Regulatory Issues and Challenges in the Data-Driven Economy

Personal Data Protection: Thailand’s Perspective

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Topics

• 1. Situation in Thailand: Privacy awareness and Data Protection

• 2. Timeline of Thailand Personal Data Protection Legislation

• 3. Conceptual idea of Thailand Personal Data Protection Bill

• 4. Next Steps, things to do ...
1. Situation in Thailand: Privacy awareness and Data Protection
Current Situation

People Awareness in Thailand?

More than 31% of internet users unconcern over their data on social media

12.3% read carefully about a privacy policy for using data or application

24.4% don’t set privacy on social network

45% of this group pointed that they don’t know how to set it up!!

over 70% recognize that the owner has a crucial role to protect personal data

67% take a lot of time (Lengthy Policy)

42.9% difficult to understand (Legal Term)
2. Timeline of Thailand Personal Data Protection Legislation
Timeline of Thailand Personal Data Protection Legislation

- **1991**: Constitution initiated the law on the issue of Personal Data protection

- **1997**: Official Information Act, B.E. 2540

- **1998**: Credit Information Business Operation Act, B.E. 2545

- **2001**: Electronic Transactions Act, B.E. 2544

- **2002**: Child Protection Act, B.E. 2546

- **2003**: National Health Act, B.E. 2550

- **2006**: Notification of Telecommunication, Business Commission

- **2008**: Financial Institutions Businesses Act, B.E. 2551

- **2010**: Notification of ETC: Policy and Practice in protection of personal information of the State agency B.E. 2553

- **2015**: Personal Data Protection Bill was drafted under the Digital Economy Initiatives

- **2016**: Notification of BOT: IT Outsourcing in Financial Institutions Businesses

- **2017**: Rules of the Ministry of Public Health: Protection and management on personal health data

- **2019**: The latest version (MDES version) of Personal Data Protection Bill was approved by The National Legislative Assembly (NLA) in February 2019 (approved the principle of the draft in January, 2015)

The first version on the draft of personal data protection act was proposed to the cabinet (2006)
“lay down general principles and minimum standards of personal data protection”

Limitation of existing law:
• Use for specific purposes
• Lacks of recognition of technology development
• Do not cover all aspects of personal data protection
3. Conceptual idea of Thailand Personal Data Protection Bill
Overview and Concept of Thailand Personal Data Protection Bill

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- **Personal Data**
  - Classification
  - Sensitive Data

- **Data Subjects’ rights**
  - Consent

- **Data Controller’s Obligation**
  - Security Measures

- **Data Processor’s Obligation**
  - Soft Law & Self-Regulation
    - (Best Practice, Guidelines, etc.)
4. Next Steps, things to do...
Thailand Personal Data Protection Bill
1. End user: Promoting **Public Understanding** on Privacy & Data Protection and Digital Literacy

2. Business Sector: **Supporting MSMEs, SMEs to ensure compliance with the laws**

3. **Self-Regulation by Industry**, such as Standards, Guidelines, Best Practices, Code of Conduct and Norms, : Drafting and enforcing their own rules, “One Size Does Not Fit All”

Different History & Background
Different Solutions ....

It is a long journey in the digital era therefore we need the collaborations between Public and Private sector for digitalization and development.
Thank you

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