



2024 AVIA Regulating for Growth – Advertising Matrix for Thailand

	Pay TV	OCC TV	Foreshadowed changes
GENERAL			
<i>Overview of regulation</i>	<ul style="list-style-type: none"> <input type="checkbox"/> Regulatory Organisations The Advertising Association of Thailand (AAT) provides regulations which are in accordance with relevant acts such as the Thai Broadcasting Act. <input type="checkbox"/> General Principles There are general strictures against the following: <ul style="list-style-type: none"> <input type="checkbox"/> Statements which are false or exaggerated; <input type="checkbox"/> Statements, supported by false or exaggerated interpretation of reports or data, which mislead as to the benefits of advertised goods or services; <input type="checkbox"/> Statements which directly or indirectly encourage unlawful or immoral acts, or adversely affect the national culture; <input type="checkbox"/> Statements which will cause disunity or adversely affect public unity. 	<ul style="list-style-type: none"> <input type="checkbox"/> There is no specific regulation of advertising on OCC services. Laws of general application apply, although we are not aware of enforcement against offshore providers of OCC services. 	
<i>Regulatory Bodies</i>	<ul style="list-style-type: none"> <input type="checkbox"/> The AAT is the governing body in charge of advertising self-regulation with its own Code of Ethics. This Code sets widely-observed industry standards; AAT members are required to observe it, and major broadcasters also follow it. <input type="checkbox"/> The Consumer Protection Board is the government regulator of the Consumer Protection Act 1979. 	<ul style="list-style-type: none"> <input type="checkbox"/> The AAT Code extends to advertising on online content services. <input type="checkbox"/> The Consumer Protection Board is the government regulator of the Consumer Protection Act 1979, as amended. 	
<i>Advertising per hour</i>	<ul style="list-style-type: none"> <input type="checkbox"/> Pay TV: total ad minutes must not exceed 6 minutes per hour, but not exceed 5 minutes per hour on average per day. 	<ul style="list-style-type: none"> <input type="checkbox"/> No regulations/ restrictions exist. 	

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	<ul style="list-style-type: none"> <input type="checkbox"/> The commercial break minutage (ad minutes) on FTA TV is restricted to 12 and a half minutes per hour, but may not exceed 10 minutes per hour on average per day. 		
<i>Revenue Restrictions</i>	<ul style="list-style-type: none"> <input type="checkbox"/> No regulations/ restrictions exist. 	<ul style="list-style-type: none"> <input type="checkbox"/> No regulations/ restrictions exist. 	
<i>Product Placement</i>	<ul style="list-style-type: none"> <input type="checkbox"/> No regulations/ restrictions exist. 	<ul style="list-style-type: none"> <input type="checkbox"/> No regulations/ restrictions exist. 	
<i>Foreign Commercials</i>	<ul style="list-style-type: none"> <input type="checkbox"/> No regulations/ restrictions exist. 	<ul style="list-style-type: none"> <input type="checkbox"/> No regulations/ restrictions exist. 	
<i>Govt Levy</i>	<ul style="list-style-type: none"> <input type="checkbox"/> 4% of gross revenue. 	<ul style="list-style-type: none"> <input type="checkbox"/> No regulations/ restrictions exist. 	
<i>PSAs</i>	<ul style="list-style-type: none"> <input type="checkbox"/> No regulations/ restrictions exist. 	<ul style="list-style-type: none"> <input type="checkbox"/> No regulations/ restrictions exist. 	
PRODUCT-SPECIFIC			
<i>Alcohol</i>	<ul style="list-style-type: none"> <input type="checkbox"/> Extensively restricted under the Alcohol Control Act 2008. <input type="checkbox"/> Ads may only be shown for the purpose of giving information / creative knowledge without displaying pictures of the products or packages, except for the display of the beverage and manufacturing company's logos in accordance with the Ministerial Regulations. This does not apply to ads originating outside Thailand. <input type="checkbox"/> Alcohol ads may only be screened during 10:00PM –5:00AM. 	<ul style="list-style-type: none"> <input type="checkbox"/> No specific regulations for OCC. In principle, the Alcohol Control Act requires the same restrictions as for pay TV, other than advertising time restriction. 	
<i>Pharmaceutical</i>	<ul style="list-style-type: none"> <input type="checkbox"/> Copy must be approved by the Thai FDA. <input type="checkbox"/> Must adhere to the Drug Act 1967, as amended. <input type="checkbox"/> Besides giving false representation, an ad for the sale of a drug may not: <ul style="list-style-type: none"> - cause to be understood that it is an abortifacient or a strong emmenagogue; or an aphrodisiac or a birth control drug; - show the therapeutic properties of a dangerous or a specially-controlled drug. - No sale of drugs shall be advertised impolitely, or by means of singing and dancing, or by showing the distress or suffering of a patient. <input type="checkbox"/> No sale of drugs shall be advertised by means of a gift or lottery drawing. 	<ul style="list-style-type: none"> <input type="checkbox"/> No specific regulations for OCC. In principle, the Drug Act requires the same restrictions as for pay TV. 	
<i>Gambling</i>	<ul style="list-style-type: none"> <input type="checkbox"/> Restrictions apply. Games/gambling activities as prohibited under the Gambling Act of 1935 are not allowed to advertise. 	<ul style="list-style-type: none"> <input type="checkbox"/> No specific regulations for OCC. In principle, the Gambling Act requires the same restrictions as for pay TV. 	

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<i>Claims</i>	<input type="checkbox"/> Substantiation must be provided upon request under the Consumer Protection Act.	<input type="checkbox"/> No specific regulations for OCC. In principle, the Consumer Protection Act requires the same restrictions as for pay TV.	
<i>Food & Beverages – general</i>	<input type="checkbox"/> Subject to Thai FDA approval. Copy must be approved beforehand under the Food Act B.E. 1979. <input type="checkbox"/> Ads for energy drinks may not be screened between 10:00PM and 5:00AM. They must also contain warnings to consumers that they should not drink more than two bottles a day.	<input type="checkbox"/> No specific regulations for OCC. In principle, the Food Act requires the same restrictions as for pay TV.	
<i>Food & Beverages – sugar levels</i>	<p>For the period of 1 April 2023 – 31 March 2025, the sweetness tax applies in proportion of the sugar quantity at the progressive rates under the Excise Tax 2017 as follows:</p> <input type="checkbox"/> Sugar content of 6-8 grams will be charged a tax rate of 0.3 baht per liter. <input type="checkbox"/> Sugar content of 8-10 grams will be charged a tax rate of 1 baht per liter. <input type="checkbox"/> Sugar content of 10-14 grams will be charged a tax rate of 3 baht per liter. <input type="checkbox"/> Sugar content of 14-18 grams will be charged a tax rate of 5 baht per liter. <input type="checkbox"/> Sugar content of from 18 grams will be charged a tax rate of 5 baht per liter.	<input type="checkbox"/> No specific regulations for OCC. Same tax applies.	
<i>Personal hygiene/ Sanitary (including Condoms)</i>	<input type="checkbox"/> Must adhere to the Cosmetics Act 1992.	<input type="checkbox"/> No specific regulations for OCC. In principle, the Cosmetics Act requires the same restrictions as for pay TV.	
<i>Tobacco</i>	<input type="checkbox"/> Prohibited. <input type="checkbox"/> Live broadcasts from abroad are exempt from this rule.	<input type="checkbox"/> No specific regulations for OCC. Same restrictions as for pay TV.	

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<i>Children</i>	<input type="checkbox"/> No specific legislation. However, the AAT requires its members to observe Thai Advertising Code of Ethics' Statement No. 10: "Should not create advertising that may be harmful to youth by taking advantage of their lack of knowledge to exploit and abuse them."	<input type="checkbox"/> No specific regulations for OCC. Same practices as for pay TV.	
<i>Women</i>	<input type="checkbox"/> No regulations/restrictions exist.	<input type="checkbox"/> No regulations/restrictions exist.	
<i>Property</i>	<input type="checkbox"/> No regulations/restrictions exist.	<input type="checkbox"/> No regulations/restrictions exist.	
COUNTRY-SPECIFIC INFORMATION	<input type="checkbox"/> Ads must not contain elements that denigrate or insult the King or other heads of states. <input type="checkbox"/> Ads should never insult or defame any religion or sacred person, place or thing. All advertisements must follow the "Consumer Protection Act 1979, as amended.	<input type="checkbox"/> Same restrictions as for pay TV.	
Useful Links	<input type="checkbox"/> FDA THAI : Food and Drug Administration, Thailand (moph.go.th) <input type="checkbox"/> Office of the Consumer Protection Board, Thailand <input type="checkbox"/> The Advertising Association of Thailand (AAT)		