

ROYAL DECREE
ON THE OPERATION OF DIGITAL PLATFORM SERVICE BUSINESSES
THAT ARE SUBJECT TO PRIOR NOTIFICATION,
B.E. 2565 (2022)*

HIS MAJESTY KING MAHA VAJIRALONGKORN PHRA VAJIRAKLAOCHAORYUHUA

Given on the 22nd Day of December B.E. 2565 (2022);

Being the 7th Year of the Present Reign.

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

Whereas it is expedient to designate the operation of a digital platform service business as a service business that is subject to prior notification;

Be it, therefore, enacted by the King a Royal Decree, by virtue of the provisions of section 175 of the Constitution of the Kingdom of Thailand and section 32 paragraph one and section 33 paragraph one and paragraph four of the Electronic Transactions Act, B.E. 2544 (2001) as amended by the Electronic Transactions Act (No. 3), B.E. 2562 (2019), as follows.

Section 1. This Royal Decree is called the “Royal Decree on the Operation of Digital Platform Service Businesses That Are Subject to Prior Notification, B.E. 2565 (2022)”.

Section 2. This Royal Decree shall come into force after the expiration of two hundred and forty days from the date of its publication in the Government Gazette.

* Published in the Government Gazette, Vol. 139, Part 78 a, page 17, dated 23rd December B.E. 2565 (2022)

Section 3. In this Royal Decree:

“digital platform service” means the provision of electronic intermediary services that manage data to facilitate the connection, through computer networks, between business users, consumers or users with a view to concluding an electronic transaction, regardless of whether remuneration has been charged, but shall not include a digital platform service that is intended for offering goods or services of a single digital platform service operator or an affiliated company which is an agent of such operator, irrespective of whether the goods or services are offered to third persons or to affiliated companies;

“operator” means a person who operates a digital platform service business that is subject to prior notification;

“business user” means a person who offers goods or services to consumers through a digital platform service;

“consumer” means a person who receives goods or services, or is offered or invited by an operator or a business user to receive goods or services, and shall include a person who duly uses the goods or receives the service, but does not include a business user;

“user” means a person who uses a digital platform service, and shall also include a business user and a consumer;

“remuneration” means charges, fees, other expenses, and all money or other properties relating to the provision of services which are collected from a user;

“State agency” means:

(1) a Ministry, a Sub-ministry, a Department, a government agency called by any other name and ascribed the status as Department, a provincial administration, and a local administration;

(2) a State enterprise established by an Act or a Royal decree;

(3) a public organization established by an Act or a Royal Decree;

(4) an agency of the National Assembly;

(5) an agency of the Court in matters not relating to trial and adjudication of cases;

(6) an organ under the Constitution in matters not relating to adjudication of disputes;

(7) an independent organ established by law;

(8) a juristic person, a group of persons or a person having duties and powers to perform any work of the State in any matter;

“Commission” means the Electronic Transactions Commission;

“Director” means the Director of the Electronic Transactions Development Agency;

“Agency” means the Electronic Transactions Development Agency;

“competent official” means the Director of the Electronic Transactions Development Agency or a person appointed by the Director of the Electronic Transactions Development Agency for the execution of this Royal Decree.

Section 4. This Royal Decree shall not apply to the following cases:

(1) a digital platform service specified by law to be under the regulation of the Bank of Thailand or the Office of the Securities and Exchange Commission;

(2) a digital platform service which is provided by a State agency not directly involved in commercial business or is not provided mainly in a for-profit manner, and which has been notified to the Agency.

In providing digital platform services under paragraph one, the transparency, fairness or standards of operation of the digital platform service business must be guaranteed not to be lower than those prescribed in this Royal Decree.

When the Agency requests information or linking of information relating to a digital platform service under the responsibility of the agency under (1) which is collected from digital platform service operators, or requests information or linking of information relating to a digital platform service under the responsibility of the agency under (2), such agency shall share or link the information with the Agency in accordance with the items prescribed by the Commission in consultation with such agency.

Section 5. The supervision of digital platform services under any law shall be in accordance with that prescribed in this Royal Decree, unless such law specifically imposes the supervision on certain matters and provides rules guaranteeing transparency, fairness or standards of operation of the digital platform service business that are not lower than those prescribed in this Royal Decree.

Section 6. The notification of operation of a digital platform service business, the submission of information, documents or reports, the notification of cessation of a digital platform service business of an operator, the issuance of a receipt of notification

and the issuance of an order of the Agency or a competent official, including the disclosure of information and reports, as well as any other action under this Royal Decree, shall be carried out mainly through the electronic means.

It shall be deemed that the Agency or competent official has received the notification, information, document or report on the date and time when such notification, information, document or report enters the system of the Agency, except when such date or time is outside the working hours of the Agency, it shall be deemed that the Agency or competent official has received it at the beginning of the next working day.

Section 7. The Minister of Digital Economy and Society shall have charge and control of the execution of this Royal Decree.

CHAPTER I OPERATION OF DIGITAL PLATFORM SERVICE BUSINESSES

Section 8. A digital platform service that possesses any of the following characteristics shall be a service business required to be notified to the Agency prior to the commencement of the business:

(1) a digital platform service with annual revenue from providing the digital platform service within the Kingdom exceeding one million and eight hundred thousand baht in case the operator is a natural person, or exceeding fifty million baht in case the operator is a juristic person;

(2) a digital platform service with more than five thousand monthly users, calculated from the average monthly usage in the past in accordance with the rules prescribed in the Notification of the Agency.

The rules under (1) and (2) shall not apply to a digital platform service with distinctive characteristics under section 18 (2) or (3) specified by the Notification of the Commission with the recommendation of the Agency.

The Commission may issue a Notification to prescribe the characteristics of a digital platform service that is not required to be notified to the Agency prior to the commencement of the business. In this regard, due consideration shall be given to the

potential impact from the business operation, the appropriateness of the supervision, and the prevention of harms caused by such impact.

In case of a digital platform service that does not possess the characteristics under paragraph one or is exempted under paragraph three, the operator who provide such digital platform service shall, prior to the commencement of the business, notify to the Agency the brief details under section 12 (1), section 12 (2) (a), (b) and (c) and section 12 (5) in the form prescribed by the Notification of the Agency, and shall not be required to comply with Chapter II Rules for Operation of Digital Platform Service Businesses and Supervision. However, the operator must notify the aforementioned information and the information under section 12 (2) (d) and (e) and section 12 (3) (b) annually to the Agency in the form prescribed by the Notification of the Agency within sixty days from the last day of a calendar year in case of a natural person, or sixty days from the last day of an accounting year in case of a juristic person.

In the case where the Agency finds that any digital platform service fails to comply with paragraph four, the Agency shall notify the operator who provides such digital platform service to comply with paragraph four within the specified period. In the case where such person fails to do so, the Agency shall also publish a notice on the failure to comply with paragraph four for public knowledge through the channel under section 14.

Section 9. An operator who operates business outside of the Kingdom but provides services to users located within the Kingdom must also notify the business operation to the Agency under section 8.

Section 10. A digital platform service outside the Kingdom that possesses any of the following characteristics shall be deemed to have provided services to users located within the Kingdom.

(1) The digital platform is displayed, in whole or in part, in the Thai language.

(2) The digital platform is registered using a domain name with the extension “.th” or “.ไทย” or any other name that signifies Thailand, or using a domain name in the Thai language.

(3) The digital platform requires or allows for the option of payment to be made in the currency of Thai baht.

(4) There are conditions that require Thai law to be the governing law for transactions involving the sale of goods or services on the digital platform service, or that the case be resolved in a Thai court.

(5) Remuneration has been paid to the provider of search engine to specifically facilitate access by users within the Kingdom to the digital platform service of the operator.

(6) There is an office or entity established, or personnel hired, to support or assist users within the Kingdom.

(7) There is any other characteristic as prescribed by the Notification of the Commission.

Section 11. For the purposes of the notification of business operations under section 9 and the compliance with the rules on business operations under section 15, section 17 paragraph three and paragraph four, section 22, section 23 and section 28, the operator shall appoint, in writing, a point of contact to perform duties to coordinate with the Agency in the Kingdom. The point of contact performing such duties must be located within the Kingdom and must not carry out an operation in a manner that constitutes a business operation under the law on foreign business operations.

The appointment of the point of contact in the Kingdom under paragraph one does not constitute a requirement for an operator to establish a business within the Kingdom.

Section 12. A person who wishes to operate a digital platform service business shall notify the information and submit evidence as follows to the Agency:

(1) Information relating to the person wishing to operate a digital platform service business:

- (a) name and surname or name of the juristic person;
- (b) national identification number or juristic person registration number;
- (c) address;
- (d) accounting period in case of a juristic person;
- (e) contact channel;

(2) information relating to the digital platform service:

- (a) name of the digital platform service;
- (b) type of digital platform service, and in case of providing multiple types of services, all types of services provided within the Kingdom shall be indicated;

(c) channel through which the digital platform service is provided, e.g., URL or application;

(d) value of transactions concluded on the digital platform service (if any);

(e) revenue from providing digital platform services within the Kingdom (if any);

(f) proportion of revenue from providing digital platform services within the Kingdom in relation to the total revenue from providing such digital platform services of the operator (if any);

(3) information relating to users (if any):

(a) types of users, e.g., business users, consumers, workers on digital platform;

(b) total number of users and number of each type of users;

(c) type of related service providers, e.g., couriers, warehouse service providers;

(d) total number of related service providers and number of each type of related service providers;

(4) information relating to the top five most frequently reported complaints:

(a) number and types of complaints (if any);

(b) handling of complaints and dispute resolution;

(5) information relating to the point of contact in the Kingdom in case the operator operates the business outside the Kingdom;

(6) consent for the Agency to access the information notified under (1).

The notification form shall be as specified by the Notification of the Agency.

The Commission may issue a Notification to require persons wishing to operate a digital platform service business to notify any other information which does not constitute a trade secret in addition to those prescribed in paragraph one.

Section 13. Upon receiving the notification form as well as the evidence under section 12, the competent official shall issue a receipt of notification on the date of receipt of the notification. The notifier may operate the digital platform service business as from the date on which the receipt of notification is received.

The competent official shall examine the notification form and evidence. In the case where the notification is incorrect and incomplete per section 12, the competent

official has the power to order the corrections to be made all together in a correct and complete manner, and to order the presentation of the correction results to the competent official, within the specified period.

In the case where the operator fails to make the corrections or fails to comply with the order of the competent official within the specified period, the competent official shall order the operator to suspend the digital platform service from the date of expiration of the specified period until the corrections are made correctly and completely in compliance with the order of the competent official.

In the case where the operator fails to comply with paragraph three within ninety days from the date of suspension of the digital platform service, the competent official shall revoke the acknowledgement of the notification of such person from the notification registry and expeditiously notify such person in writing.

Section 14. The Agency shall undertake to establish the notification registry for the purposes of the implementation of this Royal Decree, and provide a means to disclose the information so that the public may check the names and statuses of operators who have received a receipt of notification and those whose acknowledgement has been revoked from the notification registry with the reasons of the revocation specified.

CHAPTER II

RULES FOR OPERATION OF DIGITAL PLATFORM SERVICE BUSINESSES AND SUPERVISION

Section 15. The operator shall annually notify the information under section 12 in the form prescribed by the Notification of the Agency within sixty days from the last day of a calendar year in case of a natural person, or sixty days from the last day of an accounting year in case of a juristic person.

The operator must notify the Agency within thirty days from the date on which there is any change to the information under section 12 (1), section 12 (a), (b) and (c) and section 12 (5).

Section 16. The following digital platform services shall inform users about the terms and conditions of services under section 17 prior to or at the time of the use of the services:

- (1) digital platform services which meet all of the following requirements:
 - (a) they are provided to users for remuneration;
 - (b) they are provided as an intermediary in offering goods or services to consumers, regardless of whether transactions relating to the goods or services take place in whole or in part on the digital platform; and
 - (c) they are provided by an operator who has contractual relationships with business users in offering goods or services to consumers;
- (2) online search engines.

Section 17. For the purposes of promoting transparency and fairness in providing services, the operator under section 16 shall clearly and appropriately publish the terms and conditions of services for users' knowledge prior to or at the time of the use of the services. The publication must at least include the following matters:

- (1) terms and conditions of services, service suspension or termination, and charging of the remuneration;
- (2) main parameters of algorithms or of criteria used by the operator to rank or recommend to users the list of goods or services;
- (3) main parameters of algorithms or of criteria used by the operator to present an advertisement of goods or services to users;
- (4) main parameters of algorithms or of criteria used by the operator to collect, moderate and publish user reviews;
- (5) access to and use of data received from the provision of the digital platform service by the operator or user;
- (6) support channels, internal complaint-handling system, and dispute resolution, as well as the timeframe of such action;
- (7) rating of goods, services, or contents that are appropriate to each group of users;
- (8) actions to be taken to illegal goods, services, or contents.

For the purposes of complying with this section, the Agency, with the approval of the Commission, shall have the power to issue a Notification to prescribe the details for the implementation of paragraph one.

When there is a change in the terms and conditions of services under paragraph one, the operator shall notify the Agency and users in accordance with the rules and procedures and within the period prescribed by the Notification of the Commission.

The operator under paragraph one shall submit a report on the compliance with this section annually in the form prescribed by the Notification of the Agency.

The Agency shall also disclose the report or the information in the report under paragraph four to the public through the channel under section 14.

Section 18. The following digital platform services shall be deemed large digital platform services or specified digital platform services:

(1) a large digital platform service that has annual revenue from each type of digital platform services provided within the Kingdom exceeding three hundred million baht, or from all types of services exceeding one billion baht, or has the number of users within the Kingdom exceeding ten percent of the total population in the Kingdom according to the Notification on the Total Population in the Kingdom published in the Government Gazette by the Director of the Central Registration Bureau per the law on civil registration, as calculated from the average monthly usage in the past in accordance with the rules prescribed in the Notification of the Agency;

(2) a specified digital platform service that poses risks to financial and commercial security, reliability and credibility in data message systems, or potential harms to the public and has high level of potential impacts from the operation of such digital platform service business, as per the criteria for assessing the level of impacts of the operation of digital platform service businesses prescribed by the Notification of the Commission;

(3) a digital platform service having impacts on State security, health, environment, energy, communication and telecommunication, transportation and logistics, and public utility, which has been designated in the Notification of the Commission as a specified digital platform service upon the proposal of the responsible State agency.

For the convenience of compliance with this section, the Agency, with the approval of the Commission, shall issue the Notification to prescribe which types of or which

large digital platform services or specified digital platform services shall have duties to comply with section 19, section 20 or section 21, as the case may require.

Section 19. In addition to other duties prescribed in this Royal Decree, the operator of the large digital platform service under section 18 (1) that has been designated in the Notification of the Agency issued with the approval of the Commission under section 18 paragraph two shall have duties to conduct risk assessments and implement measures to mitigate such risks, implement measures to maintain system security, carry out crisis management, appoint compliance officers, undergo audits by external auditors, and carry out any other action as prescribed by the Notification of the Commission.

Section 20. In addition to other duties prescribed in this Royal Decree, the operator of the specified digital platform service under section 18 (2) that has been designated in the Notification of the Agency issued with the approval of the Commission under section 18 paragraph two shall have duties to conduct risk assessments and implement measures to mitigate such risks, and carry out any other action as prescribed by the Notification of the Commission.

Section 21. In addition to other duties prescribed in this Royal Decree, the operator of specified digital platform service under section 18 (3) that has been designated in the Notification of the Agency issued with the approval of the Commission under section 18 paragraph two shall have duties to conduct risk assessments and implement measures to mitigate such risks, and carry out any other action as prescribed by the Notification of the Commission issued upon the recommendations of the Joint Committee.

Section 22. The operator required to comply with section 19, section 20 or section 21 shall have the duty to annually submit a report on the compliance to the Agency, in the form prescribed by the Notification of the Agency.

Section 23. In making a change in the terms and conditions of services, the operator of the specified digital platform service under section 18 (2) or (3) that has been designated in the Notification of the Agency issued with the approval of the Commission under section 18 paragraph two must also provide an opportunity for users to give their comments

for a period of at least fifteen days and must notify the Agency. However, if the amendment to the terms and conditions of services is made for any of the following objectives, it is not required to take comments from users:

- (1) to comply with the law;
- (2) to meet the needs of users;
- (3) to cover a new service or an improvement to a service;
- (4) to address an issue arising from the provision of a service;
- (5) to reduce burdens for or increase benefits to users;
- (6) to comply with those prescribed in the Notification of the Agency.

In the case where the Agency is of the opinion that a change in the terms and conditions of services was made without providing an opportunity for users to comment or affects the fairness of the service, the Agency may order the operator under section 18 (2) or (3) to take comments or amend the terms and conditions of services under section 17 to ensure fairness, within the specified period.

Section 24. The Commission shall annually review the prescription of large digital platform services or specified digital platform service under section 18 paragraph two and the additional duties of such digital platform services under section 19, section 20 and section 21.

Section 25. The operator shall provide measures to alleviate injuries and to compensate or remedy persons who have been injured by operations of the digital platform service business. Such measures must at least include the following measures:

- (1) internal complaint-handling system;
- (2) support channels for assisting or helping users who have been injured from using the service;
- (3) other measures prescribed in the Notification of the Commission.

Section 26. In addition to complying with section 25, the operator under section 16 and section 18 paragraph two shall also include, in the terms and conditions of services, the following measures to alleviate injuries and to compensate or remedy persons who have been injured by operations of the digital platform service business:

- (1) steps and measures for taking care of users who have been injured from using the service;
- (2) steps for remedying the injuries and for notifying users of the results of actions taken;
- (3) identification of the essential contents of an insurance contract put in place by the operator in case of damage (if any);
- (4) other measures prescribed in the Notification of the Commission.

Section 27. In the case where the operator under section 18 paragraph two has provided the digital platform service for a period prescribed by the Notification of the Commission without any contravention or noncompliance with the law or this Royal Decree and without any other issue prescribed by the Notification of the Commission, the Agency may issue a certification mark or other similar statement which may be displayed or made public by the operator.

The rules, procedures and conditions on the issuance of the certification mark or other similar statement under paragraph one shall be in accordance with those prescribed by the Notification of the Commission.

Section 28. In the case where the operator wishes to cease the operation of a digital platform service business, the operator must notify the Agency not less than sixty days prior to the date of cessation of business operations in accordance with the rules, procedures and conditions prescribed in the Notification of the Agency.

In the case where the operator under section 16 or section 18 paragraph two wishes to cease the operation of a digital platform service business, the operator shall comply with paragraph one not less than one hundred and twenty days prior to the date of cessation of business operations, and also notify the plan and measures for taking care of users to the Agency.

For the purposes of preparing the plan and measures under paragraph two, the Commission has the power to issue the Notification to prescribe the rules, procedures and conditions for the operator to compensate or remedy the users who have been injured from using the service, or any other matter necessary to protect users.

The operator under paragraph one and paragraph two shall publish a notice on the cessation of the operation of the digital platform service business immediately after

the Agency has been notified. The operator under paragraph two shall also publish the plan and measures for taking care of users on the same occasion.

Section 29. For the purposes of compensating or remedying persons who have been injured by the operation of a digital platform service business, the competent official shall, prior to the issuance of a receipt of notification for the cessation of the operation of the digital platform service business, verify that the operator has fully implemented the plan and measures under section 28 paragraph two. If they have been fully implemented and no users have been found to have been injured from using the service, the competent official shall issue a receipt of notification for the cessation of the operation of the digital platform service business to the operator.

Section 30. It shall be deemed that the provision of the digital platform service business has ceased when the competent official issues a receipt of notification for the cessation of the operation of the digital platform service business to the operator.

The Agency shall also publish a notice on the cessation of the digital platform service business for public knowledge through the channel under section 14.

Section 31. The Agency shall undertake to establish a central channel for receiving complaints arising from the provision of digital platform services by operators, as a means for receiving complaints from users. The results of the operation shall be reported to the Commission on an annual basis.

The provisions in paragraph one shall also apply to digital platform services under section 8 paragraph four *mutatis mutandis*. The Agency shall also have the power to request cooperation from such digital platform services to resolve the complaints it receives.

Section 32. The Agency shall have the power to promote and support operators in implementing best practices or establishing appropriate mechanisms for self-regulation, which include identification and authentication of user identities that are appropriate for the risks of services as obtained from risk assessment results, as well as measures to promote mutual understanding and acceptance among operators, users and State agencies.

For the purposes of carrying out operations under paragraph one, the Agency may prepare guidelines for operators to use in their operations.

CHAPTER III

REVOCATION OF ACKNOWLEDGEMENT OF NOTIFICATION OF BUSINESS OPERATIONS

Section 33. In the case where an operator contravenes or fails to comply with the rules, procedures or conditions set forth in Chapter II Rules for Operation of Digital Platform Service Businesses and Supervision or under Notifications of the Commission or of the Agency, the competent official shall issue an order prohibiting the operator from providing the digital platform service until the stipulated rules have been correctly and fully complied with.

In the case where the operator fails to comply with the order under paragraph one within ninety days from the date of issuance of the order prohibiting the provision of digital platform services, the competent official shall revoke the acknowledgement of the notification of such person from the notification registry and expeditiously notify such person in writing.

The Agency shall also publish a notice on the revocation of acknowledgement for public knowledge through the channel under section 14.

CHAPTER IV

COOPERATION AMONG STATE AGENCIES

Section 34. There shall be a committee called the “Joint Committee of State Agencies”, which shall be referred to in short as the “Joint Committee”, consisting of the Permanent Secretary for Digital Economy and Society being Chairperson, the Permanent Secretary for Commerce being First Vice-chairperson, the Permanent Secretary for Public Health being Second Vice-chairperson, the Permanent Secretary for Labor, Secretary-General of the Public Sector Development Commission, Attorney General, Secretary General of the Consumer Protection Board, Director-General of the Department of Land Transport, Commissioner of the Cyber Crime Investigation Bureau, Secretary General of the Trade

Competition Commission, Secretary General of the National Broadcasting and Telecommunication Commission, Secretary General of the Insurance Commission, Secretary General of the Securities and Exchange Commission, Governor of the Bank of Thailand, Director of the Digital Government Development Agency (Public Organization), Chairperson of the Digital Council of Thailand, Chairperson of the Board of Trade of Thailand, Chairperson of the Thailand Consumers Council, Chairperson of the Federation of Thai Industries and not more than five representatives of other agencies appointed by the Commission being members.

The Director shall be a member and secretary. The Director shall appoint not more than two officials of the Agency as assistant secretaries.

For the purposes of carrying out duties and powers under section 35, the Joint Committee may resolve to invite a person with knowledge, expertise or experience relevant to the matters under consideration to attend its meeting as a member on an occasional basis. In this case, the person who is invited and attends the meeting shall have the status of a member during the meeting to which he or she is invited, but shall not have the right to cast a vote.

Section 35. The Joint Committee shall have duties and powers as follows:

- (1) providing opinions, recommendations and advice to the Commission and the Director in the performance of duties under this Royal Decree;
- (2) monitoring and providing opinions, recommendations and advice to State agencies and private organizations affected by the application of this Royal Decree;
- (3) considering and deciding cases with issues relating to rules guaranteeing transparency, fairness or standards under section 4 paragraph two and section 5;
- (4) providing recommendations on the stipulation of characteristics of digital platform services exempted from notification requirements under section 8 paragraph three and the stipulation of characteristics of digital platform services deemed to have provided services to users located within the Kingdom under section 10 (7);
- (5) recommending guidelines for the implementation of section 18;
- (6) recommending guidelines for prescribing additional duties for specified digital platform services under section 21 and for reviewing the prescription of large digital platform services and specified digital platform services as well as their additional duties under section 24;

(7) recommending guidelines for prescribing measures to alleviate injuries and to compensate or remedy persons who have been injured by the operation of digital platform service businesses under section 25, section 26 and section 28 paragraph three;

(8) facilitating the cooperation among State agencies under section 37, section 38 and section 39 and on other necessary matters;

(9) appointing a sub-committee to provide recommendations concerning the supervision of operations of digital platform service businesses or to carry out any other action as entrusted by the Joint Committee;

(10) carrying out any other action under this Royal Decree and as entrusted by the Commission.

In carrying out duties and powers prescribed in paragraph one, the Joint Committee shall have regard to the reduction of redundancy faced by operators in complying with regulations of State agencies, provision of convenience to operators and users, compensation or remedies to persons who have been injured by the operation of digital platform service businesses, and efficiency in law enforcement.

Section 36. The provisions on committees having powers to proceed with an administrative process under the law on administrative procedure shall also apply to meetings of the Joint Committee and sub-committees *mutatis mutandis*.

Section 37. For the purposes of carrying out works under duties and powers under the law in the responsibilities of a State agency, if it is necessary for such State agency to request information that the Agency receives from the notification under this Royal Decree, the Agency shall, with the approval of the Commission, cooperate by providing such information to the State agency without delay.

Section 38. In order to provide convenience to operators and reduce the redundancy in information requests, in the case where it is necessary for the Agency to use information that a State agency has already requested or collected from the operator or business user, the Agency may request such agency to disclose or link the information to the Agency, and such State agency shall cooperate with the Agency in carrying out the request without delay.

Section 39. For the purposes of enforcing the law and this Royal Decree, the Agency may request cooperation from relevant State agencies or committees to carry out their legal duties and powers against an operator or a user who contravenes or fails to comply with the law or this Royal Decree.

The provisions in paragraph one shall also apply to the request from a State agency to the Agency *mutatis mutandis*.

CHAPTER V

APPEALS

Section 40. An administrative order issued by a competent official shall be appealed to the Director.

An administrative order issued by the Joint Committee, the Agency or the Director shall be appealed to the Commission.

Section 41. An operator, user or person directly affected by an administrative order issued under this Royal Decree may appeal against the order by lodging the appeal to the Agency, the competent official issuing the order or the person authorized to consider an appeal under section 40, within thirty days from the date on which the order is received or from the date on which the order is known or should have been known, as the case may be.

An appeal must be made in writing and bear the signature of the appellant, specifying the cause of the dispute and the underlying facts or legal grounds.

The person receiving the appeal shall issue a certificate of appeal acknowledgement, which bears the date of receipt and signature of the recipient, to the appellant.

Section 42. The person authorized to consider an appeal shall complete the consideration of the appeal within thirty days from the date of receipt of the appeal. If there is a necessity that renders it impossible to complete the consideration within such period, the appellant shall be notified before the expiration of the period. The person

authorized to consider the appeal may extend the consideration period for no longer than thirty days from the date of expiration of such period.

TRANSITORY PROVISIONS

Section 43. The operator of a digital platform service that is in operation on the day prior to the date this Royal Decree comes into force and is a business that is subject to prior notification as prescribed in this Royal Decree, shall notify the business operation in accordance with this Royal Decree to the Electronic Transactions Development Agency within ninety days from the date this Royal Decree comes into force, if the operator wishes to continue the business operation. During such period, the operator may continue the business operation.

The operator of a digital platform service that is subject to prior notification under paragraph one who wishes to cease the business operation within one year from the date this Royal Decree comes into force, shall notify the cessation of the business operation to the Electronic Transactions Development Agency within ninety days from the date this Royal Decree comes into force. In this regard, the provisions of section 28, section 29 and section 30 shall also apply *mutatis mutandis*.

Section 44. The operator of a digital platform service under section 8 paragraph four that is in operation on the day prior to the date this Royal Decree comes into force, shall notify the brief details under section 12 (1), section 12 (2) (a), (b) and (c) and section 12 (5) in the form prescribed by the Notification of the Electronic Transactions Development Agency within one year from the date this Royal Decree comes into force.

The provisions of section 8 paragraph five shall also apply to the operator under paragraph one *mutatis mutandis*.

Countersigned by
General Prayut Chan-o-cha
Prime Minister

Remark: The grounds for the promulgation of this Royal Decree are as follows. At present, there are many providers of digital platform services that act as online intermediaries, covering a wide range of features and types of businesses, and are increasingly important to the economic system and society. It is expedient to regulate operations of such service businesses in order to maintain financial and commercial security, to strengthen reliability and credibility in data message systems, and to prevent potential harms to the public, by designating digital platform services as a service business that is subject to prior notification, prescribing rules for operation of digital platform service businesses and supervision with a view to protecting users of digital platform services, setting up a mechanism to facilitate cooperation among State agencies and information sharing between relevant agencies, and promoting and supporting digital platform service operators in implementing best practices or establishing appropriate mechanisms for self-regulation in line with the relevant laws. It is therefore necessary to enact this Royal Decree.