



New regulations regarding the electronic investigation of facts by labour inspectors

According to the Labor Protection Act, B.E. 2541 (“LPA”), labour inspectors shall have powers to issue an inquiry notice or a summon to employers, employees, other relevant persons to investigate, gather facts, or collect necessary documents for consideration in order to guarantee workplace compliance with labour regulations.

On 24 August 2023, the Ministerial Regulation of the Department of Labour Protection and Welfare regarding investigation of facts by electronic means, B.E. 2566 (2023) was published in the Royal Thai Government Gazette to set criteria regarding the investigation of facts by electronic means for compliant consideration by the labour inspectors and to enable employers, employees, and related parties to obtain facts leading to the consideration of petitions and orders from the labour inspectors in accordance with LPA efficiently.

The new regulation includes the following provisions:

(1) General provisions;

- Right to request the labour inspector to conduct an investigation by electronic means.
 - Labour inspectors cannot refuse to conduct an investigation by electronic means solely on the grounds that it involves electronic means.
 - Delivery of documents, evidence or information of the parties or witnesses to the labour inspectors can be sent by electronic means and in the case of copies of documents, such documents do not need to be certified.
- (2) Facts investigation by electronic means;
- The location used by the parties or witnesses for the electronic investigation must be an appropriate location which is not a public place.
- (3) Electronic recording of images and sound.