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Thailand Puts Platform Power and SME Payment Practices on Notice

Thailand's Trade Competition Commission (TCCT) is preparing tougher competition rules on two fronts: ride-hailing and on-demand delivery platforms, and credit terms imposed by large businesses on small and medium-sized enterprises (SMEs). For digital platforms, the TCCT is developing guidelines covering service standards, deceptive or manipulative "dark patterns", driver verification, data traceability, algorithmic and pricing transparency, and platform responsibility. A public consultation is planned before stricter enforcement later in 2026. Separately, the TCCT has finalised draft credit-term regulations under the Trade Competition Act B.E. 2560 (2017), targeting payment practices between businesses with annual sales exceeding THB 500 million and SMEs.

The proposed platform rules represent a significant shift in how competition authorities view the role of digital intermediaries. The TCCT rejects the idea that platforms are merely neutral marketplaces where they control core elements of the transaction, including pricing, job allocation, payment systems, incentives and refunds. The planned framework would require platforms to verify drivers and vehicle legality, maintain structured and traceable driver information, explain pricing mechanisms such as surge pricing, and provide greater transparency over how algorithms allocate jobs and bonuses. Violations may ultimately expose operators to administrative fines of up to 10% of sales revenue in the year of the offence.

The policy rationale is increasingly focused on the market power created by platform design itself. Algorithms can influence what consumers pay, which drivers receive work and whether workers qualify for incentives, even where those decisions are not visible to users. By targeting dark patterns and black-box decision-making, the TCCT is moving competition oversight beyond conventional questions of price fixing or market concentration toward the architecture through which platforms shape commercial behaviour. Driver verification and traceability requirements also seek to narrow the regulatory gap between platform-based transport services and traditional public transport operators that already bear licensing and compliance costs.

The SME credit-term rules address a different form of bargaining-power imbalance. The draft would generally require payment within 45 days for trade, manufacturing and services and within 30 days for agricultural products and simple primary processed agricultural goods, subject to justified exceptions. Credit periods must be recorded in writing, while unjustified changes to payment terms or other contractual conditions—and changes made without at least 60 days' prior notice—would be prohibited. Contractual provisions that violate the rules would be legally void, and non-compliance could result in administrative fines of up to 10% of annual revenue, with a THB 1 million ceiling for a new business.

From a legal and business perspective, the two initiatives reflect a common regulatory objective: limiting the ability of businesses with superior bargaining or technological power to dictate opaque or unfair commercial conditions. Digital platforms should review driver onboarding, pricing algorithms, incentive structures, data retention and contractual allocations of responsibility, while large retailers, wholesalers and other businesses dealing with SMEs should reassess payment clauses and internal accounts-payable practices. The broader development signals a more interventionist phase of Thai competition enforcement in which algorithmic control, contractual leverage and actual market behaviour—not merely formal contractual terms—are increasingly likely to determine whether a business practice is considered fair.

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