

Electronic-means Administrative Functions Act

The Electronic-means Administrative Functions Act B.E. 2565 (“EAFa”) was published in the Government Gazette on 12th October 2022. It will become fully effective on and from 11th January 2023. Some of its provisions have become effective on and from 13th October 2022.

The EAFa requires almost all the government (administrative) offices to perform their functions by and through electronic means so that they can better serve the public and help speeding up the public sector digital transformation. We summarized the key provisions of the EAFa below.

- (1) **Electronic Filing:** Members of the public can file almost all kinds of the applications for registrations, permits and licenses with the government offices by electronic means, except for some registrations or permits related to personal matters, such as registrations of marriage, divorce, child adoption, national ID cards or passports. The government officials cannot refuse the applications filed by electronic means merely because they are filed by electronically.
- (2) **Electronic Documents and Communications:** After each application is filed by electronic means, further communications or submissions in relation to such application must be made by electronic means unless requested by the applicant.
- (3) **Displaying Licenses:** In case where the law requires a licensee to display the license at a conspicuous location in his/her business place, the licensee can display it through an electronic media under the displaying methods to be specified by the relevant government agency.
- (4) **Legal Status of Electronic Communications:** Communications made via electronic means between government offices or government officials and the public are lawful and they can be used as legal evidence. The existence and validity of such communications cannot be refused merely because they are made by electronic means.



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