



Legal Alert

Royal Decree on Businesses or Entities of which the Data Controller is exempted from enforcement under the Personal Data Protection Act B.E. 2562 (2019) (“PDPA”) has been published in the Government Gazette on 21 May 2020 with the effect from 27 May 2020 to 31 May 2021.

Based on Section 4 paragraph 2 of the PDPA, the provisions of which, in part or in whole, shall not apply to Data Controller of Personal Data in certain businesses or entities or those for public interest purposes.

According to the Royal Decree, application of Chapters 2 (Personal Data Protection), 3 (Rights of Data Subject), 5 (Complaints), 6 (Civil Liability), 7 (Penalties) and Section 95 of the PDPA towards the following businesses or entities shall take effect on 1 June 2021:

- (1) Governmental authorities
- (2) Foreign government authorities and international organizations
- (3) Foundation, association, religious organization, non-profit organization
- (4) Agricultural business
- (5) Industrial business
- (6) Commercial business
- (7) Medical and public health
- (8) Energy, steam, water, waste disposal business including relevant business activities
- (9) Construction business
- (10) Repair and maintenance business
- (11) Transportation, logistics and warehouse business
- (12) Tourism business
- (13) Communication, telecommunication, computer and digital business
- (14) Financial, banking, and insurance business
- (15) Real estate business
- (16) Professional business

- (17) Management and support service business
- (18) Science and technology, academic, social work, and art business
- (19) Educational business
- (20) Entertainment and recreational business
- (21) Security business
- (22) Household, community enterprise which its activities cannot be clearly classified

Deloitte's Observations

Notwithstanding the above, while the Royal Decree exempts Data Controller of businesses or entities listed above from certain provisions of the PDPA, such Data Controllers are still required to place sufficient security protection on the Personal Data in an acceptable standard set forth by the Ministry of Digital Economy and Society nonetheless.

With the extension provided for certain businesses on the compliance towards the PDPA, it is recommended, while monitoring on other announcements to follow, to roll-out necessary measures and prepared readiness particularly on management of the data life-cycle, the security and risk control, incident management and have a data privacy team in place to implement, create awareness and monitor such matters as we progress towards June 2021.

For more information and how Deloitte can help you, please contact:

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