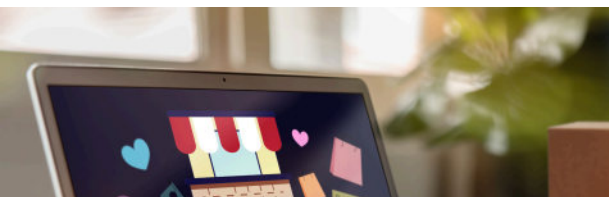


Thailand Tightens E-Commerce Rules: Additional Duties for Online Marketplaces Platforms under ETDA Notification

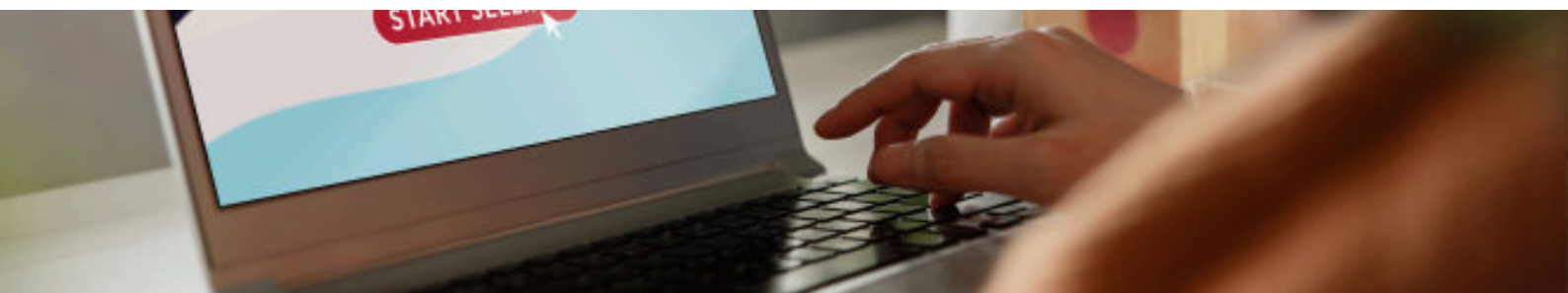


Authors:

TassanuChutikanon
Partnertassanu@siampremier.com**Tipanand**Valyasevi
Associatetipanand@siampremier.com

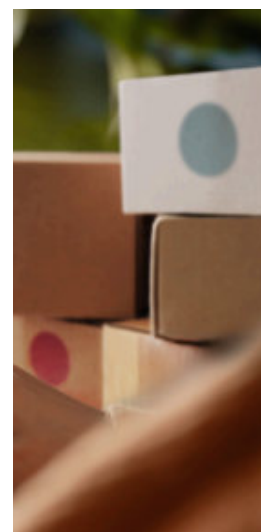
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The Electronic Transactions Development Agency (“**ETDA**”) has taken a significant step toward strengthening regulatory oversight of online marketplaces with the issuance of the *“Notification of the Electronic Transactions Commission re: Supplementary Duties for Digital Platform Service Business Operators of Marketplace with Specific Characteristics”*, published in the Royal Gazette on 4 July 2025 (“**Notification**”).



With the goal of managing legal and safety risks associated with the sale of regulated goods through online channels, this Notification imposes additional compliance obligations on certain digital platform service business operators whose platforms are classified as specific digital platforms under Section 18(2) of the Royal Decree on Digital Platform Services Which Must Be Notified B.E. 2565 (2022) (“**Royal Decree**”). The Notification will come into effect 180 days after the publication — making compliance planning a priority for relevant business operators in Q4 2025.

”

**SIAM PREMIER**

INTERNATIONAL LAW OFFICE LIMITED

26th Floor, The Offices at Central World, 999/9 Rama 1 Road, Pathumwan, Bangkok 10330, THAILAND

www.siampremier.com

+662-646-1888

spi-info@siampremier.com

WHO'S AFFECTED?

The Notification applies to “**Specific Marketplaces Operators**” — operators of digital platforms that function as intermediaries for purchasing and selling of goods and provide facilitation tools such as chats, payment processing, and logistics, which are classified as specific digital platforms under Section 18(2) of the Royal Decree, whose names are listed in the ETDA’s notification No. TorPorDor. 4/2568.

KEY DUTIES UNDER THE NOTIFICATION

The Notification focuses on sale and advertisement of regulated goods. For example, goods which are subject to industrial standards and food and drug administration (“**Regulated Goods**”). The key duties under the Notification are then imposed on Specific Marketplaces Operators whose platforms involve activities in relation to the Regulated Goods.



Know Your Seller (KYS) and Identity Verification

Before allowing any sellers to offer for sale or advertise Regulated Goods on the platform, Specific Marketplaces Operators must collect and verify the identity and personal data of the seller as follows:

- Seller’s full name, address, and contact information;
- Personal or corporate identification documents;
- Proof of business registration with relevant authorities (if applicable);
- Bank account information; and
- Self-representation of those sellers confirming compliance with applicable product laws. Verification must be supported by information/evidence available on public databases of relevant authorities or trusted sources.



Documents and License Review

Specific Marketplaces Operators must request sellers to submit valid licenses, permits, certifications or receipt of notification obtained by them from relevant authorities in relation to the Regulated Goods prior to offering any of the relevant Regulated Goods on the platform.

Specific Marketplaces Operators must cross-check the legitimacy of these documents via official government sources before allowing those Regulated Goods to be listed as available products to be sold or advertised via the platforms.

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KEY DUTIES UNDER THE NOTIFICATION *(CONT'D)*



Disclosure and Transparency Requirements

Specific Marketplaces Operators must ensure that the following information in relation to Regulated Goods available on the platform be disclosed on the platform:

- Thai-language product labels.
- Relevant compulsory marks from Thailand Industrial Standard Institute (“**TISI**”) or certifications from Food and Drug Administration (“**FDA**”), including relevant food serial numbers, pharmacopoeia serial numbers.
- Regulatory licenses, permits, certifications or receipt of notification numbers.
- Contact information of relevant manufacturer, importer, distributor or seller.

This information must be accessible and understandable by users — potentially supplemented by icons, visuals, or explanatory graphics.



Required Terms and Conditions for Sellers

Specific Marketplaces Operators must ensure that the platforms impose at least the following terms and conditions on sellers of Regulated Goods:

- Sellers must provide valid regulatory licenses, permits, certifications or receipt of notification obtained by them;
- Sellers must not offer for sale or advertise products which are prohibited from being sold or advertised via digital platforms e.g. medicine; and
- Sellers must not offer for sale or advertise products that infringe intellectual properties of others.



Consumer Protection and Notice-Takedown Mechanism

A key feature of the Notification is the obligation of the Specific Platform Operators to establish and operate a notice-and-takedown system on the platforms, allowing users to report activities in relation to available products on the platforms that:

- Fail to comply with product standards,
- Are explicitly prohibited,
- Infringe intellectual property rights.

Specific Marketplace Operators are required to establish and disclose procedures and measures for handling user reports, investigating and verifying reported issues, providing remedies to affected users, and notifying both the complainant and the reported seller of the investigation outcome. These actions must be completed within 3 days of the date the platform receives the complaint.

The platforms must also give the reported seller an opportunity to object and submit supporting evidence within 3 days from receiving the notification.

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KEY DUTIES UNDER THE NOTIFICATION *(CONT'D)*



Penalties for Non-Compliant Sellers

The Specific Marketplace Operator shall impose penalties in the terms of service if a seller fails to provide valid documentation, provides false information, or violates platform policies. The penalties shall include suspension or termination of service. In this respect, a seller who repeatedly violates more than 3 times shall be subject to the maximum penalty under the terms of service.



Annual Reporting Obligation

Each year, the Specific Marketplace Operator must submit a **report in relation to Regulated Goods (in addition to the annual report requirement under the Royal Decree)** to the ETDA, detailing:

- Number and proportion of Regulated Goods on the platform;
- Number and proportion of sellers offering for sell or advertise Regulated Goods on the platform;
- Information in relation to Related Goods or seller being suspended; and
- Information in relation to complaints on Regulated Goods.

This report **must be filed within 60 days** from the end of the fiscal year.



STRATEGIC CONSIDERATIONS AND NEXT STEPS FOR SPECIFIC MARKETPLACE OPERATORS

The implications of this Notification are far-reaching for both local and foreign operators servicing the Thai market:

- **Risk assessment:** Are Regulated Goods being sold or advertised on the platform?
- **Operational adjustments** will be required in seller onboarding, documentation management, and product publishing workflows.
- **Update terms of service and policy:** To reflect **new** suspension/termination triggers, personal data protection and complaint handling processes.
- **Coordination with local counsel and regulators:** To ensure compliance and alignment with the Thai legal framework.

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