

– Unofficial Translation –

**Notification of the Ministry of Digital Economy and Society**  
**Re: Criteria, Period of Time and Procedures for Blocking Dissemination**  
**or Deletion of Computer Data by the Competent Official or Service Provider**  
**B.E. 2560 (2017)<sup>1</sup>**

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Whereas, it is expedient to prescribe the criteria, period of time and procedures for blocking the dissemination or deletion of computer data by the competent official or service provider in observance of the court’s order to block the dissemination of or to delete the computer data which constituted an offence, so that the practice is consistent.

By virtue of Section 4 in conjunction with Section 20, Paragraph four of the Computer-Related Crime Act B.E. 2550 (2007) as amended by the Computer-Related Crime Act (No. 2) B.E. 2560 (2017), the Minister of Digital Economy and Society issued the following Notification:

**Clause 1** This Notification is called “Notification of the Ministry of Digital Economy and Society Re: Criteria, Period of Time and Procedures for Blocking Dissemination, or Deletion of Computer Data by the Competent Official or Service Provider B.E. 2560 (2017)”.

**Clause 2** This Notification shall come into force as from the day directly following the date of its publication in the Government Gazette.

**Chapter 1**  
**General Provisions**

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**Clause 3** In this Notification:

“**computer system**” means any device or a group of interconnected or related devices, one or more of which pursuant to a program or, instruction or anything else, performs automatic processing of data.

“**computer data**” means information, messages and concepts or instructions, a program or anything else in a form suitable for processing in a computer system, and shall include electronic data under the law on electronic transaction.

“**service provider**” means:

(1) A person who, either in his/her own name or in the name or for the benefit of another person, provides to other persons with access to the internet or the ability to communicate by other means through a computer system.

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<sup>1</sup> Government Gazette, Volume 134, Special Part 188 Ngor / Pages 21-24 / 22 July B.E. 2560 (2017)

(2) A person who stores computer data for the benefit of other persons.

**“competent official”** means a person appointed by the Minister of Digital Economy and Society for the execution of the Computer-Related Crime Act B.E. 2550 (2007) and its amendment.

**“data location”** means position or location of data (Related Online Location), i.e. related URL, related IP address, related domain name, related web page of data source or electronic address which is related to such data.

**Clause 4** In the event that the court has ordered a block of the dissemination or deletion of computer data from the data location, the competent official shall, either by themselves block the dissemination or remove such computer data, or order the service provider to block the dissemination or delete such computer data.

In ordering the service provider to block the dissemination or deletion of computer data as stated under paragraph 1 above, the competent official may give the order in the form of an electronic data format, provided that such order must not incur any unreasonable excessive duty or impact to the service provider.

For the purpose of blocking the dissemination or deletion of computer data correctively and completely within the specified period of time, and for the purpose of surveillance and monitoring the status of blocking the dissemination or deletion under Paragraph 1 above, the Ministry of Digital Economy and Society may arrange for a directory register for ordering the service provider to block the dissemination of or to delete computer data; and to report the result of such block of the dissemination or deletion of computer data in accordance with the court order.

For the purpose of examination of the blocking of the dissemination or deletion of computer data, the data traffic generated from the directory register as stated under Paragraph 3 above shall be kept for a period of not less than five years.

## **Chapter 2**

### **Blocking the dissemination or deletion of computer data by the competent official**

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**Clause 5** Subject to Clause 4, in case that the competent official will block the dissemination of or delete computer data by themselves, they shall act promptly after receiving a copy of the court’s proceedings report which shows the court’s order and details of the data location; except where there is a reasonable necessity causing the

competent official to be unable to promptly block the dissemination of or delete computer data. In such case, the competent official shall block the dissemination of or delete such computer data when such necessity is ended, but not later than seven days thereafter.

The competent official has the duty to examine the correctness and completeness of information before blocking the dissemination or deletion of such computer data, including the duty to record the result of blocking the dissemination or deletion of computer data in the directory register supplied by the Ministry of Digital Economy and Society.

**Clause 6** In the case where there is a reasonable necessity or having been notified by the inquiry official or the relevant official, or for the purpose of investigation and inquiry, before blocking the dissemination or deletion of computer data, the competent official may retain such computer data to the extent necessary; provided that the competent official shall promptly deliver the said retained computer data to the inquiry official or the relevant official for proceeding with the further process.

### **Chapter 3**

#### **Blocking the dissemination or deletion of computer data by the service provider**

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**Clause 7** Subject to Clause 4, in ordering the service provider to block the dissemination of or to delete computer data, the competent official shall prepare the order, which must comprise at least the following:

(1) A copy of the court's proceedings report which shows the details of the data location that is subject to the court's order to block the dissemination of or to delete such computer data.

(2) An instruction specifying which part of the computer data the service provider is required to block the dissemination of or to delete, and period of time for completing the action.

(3) Other related documents (if any); the correctness of which have been certified.

The order for the service provider to block the dissemination of or to delete computer data shall be issued pursuant to the form DorSorRor.1, as attached to this Notification.

**Clause 8** When the service provider has received the order to block the dissemination of or to delete computer data from the competent official, the service provider shall promptly proceed to block the dissemination of or to delete such computer data in accordance with the details shown in the order of the competent official. In any event, this shall be done by no later than the period of time specified in the order, except in the case where there is a reasonable necessity and the competent official has permitted the service provider to perform beyond the period of time specified in the order, but not later than fifteen days.

In blocking the dissemination or deletion of computer data by the service provider, the service provider shall use any standard technical measures in order to achieve a result in accordance with the court's order.

**Part 4**  
**Miscellaneous**

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**Clause 9** In the case where the court has ordered the revocation of the order to block the dissemination of or to delete computer data, the competent official shall deliver the order stopping the service provider from blocking the dissemination or deletion of computer data in accordance with form DorTorRor.2, as attached to this Notification.

**Clause 10** The Permanent Secretary of the Ministry of Digital Economy and Society shall have charge and control of the execution of this Notification, as well as have the power to interpret and decide any issue arising from the execution of this Notification.

Announced on the 21<sup>st</sup> day of July B.E. 2560 (2017)

Pichet Durongkaverroj

Minister of Digital Economy and Society

Order for blocking the dissemination or deletion of computer data under the Computer-Related Crime Act B.E. 2550 (2007) and its amendment

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This order is pursuant to the court’s order dated ..... to block the dissemination of / to delete of computer data under the Computer-Related Crime Act B.E. 2550 (2007) and its amendment, as shown on the list of computer data or computer data location, totalling ..... URLs:

Black case No. .... /25.....

Red case No. .... /25.....

Hence, by virtue of Section 20, paragraph 4 of the Computer-Related Crime Act B.E. 2550 (2007) and its amendment, the competent official has ordered ....., who is a service provider under this Act, to promptly block the dissemination/deletion of computer data as shown in the lists of computer data or computer data location in the copy of the court’s proceedings report, as attached to this order; as from the date of receipt of the order but not later than the date of ..... In the case where there is any reasonable necessity causing you to not be able to perform in accordance with this order, please inform thereof to the competent official at the address and telephone number or e-mail address as appears below.

Ordered on the ..... day of ..... B.E. ....

(Signed)

(.....)

Title .....

Competent official under the  
Computer-Related Crime Act B.E. 2550 (2007)

Name of government sector and office that the competent official belongs to, i.e. Office of the Permanent Secretary of the Ministry of Digital Economy and Society, Legal Division  
Tel. 0 2141 6763 Fax. 0 2143 8013  
E-mail: [xxx@xxx.xxx](mailto:xxx@xxx.xxx)

**Remark** Either the wording “block the dissemination” or “deletion” shall be crossed out, as the case may be, in correspondence to the court’s order.

Order for revoking the blocking of the dissemination of computer data  
under the Computer-Related Crime Act B.E. 2550 (2007) and its amendment

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This Order is pursuant to the court's order dated ..... to revoke the blocking of the dissemination of computer data under the Computer-Related Crime Act B.E. 2550 (2007) and its amendment, as shown on the lists of computer data or computer data location, totalling ..... URLs:

Black case No. .... /25.....

Red case No. .... /25.....

For complying with the court's order, the competent official has ordered ..... , who is the service provider under this Act, to promptly revoke the blocking of the dissemination of computer data as shown in the list of computer data or the computer data location in the copy of the court's proceedings report, as attached to this order; as from the date of receipt of the order but not later than the date of ..... In the case where there is any reasonable necessity causing you to not be able to perform in accordance with this order, please inform thereof to the competent official at the address and telephone number or e-mail address as shown below.

Ordered on the ..... day of ..... B.E. ....

(Signed)

(.....)

Title .....

Competent official under the  
Computer-Related Crime Act B.E. 2550 (2007)

Name of government sector and office that the competent official belongs to, i.e. Office of the Permanent Secretary of the Ministry of Digital Economy and Society, Legal Division

Tel. 0 2141 6763 Fax. 0 2143 8013

Email: [xxx@xxx.xxx](mailto:xxx@xxx.xxx)