

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

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- 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**

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- “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**

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- 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)**

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- 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)**

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- 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**

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- 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**

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**Thank you  
for your Attention.**

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