

PDPA Is Postponed Again for One More Year

Thailand postpones the full enforcement of the Personal Data Protection Act B.E. 2562 ("PDPA") for another year up to 31st May 2022. The new effective date of the PDPA is 1st June 2022. The postponement is made under the Royal Decree on Entities and Businesses Not Subject to Enforcement of the PDPA (No. 2) B.E. 2564 dated 7th May 2021 published in the Government Gazette on 8th May 2021.

The enforcement was postponed because the public and private sectors will not be ready for the full enforcement of the PDPA by 1st June 2021 due to the high technology requirements for its compliance and the third wave of the Covid-19 new cases in Thailand.

However, the enforcement of Chapters 1 and 4 of the PDPA and the interim provisions (except for Section 95) of the PDPA are not postponed. This means the requirements, steps, and procedures for establishing the Personal Data Protection Committee ("PDPC"), the PDPC Office, the PDPC Office Supervision Committee, the Expert Committees and Sub-Committees, and the PDPA implementation rules will remain in full force.

Despite the full PDPA enforcement is postponed, businesses are still required to comply with the Notification on the Personal Data Security Measures to be issued by the Ministry of Digital Economy and Society to replace its current data security measures that will expire on 31st May 2021. Such measures are likely to include at least the measures for the administrative, technical and physical safeguards against an unauthorized access to personal data, the protocols on management of data storage and data logs of data deletion, transfer and revision.



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