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# THE GLOBAL REGULATORY DEVELOPMENTS JOURNAL

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## **Editor's Note: A World of Regulations**

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## **European Taskforce Is Fit to Fill Gap Amid U.S. Pause on Anti-Corruption Enforcement**

*Craig Dukin, David Hoffman, Kristin Graham Koehler, Joan Loughnane, Lisa Miller, Kenneth Polite, Daniel Rubinstein, and Yuet Ming Tham*

## **European Supervisory Authorities Make Recommendations for the EU Securitisation Market**

*Alix Prentice, Suzanne Bell, Robert Cannon, Alexander Collins, Matthew Duncan, Sabah Nawaz, Claire Puddicombe, David Quirolo, Nick Shiren, and Daniel Tobias*

## **EU's Product Liability Directive Comes Into Force**

*Tim Wybitul and Judith Sikora*

## **UK's Immigration White Paper: Big Changes Leading to Bigger Questions**

*James Perrott and Grace Shie*

## **Le Patourel v. BT: Key Takeaways from the UK's Competition Appeal Tribunal's Judgment in the First Competition Collective Action to Reach Trial**

*Paul Stuart*

## **Canada Mandates Reporting on Plastic Products, Packaging**

*Isabel Q. Carey*

## **Sustainable Finance Disclosure Regulation Enforcement: Danish Regulator Says "Managers Need to Be Better at Ensuring That Their Investments Are Truly Sustainable"**

*Rita Hunter, Emily Julier, Jessica Dhodakia, and Julia Cripps*

## **France's Rapid Alignment with the EU's Omnibus "Stop-the-Clock" Directive**

*Christelle Coslin and Margaux Renard*

## **Thailand Considers Law to Promote Solar Power Usage**

*Chumbhot Plangtrakul, Thaphanut Vimolkeij, Jidapa Songthammanuphap, and Joseph Willan*

## **Corruption Perceptions Index: A "Dangerous Problem" Globally, with More Expected from Governments in Asia Pacific**

*James M. Koukios, Daniel P. Levison, B. Chen Zhu, Timothy W. Blakely, Saqib Alam, and Rishikeesh Wijaya*

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# The Global Regulatory Developments Journal

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Volume 2, No. 5

September–October 2025

- 305 Editor's Note: A World of Regulations**  
Victoria Prussen Spears
- 309 European Taskforce Is Fit to Fill Gap Amid U.S. Pause on Anti-Corruption Enforcement**  
Craig Dukin, David Hoffman, Kristin Graham Koehler, Joan Loughnane, Lisa Miller, Kenneth Polite, Daniel Rubinstein, and Yuet Ming Tham
- 317 European Supervisory Authorities Make Recommendations for the EU Securitisation Market**  
Alix Prentice, Suzanne Bell, Robert Cannon, Alexander Collins, Matthew Duncan, Sabah Nawaz, Claire Puddicombe, David Quirolo, Nick Shiren, and Daniel Tobias
- 329 EU's Product Liability Directive Comes Into Force**  
Tim Wybitul and Judith Sikora
- 339 UK's Immigration White Paper: Big Changes Leading to Bigger Questions**  
James Perrott and Grace Shie
- 347 *Le Patourel v. BT*: Key Takeaways from the UK's Competition Appeal Tribunal's Judgment in the First Competition Collective Action to Reach Trial**  
Paul Stuart
- 357 Canada Mandates Reporting on Plastic Products, Packaging**  
Isabel Q. Carey
- 365 Sustainable Finance Disclosure Regulation Enforcement: Danish Regulator Says "Managers Need to Be Better at Ensuring That Their Investments Are Truly Sustainable"**  
Rita Hunter, Emily Julier, Jessica Dhodakia, and Julia Cripps
- 371 France's Rapid Alignment with the EU's Omnibus "Stop-the-Clock" Directive**  
Christelle Coslin and Margaux Renard
- 375 Thailand Considers Law to Promote Solar Power Usage**  
Chumbhot Plangtrakul, Thaphanut Vamolkej, Jidapa Songthammanuphap, and Joseph Willan
- 381 Corruption Perceptions Index: A "Dangerous Problem" Globally, with More Expected from Governments in Asia Pacific**  
James M. Koukios, Daniel P. Levison, B. Chen Zhu, Timothy W. Blakely, Saqib Alam, and Rishikeesh Wijaya

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Publishing Staff

Publisher: Leanne Battle

Production Editor: Sharon D. Ray

Cover Art Design: Morgan Morrisette Wright and Sharon D. Ray

The photo on this journal's cover is by Gaël Gaborel—A Picture of the Earth on a Wall—on Unsplash

Cite this publication as:

The Global Regulatory Developments Journal (Fastcase)

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A Full Court Press, Fastcase, Inc., Publication

Editorial Office

729 15th Street, NW, Suite 500, Washington, D.C. 20005

<https://www.fastcase.com/>

POSTMASTER: Send address changes to THE GLOBAL REGULATORY DEVELOPMENTS JOURNAL, 729 15th Street, NW, Suite 500, Washington, D.C. 20005.

## **Articles and Submissions**

Direct editorial inquiries and send material for publication to:

Steven A. Meyerowitz, Editor-in-Chief, Meyerowitz Communications Inc.,  
26910 Grand Central Parkway, #18R, Floral Park, NY 11005, smeyerowitz@  
meyerowitzcommunications.com, 631.291.5541.

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Leanne Battle, Publisher, Full Court Press at [leanne.battle@vlex.com](mailto:leanne.battle@vlex.com) or at  
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ISSN 2995-7486

# Thailand Considers Law to Promote Solar Power Usage

Chumbhot Plangtrakul, Thaphanut Vimolkej,  
Jidapa Songthammanuphap, and Joseph Willan\*

*In this article, the authors discuss Thailand's proposal for a law to promote the use of solar power.*

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Thailand is considering a law to promote the use of solar power (the Draft Act).

## Draft Act to Promote Solar Power Usage

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As Thailand looks to reduce energy costs for both individuals and businesses, the Draft Act intends to cut down on the procedural steps required under current legislation, which can sometimes result in unnecessary expenses and complex documentation. Recently, the government introduced a Ministerial Regulation<sup>1</sup> that eliminates the need to obtain a factory license (commonly known as a Ror. Ngor. 4) from the authorities for all solar rooftop power generation installations located outside of industrial estates, regardless of their production capacity. In contrast, the Draft Act is not limited to just rooftop solar power facilities.

In line with Thailand's aim to be carbon neutral by 2050, the government is emphasizing the growth of renewable energy, including solar power. Despite the progress, only 15 percent of Thailand's energy currently comes from renewable sources, indicating that there is still significant room for improvement and investment throughout the country. Based on the draft Power Development Plan (PDP) 2024-2037, which is still yet to be fully finalized, renewable energy is expected to account for 51 percent of total electricity generation, with solar energy contributing 16 percent. This marks a strong increase in the share of clean energy sources in the electricity sector from 36 percent under the PDP 2018 (Revision 1) to 51 percent.

The Thai government's increasing measures to expand renewable energy projects and harmonize various rules and regulations

represent a positive step forward in Thailand's journey to become carbon neutral. By proactively expanding renewable energy sources in its power mix, Thailand will continue to be an attractive destination for foreign direct investment.

## Potential Benefits to Commercial and Industrial Building Owners

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The new law in its current form should benefit commercial and industrial building owners who wish to install solar PV (photo-voltaic) systems for self-consumption. Additionally, it will benefit developers offering build-transfer-operate services (such as EPC (engineering, procurement, and construction) and O&M (operation and maintenance) models, rather than PPA (Power Purchase Agreement) models).

As Thailand aims to address the challenges of rising electricity prices, reduce energy costs, cut down on fuel imports, improve public access to clean energy, lower carbon dioxide emissions, and align with the national strategy for sustainable and eco-friendly growth, it is anticipated that the Draft Act will support the country in achieving these goals.

## Overview of the Draft Act

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The Draft Act consists of the following five sections:

- Section 1: General provisions,
- Section 2: Installation of solar power systems,
- Section 3: Control and disposal of solar power systems,
- Section 4: Administrative duties, and
- Section 5: Penalties.

A brief overview of each section of the Draft Act follows.

### Section 1: General Provisions

Section 1 of the Draft Act outlines the general provisions, emphasizing the enhanced promotion of solar power system installations in a more efficient and streamlined manner.



## **Section 2: Installation of Solar Power Systems**

The Draft Act applies only to solar power system installations for self-consumption. However, it allows the sale of electricity to a governmental utility (i.e., the Electricity Generating Authority of Thailand, the Metropolitan Electricity Authority, the Provincial Electricity Authority, or organizations designated by the Minister).

According to the Draft Act, if there is any sale, distribution, exchange, or provision of electricity, it must comply with the purchase rates and criteria announced by the Director-General and approved by the Minister.

It is important to note that, according to the intention of the Draft Act as announced by Thailand's Department of Alternative Energy Development and Efficiency (DEDE), all license requirements for installation of solar power systems, including an approval for grid synchronization, are exempted. However, the installer must notify the DEDE at least 30 days prior to the installation of the solar PV system.

## **Section 3: Control and Disposal of Solar Power Systems**

To ensure the safe collection, disposal, or destruction of solar energy system equipment, such activities must follow the criteria set by the DEDE.

For businesses that are involved in the collection and/or disposal of solar energy equipment, they must be permitted by the Director-General of DEDE to carry out such activities. Further, licensed electronic waste disposal facilities are considered authorized establishments for solar energy system equipment disposal, and they must notify the Director-General and comply with the relevant criteria.

## **Section 4: Administrative Duties**

According to the Draft Act, officials have the relevant authority to access premises for inspecting the installation of solar energy systems to ensure that they are in compliance with the Draft Act. The primary objective is to ensure that the installation of solar energy systems is conducted safely and without any hazards.



## Section 5: Penalties

Further, the Draft Act also details potential penalties for acts that violate the Draft Act.

Activities that do not comply with the provisions of the Draft Act can result in imprisonment of up to three years and/or fines up to THB 100,000.

## In Summary

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- *Simplification of Regulatory Processes.* The Draft Act aims to promote solar PV energy system installations by simplifying regulatory procedures, reducing unnecessary expenses and complex documentation.
- *Benefits for Commercial and Industrial Owners.* The new law will benefit commercial and industrial building owners who install solar PV systems for self-consumption, as well as developers offering build-transfer-operate services as it streamlines the regulatory procedures.
- *Support for Sustainable Energy Goals.* The Draft Act is designed to address rising electricity prices, reduce energy costs, cut fuel imports, improve access to clean energy, lower carbon dioxide emissions, and align with Thailand's national strategy for sustainable growth.

## Conclusion

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The Draft Act aims to promote efficient solar power installations, regulate the sale and distribution of electricity to the governmental utility, ensure safe disposal of solar equipment, empower officials to inspect installations for compliance, and impose penalties for violations, thereby supporting Thailand's sustainable energy goals.

## Notes

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\* The authors include Business Development Manager Joseph Willan and three attorneys with Hunton Andrews Kurth LLP. They may be contacted

at chumbhot@hunton.com, thaphanut@hunton.com, and jidapa@hunton.com, respectively.

1. Ministerial Regulation Re: Designation of Type, Kind, and Size of Factories (No. 3), B.E. 2567 (2024).