

The Trade Competition Act, B.E. 2542 (1999)

- regulates all restrictive trade practices in all areas of business that create or might create a monopoly or reduce competition

1. Scope of the Trade Competition Act

- “Dominant Position” is meant when one or more business operators control a certain market share and enjoy a certain sales turnover
- The current criteria for defining a dominant position were announced and came into effect on 8 February 2007

2. Abuse of a Dominant Position

- According to the criteria, business operators will be considered to have a dominant position if the business meets one of the following characteristics
 - It individually held a market share of at least 50% and had a sales volume of at least Baht 1,000,000,000 in the previous year; or
 - It was one of the top three business operators, with a collective market share of at least 75% and a collective sales volume of at least Baht 1,000,000,000 in the previous year

2. Abuse of a Dominant Position (2)

- business operators are prohibited from conducting a business transaction that will lead to the creation of an unfair competition or monopoly, or to act in a way that are regarded as abusing a dominant position

2. Abuse of a Dominant Position (3)

- The business operators in Thailand are prohibited from doing anything outside the bounds of free and fair competition, which could damage, obstruct or limit the operation of another party's business

3. Other Acts that Restrict Competition

- The Trade Competition Commission may order the business operator to cease, withhold or correct the violation
- The injured party may seek compensatory damages from the operator that engages in a restrictive trade practice

4. Violation of the Trade Competition Act

**Thank you
for your Attention.**
