



Key Provisions and Public Consultation Outcomes of the Draft Clean Air Management Bill

The Draft Clean Air Management Bill had been open for public consultation from 25 July 2025 until 8 August 2025. The law proposes significant changes across multiple areas of air pollution. The following is a structured key provisions as outlined in the public consultation.

The draft legislation establishes that access to clean air is a fundamental right for all individuals. It guarantees rights to information, participation in decision-making, and environmental involvement. Major projects with potential for severe pollution must undergo public consultation and voting by residents prior to approval. Individuals are also assigned a duty to refrain from polluting and to cooperate with the regulator in preserving clean air. The bill provides compliance business sector and individual as follows:

Compliance under the Act

The draft law introduces zoning mechanisms, categorizing areas as “compliant” or “non-compliant” to facilitate the implementation of appropriate air quality measures, including urban planning considerations. Agricultural activities that pose high pollution risks, particularly open burning, must be restructured, and a traceability system will ensure that agricultural products are free from illegal burning throughout the supply chain. Contract farming practices that may cause significant air pollution impacting economic, social, or environmental systems are subject to regulation. Measures addressing transboundary pollution include international cooperation and potential restrictions on the import and export of goods originating from polluting sources. Businesses are required to monitor their supply chains to ensure compliance.

Pollution Tax for Air Quality Management

The draft law introduces economic instruments to incentivize compliance, including pollution taxes or fees on goods and activities that generate pollution, without duplicating existing tax obligations. Additional mechanisms include emission trading schemes, refundable deposit systems, and subsidies designed to encourage behavioral change among businesses and the general public.

Penalty

The draft law establishes comprehensive liability for polluters, including civil, criminal, and administrative penalties. Polluters are required to compensate for environmental damage and restoration costs. Liability extends to all parties involved, including financial institutions that provide funding to polluting enterprises without adequate risk assessment, and professionals such as system designers or installers who fail to meet technical standards. Industrial violators may face fines of up to 50 million baht for exceeding emission standards, while agricultural operators may be subject to administrative penalties for purchasing illegally burned products. The draft law incorporates mechanisms for mediation and compensation prior to litigation, with provisions extending the statute of limitations to protect affected parties.

The results of the public hearing on the draft Clean Air Act, conducted on the Parliament's website for a period of 15 days, showed that 2,604 people participated. Of these, 92.31% agreed, 4.43% disagreed, and 3.35% abstained. Going forward, the Ad-hoc Committee will take these results into consideration once again before submitting the Draft Clean Air Management Act to the Parliament for deliberation in the second and third readings.

Should you have any question, please do not hesitate to contact us via info@bgloballaw.com

