

TCCT Unveils 2021 Policy, New Board to Drive Operations and Create Fair and Free Trade Competition Standard

The Office of Trade Competition Commission (TCCT) reveals an objective on trade competition governance along with the (incumbent) new board operating under the Trade Competition Act B.E. 2560 (2017) to meet the goal and direction specified in 2021 in creating a fair and free trade competition standard, and drive the organization to the international level.

Professor Sakon Waranyuwattana, Chairman of the TCCT Board, revealed that operations under the Trade Competition Act B.E. 2560 (2017) which had been in effect since 5 October 2017 for 3 years and 3 months as of 31 March 2021, during the time there were 68 complaints in total or 22 complaints on average annually. Of the complaints governance of trade competition (law proceeding) and lawsuit, 10 were under Article 50, four were under Article 54, and 54 were under 57. Regarding governance of merger (both domestic and international companies operating in Thailand), result of 42 mergers were reported under clause 1 of Article 51, and five were application for merger under clause 2 of Article 51. In addition, 21 issues were about development of guideline for trade competition governance to allow comprehensive governance of trade behavior that can adapt to changing business environment.

2021 was the year of digital economy with fast-changing business and trade competition worldwide, along with the COVID-19 pandemic, which disrupted the business environment and consumer behavior. The subsequent “New Normal” had imbalance in trade competition as some business groups grew by leaps and bounds while some others had to fold such as traditional retailers, which resulted in more merger that might affect trade competition and entrepreneurs, especially the SMEs. Thus, the new board of TCCT defines a policy and guideline for the TCCT board covering five major issues.

1. More stringent law enforcement with increase in law enforcement efficiency against unlawful market domination, cartel, unfair trade practice, and merger and acquisition (both domestic and foreign), along with creation of big data system to analyze the market structure and trade behavior, creation of trade competition behavior monitoring system, that allows quick complaint acceptance and ruling of potential violation to firmly penalize the violating party both in criminal and administrative terms.
2. Development of trade competition governance in e-Commerce business due to leaps-and-bounds growth and fast-changing business style, in addition to large domestic and foreign players that might dominate the market. Thus, strict trade competition governance was essential, and a guideline or recommendation for e-commerce trade practice was created to ensure fairness and freedom for the players, protect the consumer and benefit the overall national economy.
3. Cooperation with other countries to elevate trade competition governance in Thailand to the international level, and ensure effective governance by cooperation and exchange of information and knowledge about trade practice with similar agencies such as the OECD, UNCTAD, JFTC, JICA and governing agencies of other countries to establish competition academy in Thailand.
4. Establishment of business intelligent unit (BIU) to lay a foundation for the big data system along with analysis and processing systems to govern trade competition and law

- enforcement, along with integration of policymaking and law to make suggestions for policymaking and guideline for trade competition governance and competition behavior in the market, analysis of potentially-dominating products in national and provincial levels, behavioral study of trade competition governance, and development of indicators for Thailand's trade competition for annual reports.
5. Presentation of trade competition governance policy to promote the economy and support sustainable growth by presenting trade competition governance policy to the government and sector regulators to promote the atmosphere and opportunity in participatory business operation at all levels, especially the hard-hit SMEs.

The Chairman of the TCCT Board added that trade competition was a foundation for promotion and support of new businesses or keeping old businesses in their competitive shape, which will boost productivity and benefit to the economy, entrepreneurs and consumers. Furthermore, trade competition is relied on by entrepreneurs at all levels, thus is important in creation of opportunity both for the business and the national economy.