

## THAILAND

### 1. **Law enforcement and investigation**

The Computer Crime Act, B.E. 2550 (2007) and Amendment B.E. 2560, aim to protect the computer systems from violations such as illegal accesses. However, the current computer systems are connected to a large network, for example the internet network consists of a large number of computer systems which are crime-prone. The enforcement of such laws is complicated and impractical. Police officers and competent officials under the Computer Crime Act, B.E. 2550 (2007) and Amendment B.E. 2560 are not informed in most cases, resulting in an improper investigation.

### 2. **Electronics evidence and criminal justice**

#### **Business Email Compromising: BEC (sample case)**

It is a crime that has been increasing around the world. It has impact on the growth rate of the digital economy as well as the economic stability.

#### **Related Thai Laws**

##### **(1) Criminal Code**

- Section 269/5 Whoever uses the electronics card of another person wrongfully in a manner likely to cause damage to another person or other people, such person shall be punished with imprisonment not exceeding five years or fined not exceeding a hundred thousand Baht or both.
- Section 341 Whoever dishonestly deceives a person with the assertion of a falsehood or the concealment of the fact which should be revealed, and, by such deception, obtains a property from the person so deceived or a third person, or causes the person so deceived or a third person to execute, revoke or destroy a document of right, is said to commit the offence of cheating and fraud, and shall be punished with imprisonment not exceeding three years or fined not exceeding six thousand Baht or both.
- Section 342 (1) If the offence of cheating and fraud be committed by the offender showing himself to be another person. The offender shall be punished with

imprisonment not exceeding five years or fined not exceeding ten thousand Baht, or both.

- Section 264 Whoever, in a manner likely to cause damage to another person or the public, fabricates a false document or part of a document, or adds to, takes from or otherwise alters a genuine document by any means, or puts a false seal or signature to a document, if it is committed in order to make any person believe that it is a genuine document, is said to forge a document, and shall be punished with imprisonment not exceeding three years or fined not exceeding six thousand Baht, or both.

**(2) The Computer Crime Act, B.E. 2550 (2007) and Amendment B.E. 2560**

- Section 5 Any person illegally accessing a computer system for which a specific access prevention measure that is not intended for their own use is available shall be subject to imprisonment for no longer than six months or a fine of not more than ten thousand Baht or both.

- Section 7 Any person illegally accesses computer data, for which there is a specific access prevention measure not intended for their own use available, then he or she shall be subject to imprisonment for no longer than two years or a fine of not more than forty thousand Baht or both.

- Section 9 Any person illegally damages, destroys, corrects, changes or amends a third party's computer data, either in whole or in part, shall be subject to imprisonment for no longer than five years or a fine of not more than one hundred thousand baht or both.

- Section 14 Any person commits the following offenses shall be subject to imprisonment up to five years and a fine not exceeding one hundred thousand baht, or both:

(1) put into a computer system forged computer data, partially or entirely, or false computer data, in a manner that is likely to cause damage to a third party or the public.

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