

**The Trade Competition Commission Notice on
Guidelines for the Assessment of Fair Trade Practices on Credit Terms
offered by Small and Medium Enterprises as Sellers of Goods or Services (No. 2)**

Whereas it is necessary to amend The Trade Competition Commission Notice on Guidelines for the Assessment of Fair Trade Practices on Credit Terms offered by Small and Medium Enterprises as Sellers of Goods or Services, dated 24 May B.E. 2564 (2021), to be more consistent and suitable with patterns of doing business;

By virtue of Section 17 (3) of the Trade Competition Act B.E. 2560 (2017), the Trade Competition Commission hereby announces the Notice as follows:

Article 1: This Notice shall be effective when thirty (30) days have been lapsed from the day after the date of its publication in the Government Gazette onwards.

Article 2: The definition of “Small and Medium Enterprises or SMEs” in the provision of Article 2 of the Trade Competition Commission Notice on Guidelines for the Assessment of Fair Trade Practices on Credit Terms offered by Small and Medium Enterprises as Sellers of Goods or Services, dated 24 May B.E. 2564 (2021), shall be annulled and shall be replaced by the following provision.

“Small and Medium Enterprises (hereinafter SMEs)” mean undertakings with the following characteristics:

(1) The production of goods with the employment of no more than two-hundred (200) employees and having an annual revenue of no more than five-hundred (500) million baht,

(2) The service provider, wholesaler, or retailer with the employment of no more than one-hundred (100) employees and having an annual revenue of no more than three-hundred (300) million baht.”

Article 3: The Provision in (3) of Article 4 of the Trade Competition Commission Notice on Guidelines for the Assessment of Fair Trade Practices on Credit Terms offered by Small and Medium Enterprises as Sellers of Goods or Services, dated 24 May B.E. 2564 (2021), shall be annulled and shall be replaced by the following provision.

DISCLAIMER: "This translation is provided by the Trade Competition Commission of Thailand as the competent authority for information purposes only. Whilst the Trade Competition Commission of Thailand has made efforts to ensure the accuracy and correctness of the translation, the original Thai text as formally adopted and published shall in all events remain the sole authoritative text having the force of law."

“(3) Payment of trade credit

A payment made by any undertaking who is a trading partner with a SME shall be accompanied by clearly demonstrated payment steps in line with normal trade practices and a SME shall provide the evidential documents testifying its employment and its revenue proving its status of being a SME to an undertaking who is a trading partner.”

Article 4: Any on-going proceeding undertaken by the Trade Competition Commission or the Trade Competition Commission of Thailand on the day prior to the date of this Notice’s effectiveness shall be proceeded as described by the Trade Competition Commission Notice on Guidelines for the Assessment of Fair Trade Practices on Credit Terms offered by Small and Medium Enterprises as Sellers of Goods or Services, dated 24 May B.E. 2564 (2021), until it is completed.

This Notice is announced on the 6th of July B.E. 2565 (2022)

Professor Sakon Varanyuwatana

Chairperson of The Trade Competition Commission

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