



**Interpellation Title: The Improvement of Legal Amendment of Thailand for Joining ASEAN Economic Community (AEC)**

Interpellation no. 951Ror./2556 The 24<sup>th</sup> House of Representatives B. E. 2554 (2011)

<b>Date of Proposal :</b>	17 May 2013
<b>Cabinet Term :</b>	Miss Yingluck Shinawatra, Prime Minister
<b>Proposed by :</b>	Mr Watchara Phetthong, Democrat Party, Party-List
<b>Persons who are questioned :</b>	Minister of Justice (Mr Chaikasem Nitisiri)
<b>Replied by :</b>	Minister of Justice (Mr Chaikasem Nitisiri)
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### Summary of the Questions

As free flow of goods is regarded as one of the major missions of ASEAN Economic Community (AEC), the amendment of regulations, laws, and agreements on customs clearance to reduce its steps, facilitate trade, promote border logistics, law amendment, limitation of rules and regulations, obstacles of business persons, Thai investors' competition with business persons and investors from other ASEAN member countries, the amendment of laws, rules, and regulations relative to immigration to facilitate visa for business persons, investors, professionals, and ASEAN skilled labour are needed to implement. From the reasons above, the interpellant would like to raise questions as follows:

1. How will the government amend relative laws and provide plan to prepare for free flow of goods to join ASEAN Economic Community (AEC)? If the government has already planned and funded for such case, will it be possible to complete it in fiscal year B.E. 2557 (2014) or B.E. 2558 (2015)?

2. How will the government amend relative laws and will there be any measurements to support business persons, investors, professionals, and skilled labour of Thailand to compete with countries in ASEAN? Please clarify in details.

## Summary of the Answers

Answer to the first question The government has planned to amend relative laws to prepare for joining ASEAN Economic Community (AEC) with the approval of the Council of Ministers on 2 November B.E 2555 (2012) on the meeting outcome of country strategy integration and an action plan for joining ASEAN Economic Community B.E. 2558 (2015) to be a framework of the annual budget allocation B.E. 2557 (2014). The Ministry of Justice is assigned to be the main body to support justice system access for people and legal reform. In addition, there is a Law Reform Commission to prepare for joining ASEAN Economic Community, and enhance competitiveness of country. This appointed committee has concluded that the legal development in accordance with country strategy, and the readiness for joining ASEAN Community is divided into 2 parts as follows:

1<sup>st</sup> Part: The improvement of law under the commitment of ASEAN Community: Although Thailand now does not have internal law which has to be amended to implement according to its commitment, it should provide policies on an opening a clear free trade, and it may have to improve more secondary law, and revise a mechanism under the law which is a control system to the monitoring or supporting system.

2<sup>nd</sup> Part: The development of legal infrastructure to promote trade and investment, and create opportunity for entrepreneur with legal development to cut cost of business operation, build confidence for investors, increase efficiency of commercial justice, build confidence in justice, and promote capital market.

Answer to the second question The Ministry of Justice has already provided an action plan for joining ASEAN Community with legal development to promote competitiveness enhancement by providing these strategies as follows:

1. Improve laws and practices of justice efficiently both civil and commercial law and criminal law
2. Build up voluntary network for people in terms of legal service of every sector
3. Promote information dissemination of Thai law to foreigners
4. Enhance, give knowledge and promote understanding of legal state-rule of law and human rights for people
5. Promote knowledge of law to people
6. Build up voluntary network for people in terms of legal service of every sector (Probono)
7. Foster the collaboration with private sector in terms of the development of legal knowledge to raise competitiveness of country

The Ministry of Justice is in the process of studying/drafting as follows :

1. Problem-solving of conflict of law related to trade and investment of ASEAN member countries
2. Improving commercial dispute resolution process
3. Improving bankruptcy law in accordance with Report on the Observance of Standards and Codes: ROSC
4. The civil procedure code of Thailand (on execution)
5. Bankruptcy Act B.E. 2483 (1940)
6. Promoting Thailand Arbitration Center in accordance with the Act of Arbitration Center B.E. 2550 (2007)

