Legal measures Following the Designation of COVID-19 as a Dangerous Communicable Disease

Further to our earlier newsletter (link), the Notification of Ministry of Public Health Re: Name and Important Symptoms of the Disease (No. 3), B.E. 2563 (2020), issued under the Communicable Diseases Act, B.E. 2558 (2015) (the "Act"), has officially declared the coronavirus disease 2019 ("COVID-19") as a dangerous communicable disease and came into effect on 1 March 2020.

As a result of this designation, legal measures can now be taken as precautionary protocols to deal with the COVID-19 in order to detect, prevent and control the spread of COVID-19. The key legal measures are as follows:

1. The owner or persons in charge of a house, a business facility or any place of business, a responsible person of the medical facility or a coroner’s office, now have the legal obligations to notify a communicable disease control officer within three (3) hours after finding on the premises an infected person or there is a reasonable ground to suspect that such person is infected with COVID-19.

2. A communicable disease control officer has the authority to order the infected person or the person who is suspected to be infected with COVID-19 to undertake tests for diagnosis and treatment. The officer may separate, quarantine or control such persons at a specific area. The officer may enter the houses, other places, or vehicles where there is an infection or where the officer suspects there may be an infection to monitor, prevent and control the spread of disease.

3. In case of emergency to prevent the spread of the disease, the Provincial Governor with the approval of the Provincial Committee of the Communicable Disease, has the authority to temporarily close a market, a place that sell or produce food and beverage, factory, theatre, educational institution, or other places and order the infected person or the person who is suspected to be infected with COVID-19 not to enter those places, or temporarily suspend their works.
4. When there is a reasonable ground to suspect that a vehicle comes from an area or country outside Thailand that has the spread of COVID-19, the officer may order the owner of the vehicle to notify the date, time, and place where such vehicle will arrive at the port, and prohibit any person to enter or leave the vehicle without inspection. The officer also has the authority to enter the vehicle to inspect traveler, properties or animals to eliminate any danger and ensure sanitary of the vehicle.

5. When there is a vehicle that comes from one of the listed countries that have the spread of COVID-19, the officer has the authority to order the vehicle to be parked in a specific area, undertake measures to eliminate the risks of infection, and request travelers to undertake tests for diagnosis. The officer may separate, quarantine, or control such person in a specific area for treatment purposes.

On 2 March 2020, the Ministry of Public Health has included Germany and France on to the list of countries that are at risk of the COVID-19 in addition to the existing nine countries (China, Hong Kong, Macau, Taiwan, Singapore, Japan, South Korea, Italy and Iran). The travelers from these countries will be subject to special inspection and requirements.

For further information, please contact us.