

May 7, 2021

## Thai Cabinet Approves Further Delay to PDPA Enforcement

On May 5, 2021, the Thai Cabinet approved in principle a further one-year extension to the full enforcement date of the Personal Data Protection Act. The decision to postpone must be formally issued as a royal decree before it takes effect, and we expect the content of that royal decree will be materially similar to the prior decree, issued in 2020, which delayed implementation due to the first wave of the COVID-19 pandemic. Although not yet formally confirmed, the new effective date is expected to be June 1, 2022.

This postponement was initiated by the Ministry of Digital Economy and Society (MDES) in light of the ongoing third wave of the pandemic and its severe impact on Thailand's capital, Bangkok. The initiative is backed by businesses and industry associations which are suffering the brunt of the pandemic's economic effects.

The one-year period also allows for further necessary developments to take place before the effective date, and we expect that the Personal Data Protection Commission will be established in the near future, followed by a series of public hearing sessions on subordinate regulations to provide further clarification on the PDPA. Businesses should continue to monitor these developments closely.

Should the postponement proceed, companies and employers should be careful to treat it as additional time to prepare, implement, and shore up their compliance and readiness plans—not an opportunity to cease preparations altogether—as the PDPA will still be implemented in Thailand.

We will keep you informed of any further developments on this matter—especially in relation to the official announcement of the extension—as they emerge.

### — Related Professional



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