

Application of Some Laws Waived for Thai-Chinese High Speed Train Project

On 15th June 2017, the National Council for Peace and Order (“**NCPO**”) issued Order No. 30/2560 (the “**Order**”) to waive application of 10 laws and regulations to help speeding up the Bangkok-Nakhon Ratchasima Thai-Chinese High Speed Train Project (“**Project**”). The Order was published in the Royal Gazette on 15th June 2017 and has become effective on and from 15th June 2017. The laws and regulations waived by the Order are shown in the table below.

Under the Order, the State Railway of Thailand (“**SRT**”) is required to sign a service procurement contract with agents of the Chinese state enterprises who have experiences on high speed train development holding certification of quality and efficiency from the National Development and Reform Commission of the China People’s Republic (“**NDRC**”) to develop the Project. The services consist of (1) the civil work design for infrastructure, (2) the consulting and supervising services for the civil infrastructure, (3) the rail system, electric and mechanical systems including procurement of trains and personnel training.

The NDRC and its personnel both natural persons and legal entities are exempted from holding engineering and architect licenses and permits under the Engineering Act B.E. 2542 and the Architect Act B.E. 2543.

The SRT is required to determine the value, service fees and expenses of the Project and conclude the contract with NDRC within 120 days from the effective date of the Order based the results of past negotiations between the SRT and resolutions of the Cabinet and the meetings of Thai-Chinese Joint Committee on Railroad Project

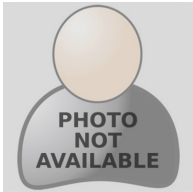
No.	Laws and Regulations	Section(s) waived
1.	The Engineer Act B.E. 2542 (A.D. 1999)	45, 47 and 49
2.	The Architect Act B.E. 2543 (A.D. 2000)	Sections 45, 47, and 49
3.	Act on Public and Private Sector Joint Venture in State Undertakings B.E. 2556 (A.D. 2013)	Sections related to private sector operator and bidding
4.	Act on the Offenses Relating to the Submission of Bids to Government Agencies B.E. 2542 (A.D. 1999)	Section 10
5.	Government Procurement and Supplies Management Act B.E. 2560 (A.D. 2017)	All
6.	NCPO Order No. 11/2017 dated 23 rd February 2017	All
7.	Regulations of the Office of the Prime Minister on Procurement B.E. 2535 (A.D. 1992) as amended	All
8.	Regulations of the Office of the Prime Minister on Government Procurement by Electronic Methods B.E. 2549 (A.D. 2006)	All
9.	Regulations of the State Railway of Thailand on Procurement B.E. 2544 (A.D. 2001)	All
10.	Regulations of the State Railway of Thailand on and Parcels B.E. 2544 (A.D. 2001)	All

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