กระทรวงดิจิทัลเพื่อเศรษฐกิจและสังคม
MINISTRY OF DIGITAL ECONOMY AND SOCIETY

ETDA

The Development of Electronic Transactions Laws in Thailand

Work Programme on Electronic Commerce

Workshop on Digital Trade Policies : Regional Perspectives
17 July 2025

Landscape of Digital Laws

Support Digital Economy and Trade



B2G

Digital Government

Transform government services

- The Licensing Facilitation Act, B.E. 2558 (2015)
- Digitalization of Public Administration and Services Delivery Act, B.E. 2562 (2019)
- Act on Carrying Out of Public Service via Electronic Means, B.E. 2565 (2022)

Digital Trade & Finance

B2B
B2C

Facilitate the use of digital transactions in Trade and Finance

- Electronic transactions Act B.E. 2544 (2001)
- Emergency Decree on Electronic Meetings, B.E. 2563 (2020)
- Public limited companies Act (No. 4) B.E.2565 (2022) (e-documents / e-proxy / e-advertisement)
- Payment systems Act, B.E. 2560 (2017)
- Emergency Decree on Digital Assets Business Operation B.E. 2561 (2018)

Trusted Environment

Ensure security and privacy in ecosystem

- Computer-Related Crime ACT B.E. 2560 (2017)
- Personal Data Protection Act B.E. 2562 (2019)
- Cybersecurity Act B.E. 2550 (2007)
- Emergency Decree on Measures for Prevention and Suppression of Technological Crimes B.E. 2566 (2023)
- Royal Decree on the Operation of Digital Platform Service Businesses That Are Subject to Prior Notification, B.E. 2565 (2022)

Digital Trade & Finance

Legal Development on Electronic Transactions Law of Thailand

Base on UNCITRAL Instruments

Model Law on Electronic Commerce (MLEC)

Model Law on Electronic Signatures (MLES)

The United Nations Convention on the Use of Electronic Communications in International Contracts (ECC)

Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services (2022) (MLIT)

Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services (2022) (MLIT)

Model Law on Electronic Transferable Records (2017) (MLETR)

Electronic Transactions Act B.E. 2544 (2001)

- Provide legal recognition of e-Transaction
  + e-transactions services
    (Trust services: e-signature, e-seal, e-archiving)
  + government e-transactions
    (e-document : Paperless)

ETA (No. 2), B.E. 2551 (2008)

Transition of

- paper-based documents to e-document &
- e-document to paper-based documents

ETA (No. 3), B.E. 2562 (2019)

Adopt some principles from ECC

- Invitations to make offers
- Use of automated message systems for contract formation
- Error in e-communication

ETA (No. 4), B.E. 2562 (2019)

Provide legal recognition of Digital ID (align with MLIT)

- Set Level of Assurance for Digital ID

(Subordinate Laws of ETA)

Royal Decree on Regulating Digital Identity Services B.E. 2565 (2022)

Supervise (License) Digital ID to ensure Trustworthiness of Digital ID services
(align with IdM from MLIT)

Royal Decree on Digital Platform Services B.E. 2565 (2022)

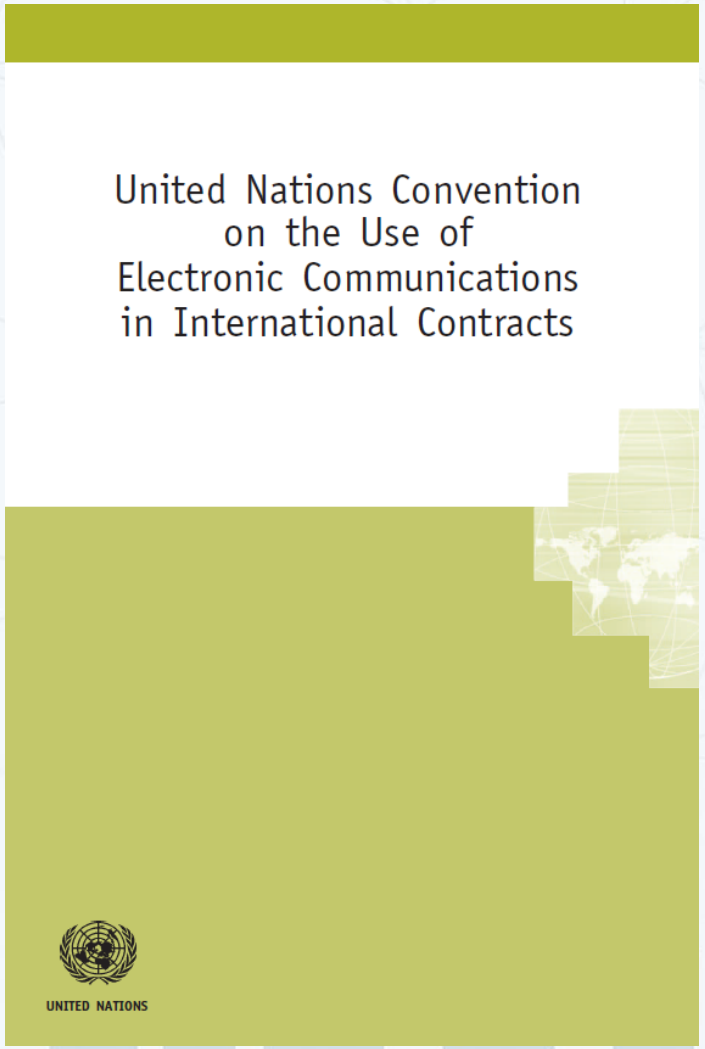
Supervise (Notification) DPS to ensure Transparency and Fairness of Digital Platform Service Businesses

(Draft) Electronic Transactions Act (Revision Version)

- Principles based on UNCITRAL instrument
- Emphasize the principle from MLIT (IdM & Trust Services)
  + MLETR (control)
- Provide certification scheme for Digital Services (optional)

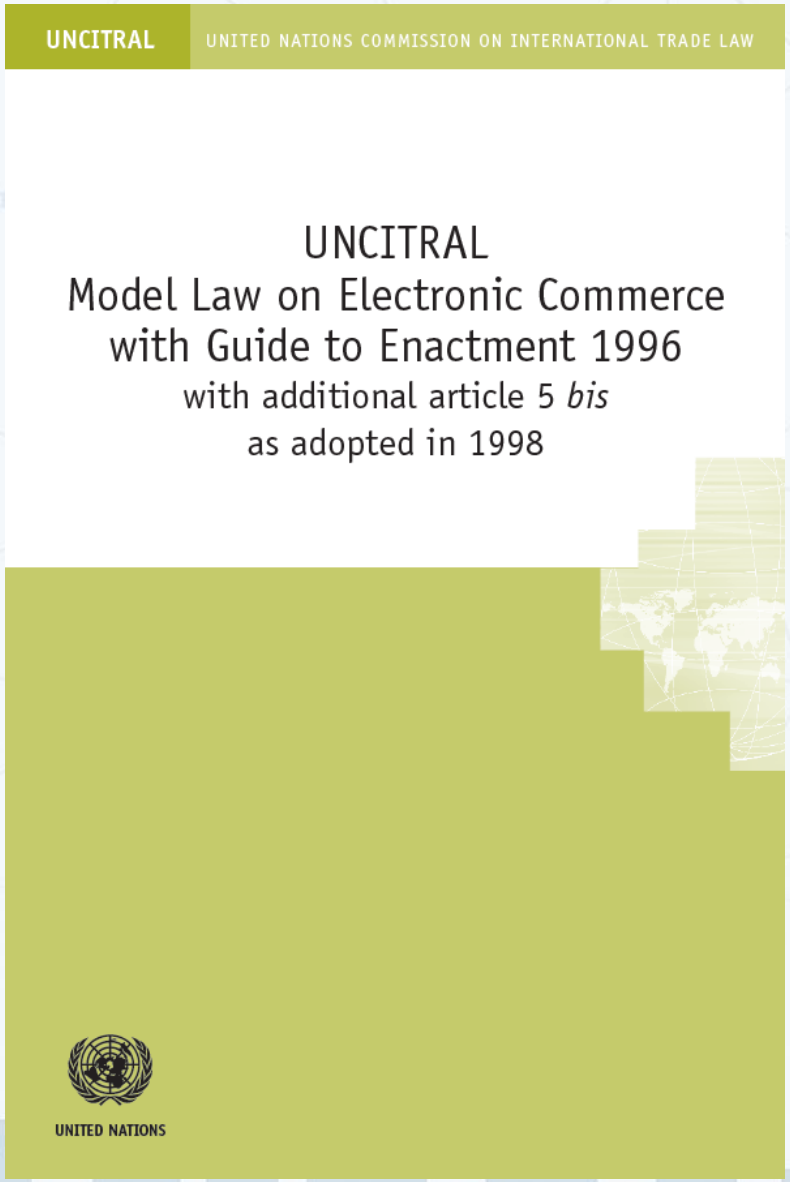
Legal Development on Electronic Transactions Law of Thailand

Base on UNCITRAL Instruments



Thailand has acceded to the United Nations Convention on the Use of Electronic Communications in International Contracts (ECC), becoming the 19th State Party to the Convention.

Electronic Contract



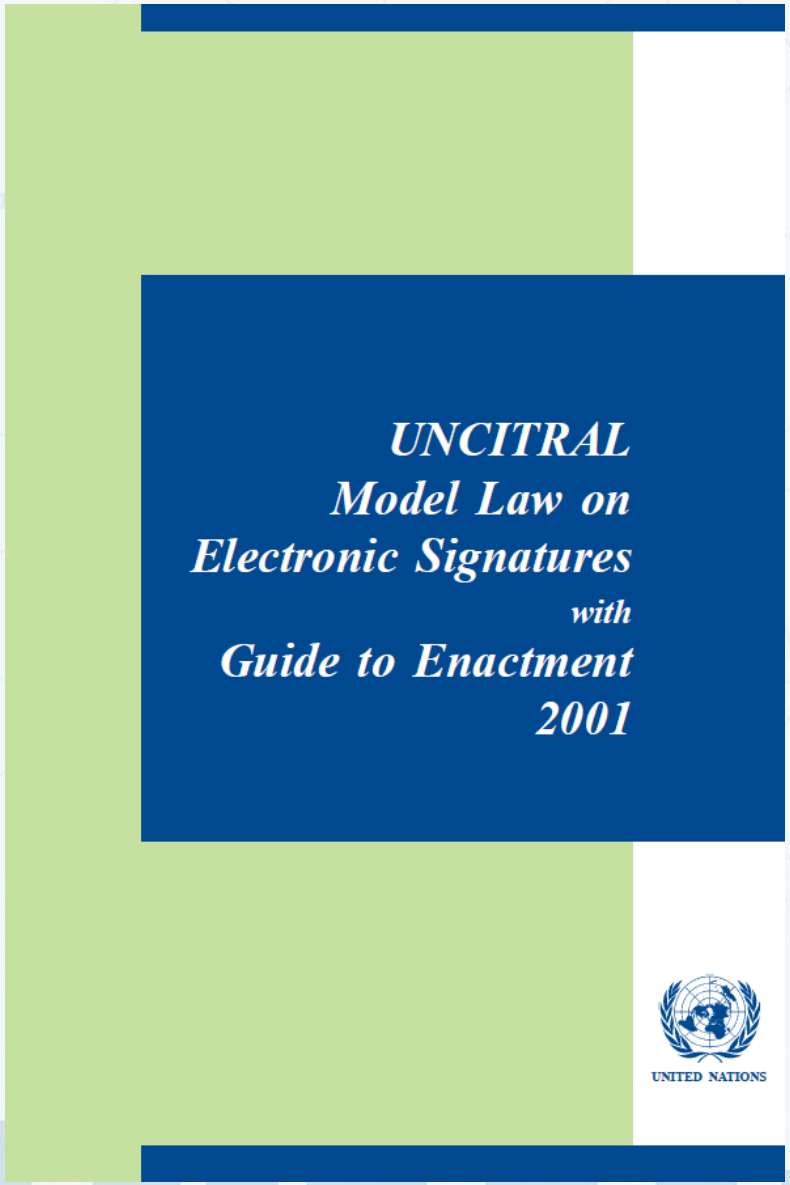
Electronic Transactions Act B.E. 2544 (2001)

- Ensure the legal recognition, admissibility, and evidential weight of **"data messages"**
- Ensure that the use of a data message satisfies the legal requirement **(functional equivalence)** for e-contract life cycle
- Give legal effect to the **formation of contracts** by means of data messages

Guidance on e-contract

- provides guidance for ensuring the legal validity, reliability, and recognition of electronic contracts in accordance with principles of ETA

Digital Signatures



Electronic Transactions Act B.E. 2544 (2001)

- Establish requirements for a **reliable electronic signature**
  I. The signature creation data are linked to the signatory
  II. signature creation data were under the control of the signatory
  III. Any alteration to the electronic signature is detectable
  IV. any alteration made to that information after the time of signing is detectable

National Root Certification Authority (NRCA)

- Trust Model for Certification Authority
  (Provide Certificate for sub-CA)

Standard: Electronic Signature Guideline

- User guideline for the use of electronic signature
- Defines various types of electronic signature

Electronic Transactions in Practice

Base on Electronic Transaction Act

EXAMPLE USE CASE



Thai Digital Identity
Department Of Provincial Administration

E-tax invoice
The Revenue Department



E-KYC
- The Anti-Money Laundering Office
- Bank of Thailand (open bank account)



E-Procurement & E-receipt
Comptroller General's Department



E-filing system &
Electronic court procedure
Court of Justice (e-commerce disputes)



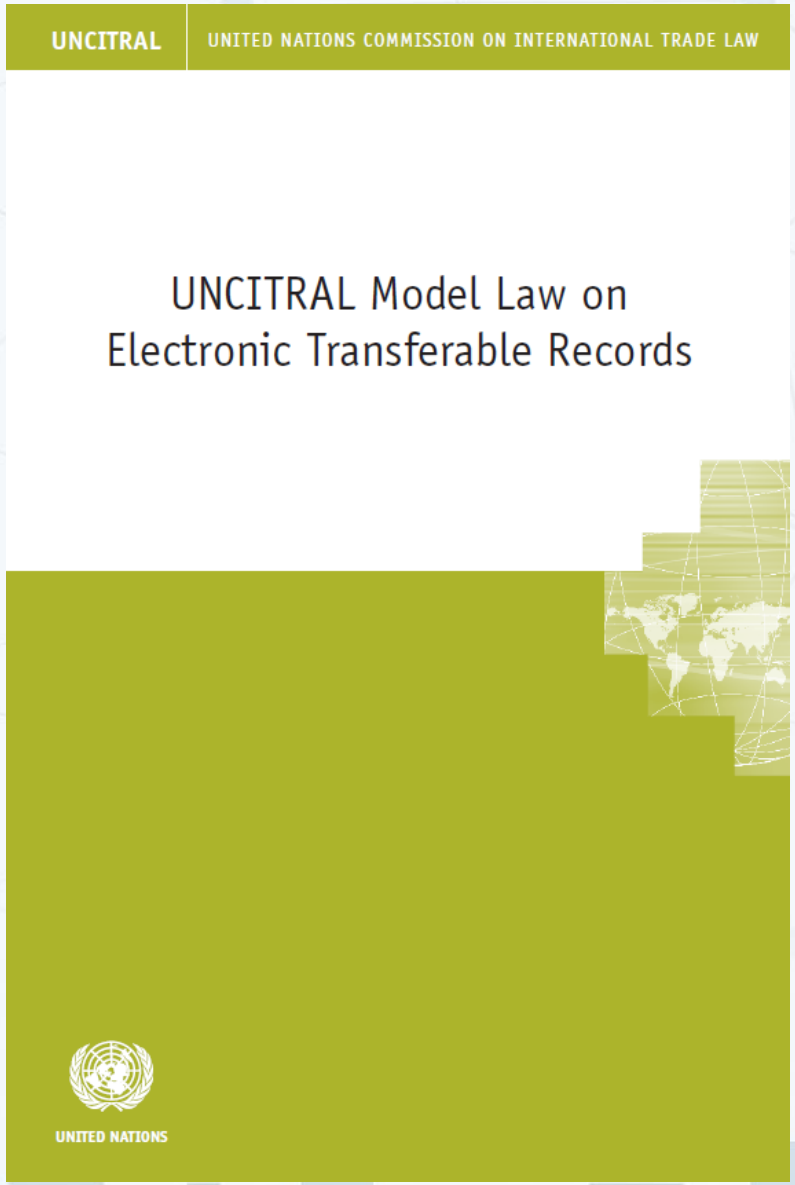
E-licensing

Ecosystem to support Digital E-transactions



	Standard	Law	Services
Digital Identity	**Digital Identity Standard** (Framework / Identity Proofing Requirements /Authentication Requirements)	**Electronic Transactions Act** (Base on UNCITRAL Instrument) Emphasize the concept of MLIT in the (Draft) ETA revision version	**IDENTITY PROVIDER** from Department Of Provincial Administration (ThaID) / Mobile Operator (Mobile ID) / Bank
E-Signature (+Digital Signature)	**User guideline for the use of electronic signature**		**CERTIFICATION AUTHORITY**
E-Seals	**Electronic Delegation of Authority**		
E-Archiving	**Information Security for Data Message Generation, Transfer and Storage Service Providers** (e-tax service provider)		**Web Validation Service**
E-Registered delivery services			
E-Timestamps	**Electronic Time-Stamping**		**e-Timestamp Service**
Website authentication	**Government Website Standard**		SSL Certificates

Transferable document or instrument



(Draft) Thai Electronic Transactions Act (Revision Version)

- Ensure the legal recognition, admissibility, and evidential weight of **"electronic record"**
- Ensure that the use of an electronic record satisfies the legal requirement **(functional equivalence)** for
  - Transferable document or instrument
- Use of ETR
  - Endorsement
  - Amendment
  - Replacement
- Reliability standards will be specified in the subordinate law
- Certification for the trusted ETR management system

(Draft) Guideline on Electronic Transferable Records

- **Key Functions of ETR** : Information, Singularity, Control, Integrity
- **ETR Lifecycle:** Issuance, Transfer, Endorsement, Amendment, Claim, Termination, Replacement
- **Reliable Factors**: Elements that enhance the trustworthiness of ETR-based transactions

Key Challenges



Legal text

Ensuring clear and consistent interpretation



Adoption

Boosting adoption across sectors



Costs

Implementation and compliance costs



Digital skills

Elevating digital skills



Interoperability

Achieving seamless interoperability



Cross-border

cross-border recognition of trust services

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THANK YOU

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