all participants must be kept as evidence.

The new regulations also explicitly allow for meeting notices to be sent electronically, provided that the notices are kept as evidence.

Finally, the new regulations apply to all types of meetings, from official government meetings to meetings of the board of directors of private companies, except for those expressly excluded (such as parliamentary meetings, court judgments and those relating to government procurement processes).

We believe that this is a good move by the Thai government to help both the public and private sector handle the COVID situation.



If you have any questions, please do not hesitate to contact us for further information.



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