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Thai Social Security Compensation for the Outbreak of Dangerous Communicable Diseases

On 30 December 2020, the Ministerial Regulation on Compensations for Unemployment due to Force Majeure caused by the Outbreak of Dangerous Communicable Diseases under the Communicable Diseases Act. B.E. 2563 (the “**Ministerial Regulation**”) has been published on the Royal Gazette. This Ministerial Regulation, similar to a previous Ministerial Regulation issued in 2020 during the pandemic, defines “**force majeure**” to include ***the hazard arising from an outbreak of dangerous communicable diseases according to the Communicable Disease Act that affects the public to the extent that the insured persons are unable to work or that their employers are unable to operate their businesses as normal.***

The Ministerial Regulation allows the Social Security Office (the “**SSO**”) to pay compensation to insured persons who must cease working and:

- are insured persons qualified for compensation benefit in case of unemployment in accordance with the Social Security Act;
- must cease working temporarily during the period from 19 December 2020 onwards; and
- do not receive wages from their employer during the temporary cessation of work.

The affected insured persons are entitled to a compensation at the rate of 50 percent of their daily wages, however, the compensation shall not exceed 90 days in total.

The payment of compensation will be paid on a monthly basis, and the employers are obligated to issue a certification letter requesting compensation. Such letter must meet the minimum requirements as prescribed and annexed to this Ministerial Regulation.

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