

Announcement of the National Council for Peace and Order

No. 74/2557 (A.D.2014)

Re: Electronic Conferencing¹

Whereas, the current technology enables conference attendees in the public and private sectors, though not in the same venue, to conveniently consult and discuss with each other through electronic media, thereby rendering the conference arrangement and attendance both cost-effective and time-saving. Although conferences held through electronic media are now widely used in operating business, the current applicable law does not yet accept the electronic conferencing to be legally valid. It is thus appropriate to enact a unified law prescribing certain conferences, which are required to be held by several provisions of law, to be operable through electronic media and legally valid. In such regard, the National Council for Peace and Order has announced as follows:

Clause 1 In this Announcement of the National Council for Peace and Order:

“Electronic conferencing” means a conference required to be held by law, that is conducted through electronic media, whereby at least one third of the quorum shall physically attend the conference at the same conference venue and all of the conference attendees shall have their presence in the Kingdom of Thailand at the time during which the conference is held, although they are not present at the same venue but they are capable of attending the conference, consultation and discussion, as well as expression of their opinions via electronic media.

“Conference attendees” include the committee members, subcommittee members, secretaries and assistant secretaries of the committee or sub-committee.

Clause 2 This Announcement of the National Council for Peace and Order shall not apply to:

¹ Government Gazette, Volume 131 / Special Part 124 Ngor. / Page 11 / 4 July 2557 (A.D. 2014)

- (1) Conference of the House of Representatives, Senate and Parliament;
- (2) Conference for preparing a court's judgement or order;
- (3) Conference for implementing a procurement process of the government agency, local government organisation, state enterprise, public organisation and state agencies; and
- (4) Other conferences prescribed by the Council of Ministers.

Clause 3 The conference under the provisions of law which requires that the conference be held, in addition to taking action in accordance with a procedure provided in each of statutes, the person serving as the chairman of the conference may determine that the conference be organised and held through electronic media; and it shall have the same effect as the conference held pursuant to a legally provided procedure.

An electronic conferencing shall be prohibited with regard to matters that are subject to a particular degree of official confidentiality under regulations governing national security and other matters as prescribed by the Council of Ministers.

Clause 4 An electronic conferencing shall be conducted in accordance with the standards for electronic conferencing security imposed by the Ministry of Information and Communication Technology and as published in the Government Gazette.

Clause 5 A notice calling for a conference and related documents may be sent by an electronic mail. In this regard, the person charged with arranging the conference must keep a copy of the notice of the conference and related documents as evidence, which may be stored in electronic data format.

Clause 6 In an electronic conferencing, the person charged with arranging the conference shall:

- (1) Arrange for all conference attendees to identify themselves as attendees through electronic media before joining the conference;
- (2) Prepare a written minutes; and

(3) Make audio or audio and video recording in electronic data format, as the case may be, of every conference attendee throughout the conference period, which shall be treated as a part of the minutes, except for a confidential conference.

Clause 7 In an electronic conferencing, if there must be payment of meeting allowances to conference attendees, meeting allowances shall be paid to conference attendees who identify themselves as attendees for joining the conference through electronic media.

Clause 8 Conferences which are held through electronic media in accordance with this Announcement of the National Council for Peace and Order shall be deemed as legitimate conferences. In such regard, the admissibility of the electronic data under this Announcement of the National Council for Peace and Order as an evidence in the legal proceedings, either civil, criminal or any other cases, shall not be denied solely on the grounds that it is an electronic data.

Clause 9 Determination of the standards for electronic conferencing security under Clause 4 shall be carried out and imposed within 30 days from the date on which this Announcement of the National Council for Peace and Order comes into force. In determining the standard for electronic conferencing security thereof, due regard shall also be paid to convenience in organising the conference through electronic media.

This Announcement shall come into force from now onwards.

Announced on the 27th day of June B.E. 2557 (2014)

General Prayut Chan-o-cha

Head of the National Council for Peace and Order