

**Give Effect to the APEC Privacy Framework**  
**“How the Public and Private sectors can cooperate”**

**By**  
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# **Content of the Presentation**

**1. Overview : The Personal Information and Privacy Protection in Thailand.**

**2. Implementing Privacy and Personal Information Protection established by the APEC Privacy Framework : How the Public and Private sectors can cooperate (Thailand Study Case)**

# Constitution of the Kingdom of Thailand, B.E. 2540 (1997)

Thailand Constitution (1997) has define  
principle to protect people right to know and  
Privacy as mention in the constitution “A persons  
family rights, dignity, reputation or the right of  
privacy shall be protected. The assertion or  
circulation of statement or picture in any manner  
whatsoever to public, which violates or affects a  
person’s family rights, dignity, reputation or the  
right of privacy, shall not be made except for the  
case which in benifial to the public”

# **The Official Information Act. (1997) of Thailand**

**(The Principle of Personal Data and Privacy Protection)**

**The Act. State that all the state agency  
shall take the following actions with  
regard to the provision of a personal  
information system**

**1. Providing for a personal information system only insofar as it is relevant to and necessary for the achievement of the objectives of the operation of the state agency, and terminating the provision there of whenever it becomes unnecessary ;**

**2. Providing an appropriate security system for the personal information system in order to prevent improper use or any use to the prejudice of the person.**

**3. In the case where the information has directly been collected from the person who is the subject thereof of a State agency shall, in advance or simultaneously with the request therefor, notify such person of the purpose for the use of the information, the ordinary nature of its use and whether such of making the request is one which the information may be given voluntarily or one which it must be given compulsorily under the law.**

**4. In the case where the personal information is dispatched to any place which, in consequence thereof, may become known to general members of the public, a State agency must notify the person who is the subject thereof, unless it is carried out in conformity with the ordinary nature of the use of the information.**



**5. A State agency shall not disclose personal information in its control to other State agencies or other persons without prior or immediate consent given in writing by the person who is the subject there of except for the disclosure in the following circumstances :  
(As mention by law)**

**6. In disclosing the personal information with out prior or immediate consent by the person who is the subject thereof, a list recording the disclosure shall be prepared and attached to such information**

**7. A person shall have the right to get access to personal information relating to him. When such person makes a request in writing, the State agency in control of such information shall allow him or his authorized representative to inspect or obtain a copy of the same.**

**8. In the case where there exists a reasonable ground to disclose a medical report relating to any person, state officials may disclose it only to doctors entrusted by such person.**

**9. A person who considers that any part of personal information relating to him is incorrect shall have the right to make a request in writing to the State agency in control of such information to correct, alter or delete that part of information. The State agency shall consider the request and notify its result to such person without delay.**

**10. In the case where the State agency fails to correct, alter or delete the information pursuant to the request, such person shall have the right to appeal to the Information Disclosure Tribunal within thirty days as from the date of the receipt of the notification of the order refusing to correct, alter or delete the same. In any case, the person who is the subject of the information shall have the right to require the State official to attach his request to the relevant part of the information.**