

CHAMBERS OF COMMERCE ACT (NO. 3),

B.E. 2564 (2021)

His Majesty King Maha Vajiralongkorn Phra Vajiraklaochaoyuhua

Given on the 7th Day of November B.E. 2564;

Being the 6th Year of the Present Reign.

His Majesty King Maha Vajiralongkorn Phra Vajiraklaochaoyuhua is graciously pleased to proclaim that:

Whereas it is expedient to amend the law on chambers of commerce;

This Act contains certain provisions in relation to the restriction of rights and liberties of a person, in respect of which section 26 in conjunction with section 40 of the Constitution of the Kingdom of Thailand so permit by the virtue of law;

The reason and necessity for the restriction of rights and liberties of a person under this Act are to ensure efficient administration of chambers of commerce in order to increasingly promote trade, services, the carrying out of freelance professions, industry, agriculture, finance or economy without the chambers operating an enterprise by themselves or operating an enterprise of their member, which will be beneficial to the overall business operations and economic systems of the country. The enactment of this Act is in accordance with the conditions prescribed in section 26 of the Constitution of the Kingdom of Thailand;

Be it, therefore, enacted by the King by and with the advice and consent of the National Assembly, as follows:

Section 1. This Act is called the “Chambers of Commerce Act (No. 3), B.E. 2564 (2021)”.

Section 2. This Act shall come into force as from the day following the date of its publication in the Government Gazette.

Section 3. The provision of section 5, paragraph one of the Chambers of Commerce Act, B.E. 2509 (1966) shall be repealed and replaced by the following:

“Section 5. The Minister of Commerce shall have charge and control over the execution of this Act and shall have the power to appoint competent authorities and issue Ministerial Regulations prescribing fees and prescribing other acts for the execution of this Act.”

Section 4. The provision of section 28 of the Chambers of Commerce Act, B.E. 2509 (1966) as amended by the Chambers of Commerce Act (No. 2), B.E. 2550 (2007) shall be repealed and replaced by the following:

“Section 28. A chamber of commerce shall have the duties as follows:

(1) to generally promote trade, investments, services, tourism, the carrying out of freelance professions, industry, agriculture, finance, technology, digital innovation, electronic commerce, startup, smart enterprise or economy;

(2) to generally promote and support researches on trade, investments, services, tourism, the carrying out of freelance professions, industry, agriculture, finance, technology, digital innovation, electronic commerce, startup, smart enterprise or economy, including compiling statistics as well as disseminating information thereof;

(3) to issue certificates of origin of goods, prepare and certify documents used in international trade and investments, including authenticating signatures of persons on documents, in accordance with the criteria and procedures announced by the Board of Trade of Thailand;

(4) to lay down standards of quality of goods, including inspecting or certifying standards of goods;

(5) to establish and operate educational institutions in relation to trade, investments and economy, and museums of goods, including organising trade exhibitions, both within and outside the country;

(6) to become an arbitration institute to decide trade disputes, including establishing trade mediation and compromise centers;

(7) to promote, support, develop and strengthen members, including supporting the creation of new-generation entrepreneurs;

(8) to provide consultation services and give recommendations to members in relation to trade, investments, services, tourism, the carrying out of freelance professions, industry, agriculture, finance, technology, digital innovation, electronic commerce, startup, smart enterprise or economy in general, including assisting in facilitating the operation of business of members;

(9) to give advice and recommendations to the government or administrative agencies in order to drive and develop the economy of the country;

(10) to coordinate trade and investment affairs between entrepreneurs and official authorities;

(11) to enter into agreements or cooperation with administrative and private agencies, both within and outside the country;

(12) to perform other acts as prescribed by law to be the duties of a chamber of commerce.”

Section 5. The provision of section 29 (1) of the Chambers of Commerce Act, B.E. 2509 (1966) as amended by the Chambers of Commerce Act (No. 2), B.E. 2550 (2007) shall be repealed and replaced by the following:

“(1) operating an enterprise by such chamber of commerce itself or operating an enterprise of its member or participating, holding shares, becoming a partner or entering into co-investment in the operation of an enterprise with any person, except for holding shares donated or given to the chamber of commerce;”

Section 6. The provision of section 44 (1) of the Chambers of Commerce Act, B.E. 2509 (1966) shall be repealed and replaced by the following:

“(1) upon a general meeting resolving to dissolve it by the votes of not less than one-half of the total number of ordinary members;”

Section 7. The fees annexed to the Chambers of Commerce Act, B.E. 2509 (1966) shall be repealed.

Section 8. The Ministerial Regulations prescribing fees issued under the Chambers of Commerce Act, B.E. 2509 (1966) in force prior to the date on which this Act comes into force shall continue in force until the Ministerial Regulations prescribing fees issued under the Chambers of Commerce Act, B.E. 2509 (1966) as amended by this Act come into force.

Section 9. The Minister of Commerce shall have charge and control over the execution of this Act.

Countersigned by:

General Prayut Chan-o-cha

Prime Minister

Remarks: The reason for enactment of this Act is that whereas the Chambers of Commerce Act, B.E. 2509 (1966) had long been in force, certain provisions should be amended to be suitable for current situations. The amendment is to prescribe additional duties of chambers of commerce in their operations, which will increasingly promote trade and the operation of enterprises of members, including amending the rules on dissolution of a chamber of commerce by a resolution of a general meeting to be more suitable, as well as cancelling the determination of ceiling rates of fees annexed to the Act. Hence, it is necessary to enact this Act.