



Political Uncertainty Surrounds Thailand's Clean Air Bill

Thailand's proposed Clean Air Bill is facing renewed uncertainty after it would be revised. While acknowledging the urgency of addressing worsening air pollution, policymakers have raised concerns that the existing draft may impose excessive regulatory burdens on businesses and undermine Thailand's investment competitiveness. This development comes at a critical stage, as the bill risks lapsing if it fails to progress within the parliamentary timeline.

A central point of contention lies in the severity of penalties and the scope of enforcement powers under the draft law. Critics within BJT have argued that proposed fines—reportedly exceeding THB 50 million—may be disproportionate and could deter both domestic and foreign investment. Additionally, concerns have been raised over provisions granting authorities broad powers to conduct searches, seize assets, and suspend operations without court warrants, which may raise constitutional and rule-of-law issues, particularly in relation to due process and administrative overreach.

Further debate has emerged regarding potential overlaps with existing environmental and urban planning legislation. Opponents of the current draft caution that the creation of new regulatory bodies, such as a proposed "Clean Air Office," could duplicate the functions of existing agencies like the Pollution Control Department, leading to inefficiencies and increased administrative costs. These concerns highlight the broader challenge of ensuring regulatory coherence within Thailand's environmental legal framework.

From a legal perspective, the situation reflects a classic tension between environmental protection and economic policy. While there is broad consensus on the need for comprehensive clean air legislation, the form and substance of such a law remain contested. The outcome will likely shape the future direction of Thailand's environmental governance, particularly in balancing stricter enforcement mechanisms with investor confidence. If carefully revised, the law could strengthen regulatory clarity and public health protections; however, prolonged delays or dilution of key provisions may weaken its effectiveness and prolong existing environmental challenges.