



**Thailand: Thailand Declares State of
Emergency to Control COVID-19
(As of March 26, 2020)**

***This article is based on the information as of March 26, 2020.**

The Prime Minister has issued a regulation under Section 9 of the Emergency Decree on Public Administration in Emergency Situation 2005 (No. 1) (the "**Emergency Decree**") to cope with the COVID-19 situation in Thailand (the "**Regulation**") which shall become effective on and from 26 March 2020 - 30 April 2020. Following the Regulation, there will be the establishment of a COVID-19 emergency center at which a meeting will be held every day at 9.30 a.m. and will update the COVID-19 situation in the country to the general public on a daily basis.

The Regulation includes, among others, the following matters:

1. Prohibiting from entering into the risk areas (Clause 1 of the Regulation)

People are prohibited from entering into the area or place which is at risk of infection as specified in the Cabinet Resolution dated 17 March 2020 (e.g. tutorial school) or any other places announced by Bangkok Governor, Provincial Governor or the communicable disease control officer according to the Communicable Disease Act 2015 before the enactment of this Regulation.

2. Closure of the risk areas (Clause 2 of the Regulation)

Bangkok Governor and Provincial Governor have the authority to order the temporary closure of the place (i) where many people would do activity together and (ii) is at risk of spreading the virus by virtue of Section 35 (1) of the Communicable Disease Act 2015, including the following places:

- (1) Boxing stadium, sports field, competition field, playground, horse race track in every province of Thailand;
- (2) Pubs, entertainment place, public performances or games venue, the operation place of massage parlors and traditional massages, spas, fitness facilities in Bangkok and suburbs (e.g. Nonthaburi province);
- (3) Other places such as natural tourist sites, museum, public libraries, religious places, bus stations, in whole or in part taking into account additional conditions and time requirement based on necessity and appropriateness as approved by the Communicable Disease Committee of each province or Bangkok, as the case maybe.

3. Prohibiting from entering into Thailand (Clause 3 of the Regulation)

All Thai borders by air, land and water are closed for all people to enter into Thailand except for:

- (1) Foreigners with work permits and Fit to Fly Health Certificate;
- (2) Thai nationals with Certificate from Thai Embassy and Fit to Fly Health Certificate;
- (3) Diplomats working in Thailand;
- (4) Goods conveyances;
- (5) Pilots and cabin crew on the vehicles to Thailand;

- (6) Those as authorized by the Prime Minister

The immigration officer has the power to refuse to allow the non-Thai nationals who are detected or suspected to be infected with COVID-19 or who do not allow the inspection to enter into Thailand according to the immigration law.

4. Prohibiting from hoarding supplies (Clause 4 of the Regulation)

It is prohibited to stock medicines, medical supplies, food, drinking water, or other goods necessary for daily consumption.

5. Prohibiting any assembly (Clause 5 of the Regulation)

The assembly or gathering of persons at any place or the commission of any act which may cause unrest is prohibited.

6. Measures for vulnerable people (Clause 8 of the Regulation)

The following people who are at high risk of being infected with COVID-19 are recommended to stay at homes:

- (1) Those of at least 70 years old;
- (2) Those who have congenital diseases such as diabetes, high blood pressure, cardiovascular and cerebrovascular diseases, respiratory disease, allergy which has a natural low immunity and with medication treatment;
- (3) Children under 5 years old;

7. Policy to open certain businesses (Clause 12 of the Regulation)

The following places, among others, can still open and operate as usual, provided that the disease prevention measures under the Regulation are fully complied with (e.g. cleaning every day, all employees need to wear masks, one-meter distancing in work place, etc.):

- (1) Hospitals;
- (2) Hotel (only in the area of accommodation and restaurant);
- (3) Securities and financial transaction business;
- (4) Factory;
- (5) Banks;
- (6) Gas station;
- (7) Shopping mall (only supermarket, drug store, food department, department for miscellaneous goods necessary for living);
- (8) Passenger and freight transportation services including online delivery;
- (9) Governmental agencies unless closed or suspend operations before the enactment of this Regulation such as educational institutions.

If any person does not comply with Clauses 1 - 6 of the Regulations, under Clause 15 of the Regulation, such person would be punishable under Section 18 of the Emergency Decree (i.e. an imprisonment of not exceeding 2 years and/or a fine of not exceeding Baht 40,000) and may be liable under Section 52 of the Communicable Disease Act 2015 (i.e. an imprisonment of not exceeding 1 year and/or a fine of not exceeding Baht 100,000) or Section 41 of the Price of Goods and Services Act 1999 (i.e. an imprisonment of not exceeding 7 years and/or a fine of not exceeding Baht 140,000), as the case maybe.

Please note that according to Clause 16 of the Regulation, in the case of necessity, the Prime Minister may issue any regulation amending, adding or decreasing measure or conditions or time requirements by publishing such regulation in the Royal Government Gazette. As a result, we will closely monitor the situation and will keep you informed if there are any further updates.

This article is intended to provide only general, non-specific legal information and does not purport to give a legal opinion or advice on specific facts.

