## **Annual Report**

2023

— Summary

Thailand Consumers Council สภาองค์กรของผู้บริโภค



## Thailand Consumers Council (TCC)

Thailand Consumers Council (TCC) is the organization established under a Thai Constitution B.E. 2560 (2017). It was founded under the Establishment of the Consumer Organization Council Act B.E. 2562 (2019) to represent consumers in all issues. Currently, there are eight categories of consumer grievances. TCC is authorized to independently guard and protect the rights of consumers with sufficient operational funds from the government. The law stipulates that the Office of the Permanent Secretary, under the Prime Minister's Office, submits TCC's annual budget proposal to the Cabinet for approval.



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## **Vision Mission Strategies**



#### **Vision**

Representing consumers for improved quality of life for all



#### **Mission**

- 1. To protect consumer rights in all aspects
- 2. To recommend policies and measures for consumer protection
- 3. To support members, consumer organizations, and consumers in their effort to protect consumer interests and gain consumers' trust
- 4. To foster a new culture where consumer protection is viewed as beneficial to all parties
- 5. To promote sustainable and environmentally friendly consumption



#### **Strategies**

- Support and carry out work to guard and protect consumer rights
- 2. Develop, recommend, and campaign for consumer protection policies and measures
- 3. Support and empower consumers and consumer organizations
- 4. Conduct consumer protection communication
- 5. Develop work mechanisms for TCC and its provincial units

### **Executive Summary**

In the 2023 fiscal year, Thailand Consumers Council (TCC) carried out its duties in the eight aspects stipulated in Article 14 of the Establishment of the Consumer Organization Council Act B.E. 2562 (2019). TCC emphasized its operations in all the areas, integrating them into the organizational structure consisting of a subcommittee for each consumer issue, a central office, zone offices, provincial units, and member/network organizations under its five projects.

#### TCC's performances under its authority and projects

For consumer rights protection and policy recommendations (the first area of TCC's authority), in 2023, TCC received 16,142 consumer complaints, exceeding the required number of cases to be handled. There are two categories of the cases: 9,124 cases were filed with the one-stop-service center, and 7,018 cases were filed via the 15 provincial units.

The three categories with the highest number of complaints were general goods and services (62.88% or 10,150 complaints), banking and financial services (12.91%), and IT and telecommunications (5.69%).

TCC was able to resolve 12,837 complaints (79% of total cases). Most of them (67%) were settled with advice or mediations. This was partly due to the support and assistance for TCC's members to be able to conduct mediations in consumer rights violation cases (6<sup>th</sup> area of authority).

As for the work on policies in the fiscal year 2023, TCC made 25 policy recommendations and consumer protection measures both at the local and national levels. TCC also provided opinions on five laws or regulations related to consumer protection.

The proposals that gained a lot of public attention included: the measures to deal with financial scams; the recommendations on safety school bus management; the policy to curb illegal constructions of high-rise buildings; the measures to protect consumers

from food products containing hemp and cannabis; the proposal to raise the benefits for members of the Social Security Fund; the measures to recall unsafe airbags; and, the policy to support solar rooftop installation: etc.

TCC has also taken part in campaigning for Product Liability Act B.E.... or Lemon Law; and Elderly and National Pension Act (No...) B.E.... or Universal Pension Law

The work on inspecting, tracking, and monitoring unsafe goods and services (TCC's 2<sup>nd</sup> authority) was conducted through the handling of consumer complaints. This allowed TCC to familiarize itself with the real problems that consumers were facing, for example, many young people had encountered issues with concert tickets while people of all ages and genders had problems from purchasing goods online.

TCC also operated through its Communication for Consumer Protection Project, providing, compiling, and disseminating information on goods and services to help consumers make informed choices (TCC's 8<sup>th</sup> authority). In the 2023 fiscal year, TCC produced 1,555 pieces of public communication materials and published them through its seven social media channels, with more than 93,751 follower accounts. TCC also worked with government agencies, private organizations, and influential figures to provide information for consumers on various platforms, gaining a total of 30,117,144 views and reaching a PR value of 207.84 million baht.

At the same time, TCC's public communication work is part of its duty to campaign for consumer protection policies and measures. For the work on reporting actions or non-actions that affect consumer rights (3<sup>nd</sup> authority), TCC has prepared a report on consumer complaints that have not been resolved and may involve negligence by the relevant agencies. More than ten cases were found, for example: the financial institutes failed to stop scammers from using apps to steal money from the clients' bank accounts; Civil Aviation Office did not reveal the result of the investigation into Thai Lion Air's flight changes and cancellations; clinics and medical institutes did not deliver the services stated in their advertisements.

In supporting and empowering consumer organizations to efficiently fight for the interests of consumers to win their trust and facilitating the coming together of organizations at the provincial and zone level (4<sup>th</sup> authority), TCC carried out these tasks directly through the provincial units and consumer organizations support project. In the 2023 fiscal year, TCC had 308 member organizations in 43 provinces all over

the country with two more provincial units established in Khon Kean and Ayutthaya.

For the support on research and study to benefit consumer protection work (5<sup>th</sup> authority), in 2023 TCC conducted studies on:

(1) the possibility of establishing the national pension fund and the analysis of its social and economic impact; (2) the development of consumer protection guidelines for fair contracts; (3) the amendment of Social Security Act (draft) to reduce inequality in health services; (4) the factors preventing the elimination of "call center scams"; and, (5) the impact of carbon credit policy and Thailand's alternatives. The findings from these studies have been used in TCC's campaigns for consumer protection policies and measures.

Regarding the legal work on consumer rights violations (7<sup>th</sup> authority), TCC supported 32 prosecutions, with a total claimed amount of 15 million baht. Approximately 37.5% of the cases involved finance and banking services, such as debt and insurance claims. Another 31.25% were in the category of housing and real estate.

In 2023, TCC and Rangsit University conducted a survey and a public hearing on consumer satisfaction with TCC's consumer protection work. The result can be found in this report. TCC also worked with TDRI (Thailand Development Research Institute) to carry out an assessment of TCC's three-year operation. The process is ongoing so the result will be published later.

#### **Outstanding performances**

This report highlights three outstanding performances, which demonstrate that TCC in its operations has integrated its eight authorities stipulated by law with the five projects proposed in its annual budget proposal.

The first is the case of Srisawad Corporation PCL. The company and its subsidiaries were found to provide personal loans in similar manner to loan sharks. After learning about the problems from consumers' complaints, TCC sought more information and conducted studies on the issues. TCC assisted the consumers, alerted the public, informed relevant government agencies, and prepared policy recommendations for systematic prevention and solution of the problem.

Another work that TCC has been doing since it was established is campaigning for cheaper electric train fares with minimum wage taken into consideration so that everyone can afford. In the beginning, the

proposal was harshly criticized but later some of the political parties used the idea for their election campaigns. When the new government was formed in September 2023, a new fare scheme following TCC's proposal was implemented on a trial basis. The single fare of 20 Baht received positive responses from the public.

The third accomplishment began with the comparative test for quality and efficiency of 25 models of motorcycle helmets. The result showed that 11 models failed to meet the standards. TCC then informed the public of the test results and prepared proposals to the relevant agencies to increase road safety and reduce personal as well as social losses.







#### Problems, obstacles, challenges

TCC's Problems, obstacles, and challenges are mostly related to external factors, the most important one being the budget for operation. There are two aspects to this problem:

- 1) The process of budget proposal is complicated and time-consuming. The proposal must be submitted through the Office of the Permanent Secretary, under the Prime Minister's Office for approval before it can be tabled for consideration by the Budget Bureau. It will be included in the Draft Budget Bill after approval.
- 2) The lack of continuous annual financial support resulted in interruptions, lack of continuity in operations, and limited operational budget (No budget was allocated for TCC in 2022).

Problems related to consumer rights protection work are as follows:

1) TCC recently received more complaints on scams and frauds. Finding solutions for the consumers in this matter requires more work procedures, and the cooperation with the police to conduct the investigations and prosecutions must also be sought.

2) Most government agencies have not paid enough attention to TCC's recommendations or measures on consumer protection, yielding little response and progress on the issue. 3) The current knowledge and awareness on consumer rights cannot keep up with more complicated and serious consumer issues.

The main future challenge for TCC is the fact that typical consumer problems have not yet been resolved while new and more technologically advanced issues have emerged, and it is likely that unsuspecting consumers will fall victims. TCC will continue vigorously with its consumer protection work while empowering consumers, especially in technology, and submitting proposed policies and measures for the solutions to both existing and future problems.



## What citizens get from Thailand Consumers Council (2023 fiscal year)

• Their grievances were heard.

## 16,142 filed complaints. An increase of 1,200 cases from the previous year, exceeding the target.

- 9,124 complaints were filed with the one-stop-service Consumer Protection Center
- 7,018 complaints were filed with 29 organizations, consisting of provincial offices, zone offices, and other member organizations.

## **12,837 cases resolved**. 79% of the total cases.

- 7,199 cases were handled by the one-stop-service Consumer Protection Center
- 5,638 cases were handled by 29 organizations, consisting of provincial offices, zone offices, and other member organizations.

## Survey shows 81% of consumers were satisfied with TCC's services.

Damages and losses were compensated.

#### 71,703,984.46 Baht worth of total compensation value.

- 50,643,501.51 Baht was won through the work of 29 organizations, consisting of provincial offices, zone offices, and other member organizations.
- 21,060,482.95 Baht was won through the one-stop-service Consumer Protection Center

#### Justice was sought for consumers.

#### **32 cases** were prosecuted or supported by TCC.

- 10 cases were prosecuted by TCC for the benefits of individuals, consumer groups, and the general public.
- 12 cases had TCC supported to help wrongfully prosecuted consumers or individuals taken to trial for exercising their rights as consumers.
- 10 cases where consumers were provided lawyers by TCC.

15,708,295 Baht is the total claim amount.

 Valuable information and knowledges were circulated. through 7 online channels

TCC's Website "Thailand Consumers Council"

(www.tcc.or.th)

Facebook fanpage "Thailand Consumers Council" (tccthailand)

Twitter or X "Thailand Consumers Council" (@tccthailand)

Instagram "Thailand Consumers Council" (tcc.thailand)

Line Official LINE "Thailand Consumers Council" (@tccthailand)

YouTube "Thailand Consumers Council" (tccthailand)

TikTok "Consumers Council" (tccthailand)



93,751 follower accounts subscribing to TCC's information.

More than 1,500 materials in the forms of news reports, articles, special reports, video clips, and live broadcast, etc.

More than 30 million shares on different platforms and media outlets

More than 200 million Baht PR value

#### Reliable networks working for consumer interests were established.

308 member organizations in 43 provinces in different regions are ready to help consumers.

#### 15 provincial offices and 4 zone offices

are carrying out TCC's missions in consumer protection, consumer problems monitoring and warning, as well as recommending policies to reduce consumer rights violation and increase consumer protection. These works were carried out in the north, the south, the northeast, the central plain and Bangkok.

- Preventive long-term consumer protection policies and measures were in place.
  - **2 Bills**. Stipulations on consumer protection and citizen welfare were called for.
  - (Draft) Product Liability Act B.E. ... (Lemon Law)
  - (Draft) National Elderly and Basic Pension Act (No....) B.E. (Universal Pension Law)
- **1 Act**. Study is being conducted on revisions with the focus on minimizing discrepancies in health services.
- Social Security Act B.E. ...

#### 5 Draft laws.

Inclusion of more consumer perspectives and/or exclusion of provisions that may violate consumer rights were proposed.

#### 25 Policies and measures.

Recommendations for more cautious consumer protection work and/or preventions of possible harms to consumers.

4 Proposals on consumer protection policies and measures have been taken up by relevant government agencies.

## Changing the game ... giving consumers the upper hand

Thailand Consumers Council (TCC) realizes that there are not many systematic joint efforts among Thai consumers, giving advantages to business operators. Thus, solving the problems of consumer rights violation must be conducted together with fostering more negotiation power by consumers.

The following three outstanding works by TCC in 2023 involved enhancing consumer power in different aspects: from helping consumers whose rights were violated, providing options that best benefit consumers and society; increasing consumer literacy with accurate information; and, specifically campaigning for changes in policies and work procedures to allow more proactive approach by consumers.

## Achievement 1: Srisawad credit, illegal loans under the disguise of financial institution loans

The economic crisis has forced many people to take out loans. Most of them did not have access to loans provided by financial institutions, so they turned to non-bank loan providers. These companies offered credits, loans, quick cash with many incentives, including the promise in the advertisement that there would be no conditions such as credit status checks. Many consumers took up the offer without realizing that these companies had different legal status and sometimes forgot their rights as debtors.

After taking out the loans, some realized that their lenders were the same as loan sharks, charging illegal rates of interests. Some were forced into buying insurance policies. Some found out later that their contracts were forged or tampered with. Some lost ownership of their cars or plots of land that they used as collateral for relatively small loans.

TCC received the complaints from consumers who were taken advantage of by the subsidiaries of Srisawad Corporation PLC since 2021. Complaint analysis showed that consumers were not given the duplicates of the contracts on the day they were signed. This is not in compliance with the law,

and it also means that the content of the lending contracts, such as the amount of money, might be altered. Some consumers were not able to get their land title deeds back after paying off the debts. The lenders claimed they had to withhold the documents because consumers had not paid them the full amount, which is higher than what was written in the original contract.

Later in 2022, complaints about the behaviors of Srisawad and its subsidiaries were still coming in, heightening the crisis. TCC started to monitor and investigate the issue. After having volunteers pose as clients applying for loans, TCC came to the conclusion that the

company in fact violated consumer rights and some of their behaviors were not even legal.

- The Company did not provide the contract duplicates to the clients. This may be in violation of consumer protection law according to the Notification by the Contract Committee stipulating that Consumer Loan Business is Contract-Controlled Business B.E.2565.
- The lender attempted to sell insurance policies to clients during the application process. This action is against the law on life and non-life insurance that respects the insured's freedom to enter a contract. Moreover, the persons selling the policies were not licensed to do so. This is also illegal according to the Life Insurance Act B.E. 2535 and Non-life Insurance Act B.E.2535. TCC notified the Office of Insurance Commission about the issue, resulting in the filing of cases with the Central Investigation Bureau, Economic Crime Suppression Division on 28 November 2022.
- Srisawad Corporation PCL and Srisawad Power 2014 Co.,Ltd. charged the interests



at the monthly rate of 2% or annual rate of 24%. This is clearly illegal. Both companies are not under the rule of the Bank of Thailand, so they cannot charge an interest of more than 15% per year according to Article 654 of Thailand Civil and Commercial Code.

• Fees were collected even though the advertisement said no fees would be charged. The advertisement is considered part of the contract according to the Consumer Cases Procedures Act B.E.2551.

- Consumers said the companies put a limit on the installment and asked them to pay off the debt within 12 months. Consumers who failed to do so would have to sign new contracts and pay the fees again. The companies also asked clients to pay the fee to redeem their land title deeds. All these conditions may be considered "unfair" under the Unfair Contract Terms Act B.E.2540.
- The companies did not return the land title deeds to clients, claiming they would only do so after the clients pay the redemption fee. Eventually, the clients were prosecuted for violating the loan contracts made with Srisawad Power 2014, a subsidiary of Srisawad Corporation PCL.
- The clients did not receive the amount stated in the loan agreements.

TCC pursued the matter throughout the 2023 fiscal year with the emphasis on creating awareness for both the public and



the involved agencies. At the end of the fiscal year there were 69 complaints against Srisawad's subsidiaries. TCC found that the top three issues were: clients were not given contract duplicates and were not able to retrieve the land title deeds after paying off the debt in full (the company claimed redemption fees must be paid first), some had to pay

'account closure' fees, and some were charged with illegal rates of interests.

Until the end of 2023 fiscal year, TCC had provided legal advice and lawyer services to consumers, especially when consumers were being sued by the business operators. Staff members of TCC also appeared as witnesses to ensure fair rulings for consumers. Meanwhile new issues also emerged such as forging clients' signatures, getting consumers to sign blank 'loan' contracts that were later altered into promissory notes, making them legal without the clients' consent.

TCC cooperated with the government agencies regulating monetary businesses,

consumer protection, and law enforcement. The initial success involved the cooperation with the Department of Special Investigation to investigate and prosecute Srisawad Corporation PCL's subsidiaries on loan contracts with illegal interest rates. TCC has prepared the proposal to the government agencies regarding the amendments of rules and regulations related to the operation of credit companies in order to prevent violation of consumer rights in the future. the proposal to the government agencies regarding the amendments of rules and regulations related to the operation of credit companies in order to prevent violation of consumer rights in the future.



## Achievement 2: Inspiring the concept of mass transit electric trains: "everyone can ride every day"

Since 2020, TCC has maintained that ensuring public transport availability for people of all income levels would necessitate pricing adjustments to limit fares to no more than 10% of the daily minimum wage. TCC proposed that the fare for the Bangkok Transit System (BTS) Skytrain Green Line, after the concession ends, should be a flat rate of 25 Baht. This initiative marks the initial step towards the objective of making BTS public transport accessible to everyone daily, even though the rate may exceed 10% of the minimum wage. TCC subsequently elevated this issue to one of its primary campaigns starting in 2021.

The 10% of the minimum wage ceiling was determined after TCC took into consideration the fares in several developed countries, for example, 3% in Paris, 5% in London and Singapore, and 9% in Tokyo. The single fare of the first BTS line, the Green Line, was originally set at 15 Baht. However, the economic crisis, the depreciation of the Baht, as well as the lack of transparency in management and public participation have caused several increases in the fare. A study from TDRI found that most people in Bangkok relied on private cars (43%) or motorcycles (26%) for commuting. Only 24% used public transport. This is the reason behind heavy traffic jams in the city as well as PM2.5 particles in Bangkok and its perimeter.

It can be observed that the burden of infrastructure investment and operating costs has been shifted to consumers to bear. Meanwhile around the world, the entire investment burden is not passed on to consumers, and revenue is generated to reduce fares through advertising, real estate development along the rail line, and so on.

Later, the idea was shared with the public, politicians, as well as the academics. There were arguments that the 25 Baht fare was not realistic because at the time there were reports that the Bangkok Metropolitan Administration (BMA) owed BTS company more than 100 billion Baht for the operation and management cost as well as the transferred debt from the State Railway of Thailand on construction of the new extensions. The company went public with the effort to collect its debt, making people in Bangkok concerned and worried that the proposal was 'impossible' to achieve.

TCC insisted that the major network covering almost every district with the space inside and outside the stations where real estate projects can be developed along the rail line, as well as the advertising space, can certainly generate more income. Moreover, the company can earn more from the reduced fares when more commuters choose to travel with the skytrain. There will also be a surplus from the reduction in traffic-related health problems and less expenses from better traffic flows.

Besides finding the funds to support the fares, the surplus can also be used to support people's travel expenses.

Bangkok traffic is known to cause damage to society, such as PM2.5 particle pollution, waste of energy, health cost, and the psychological trauma that millions of people must go through for two to four hours every day.

According to the Ministry of Health, from 1 January to 1 March 2023 there were 1,730,976 patients suffering from PM2.5 particles. The expense for each outpatient who came in for treatments of respiratory diseases was at least 700 Baht, totaling 12 billion Baht. Besides hospital cost, patients needed to pay for their transport, take a day off, and miss the opportunity to get paid for the day. These damages and losses cost more than 3 billion Baht. Together, these figures reach 4 to 5 billion Baht per year.

The idea of the 10% minimum wage fare was back in the spotlight in 2023 during the run-up to a general election. Four political parties adopted the idea of reduced fares in their campaign. Pheu Thai Party proposed a flat rate of 20 Baht while the Democrats

wanted to introduce a 50 Baht daily pass for all public transport modes. Move Forward Party proposed flat rate fares of between 8 and 45 Baht for buses and electric trains while Bhumjaithai Party proposed a single fare pass starting at 15 Baht for buses and boats with the cap of 50 Baht and 15 to 40 Baht for electric train trips.

Pheu Thai Party, after forming a coalition government, said the reduction of fares to 20 Baht could be done immediately. However, Mr. Suriya Jungrungreangkit, Transport Minister, later told a press conference that the 20 Baht fare policy, which may not be one of the 'urgent' policies, might be possible in two years.

TCC, together with the academics and representatives from the civil society, insisted that it would not take up to two years. The plan could be implemented on the lines owned by the government immediately and TCC urged the government to reconsider the issue and follow through on its promise.

On 16 October 2023, the cabinet approved

the reduction of MRT Purple Line and Red Line fares to a maximum of 20 Baht per trip for a trial period until 30 November 2024.

Five months after the reduced fares have been piloted in the two electric train lines, the government's first 'quick win' policy, the red line and the purple line saw a combined daily number of passengers at 92,714 person/trip or an increase of 17.94%, according to the Department of Rail Transport, Ministry of Transport. This is the highest figure since the two lines became operational. The evaluation showed that the policy generated a daily economic, social, and environmental value of 2.64 million Baht.

It can be said that the idea that was against the flow in the beginning had finally been successfully implemented into government policy with TCC's campaign geared towards justice for all in terms of public transport fares. This is one of its duties in Article 14 (1) of the Establishment of the Consumer Organization Council Act B.E.2562.



## Achievement 3: From helmet durability test to life saving choices

At present, Thailand has the highest rate of motorcycle use per household. According to the Department of Land Transport, 22.14 million motorcycles were registered in 2022. At the same time, 56% of the 939,713 road traffic accidents in 2023 involved motorcycles (526,240), according to Thai RSC (Thai Road Safety Center).

The figures of the Department of Disease Control, Ministry of Public Health, show that each year 9,120 people die from motorcycle accidents and 15.82% of the victims (1,459) are between the ages of 15 and 19.

Although carelessness and speeding are considered the main reasons for injuries and deaths, sub-standard equipment may be another reason. Thai law stipulates that riders and passengers of motorcycles must wear safety helmets; and all helmets sold in the market must pass the standard test and carry the TISI 369-2557 symbol issued by the Thai Industrial Standards Institute since 2015.

According to IHPP (International Health Policy Program), if all riders and passengers wear safety helmets, the overall death rate would be reduced by 36%.

In the past decade, there has been a huge increase in the use of motorcycles for goods or food delivery or for transporting passengers. Safety helmets, locally produced and imported, have flooded the markets both online and offline. They all carry the TISI symbol, but not all of them have met the required standards.

In the 2022 fiscal year, TCC and MTEC (Thailand National Metal and Materials Technology Center) have conducted a test

on the quality of safety helmets sold in the market. Conducting tests is one of TCC's duties in Article 14 (2) of the Establishment of the Consumer Organization Council Act B.E.2562.

Samples of safety helmets were purchased randomly from the market. They were tested for safety qualifications such as the ability to prevent accidents and protect wearer against injuries, as well as user satisfaction. Children's helmets were also tested. Five samples of each of the 25 models of helmets were bought.

The result showed that 11 out of the 25 models failed the test. Interestingly, none of the children's helmets passed the test.

To inform consumers, TCC held a press conference on 8 May 2023 on "Safety helmet test results revealed: which models pass the standards test". The 25 models were presented to the media and the detailed test results were also published on TCC's online media channels.

TCC also proposed that the TISI use its power to quickly take the 11 models that failed the test off the market. TCC also urged the fine penalty for the business operators. It was found during the sampling of the helmets that there was no QR code accompanying the TISI symbol for consumers to scan and learn more about the products.

TCC made four recommendations to the relevant government agencies: Take helmets that did not pass the standards test off the market; develop a driver's license application training program that provided information on safety helmets; require producers to display the right head size for each model of helmets both on the helmets and their packages so that consumers could make informed decisions; and, conduct regular tests on safety helmets.

At the same time, TCC continued to remind consumers the importance of using information data base when buying safety helmets for themselves or for their children. Consumers will know which products are strong enough in case of accidents, which ones provide good vision when riding so that riders can avoid accident, and which ones come with the right look and the right

fit for the right price. More importantly, consumers are aware of how to find out more about their helmets by scanning the QR code as well as how long the helmets will last.

To reach consumers of all groups, TCC held press conferences so that news agencies can publish the information, as well as recommendations to the government, business operators, and consumers. The information was also published on the websites of TCC and its almost 300 network organizations. Video clips and brochures on the helmet durability test and dangers from using sub-standard helmets were also shared.

Moreover, members of TCC had organized community events to make sure that consumers have access to the information.



#### Standard Test Results of Safety Helmets



#### **Work outcomes**

TCC has five work projects in the fiscal year of 2023. The main work mechanism consists of departments within TCC, zone offices in five regions, 15 provincial units, eight sub-committees based on consumer issues, and one working group to supervise the work on all of the issues. All these have made it possible for TCC to achieve its goal in representing consumers in all aspects. The outstanding work outcomes in each project are as follows.

#### 1. Consumer rights protection

Consumer rights protection project has been carried out by the TCC's Department of Consumer Rights Protection. The objectives are to find a solution for issues related to violation of consumer rights; take consumer complaints; conduct prosecution on behalf of consumers; investigate, monitor, follow up on consumer grievances as well as alert consumers to ensure that their rights are protected.

There were 9,124 complaints filed with TCC's one stop service center. Another 7,018 were filed with the 15 provincial units. The total number of complaints was 16,142, an increase of more than 1,200 from the year 2022. The number exceeds the set indicator.

The top three complaints are:

1) Complaints on general goods and services. TCC received 10,150 complaints on general goods and services or 62.88% of the total complaints. This is 3.5 times more than the figure of the fiscal year 2022. Most of them involved unfair contract terms in concert ticket purchases (5,906 cases). Some were affected by the change in the stage and the seating layout. Some did not receive the benefits promised by the organizer. Meanwhile online purchasing was still a big consumer problem. Buyers did not receive the goods ordered and were not refunded.

Another problem involved the service of beauty clinics. Some closed their business without notifying consumers who had already paid for the whole beauty packages.

- 2) Complaints on banking and finance services. There were 2,084 cases or 12.91% of the total complaints. Most of them were from policy buyers who did not get compensations from the insurance companies that sold them covid-19 policies. A lot of complaints were from consumers affected by illegal loan providing apps.
- 3) Complaints on communication, telecommunication, and IT issues. There were 918 cases or 5.69% of the total complaints. Most of them were from people who received unwanted SMS on their mobile phones

TCC have been able to resolve 12,837 cases or 79% of the total complaints. Most of them could be resolved with advice and mediations. The total compensation value for consumers was 71,703,984.46 Baht.

In 2023, TCC had supported the prosecution of 32 consumer cases with the total claimed value of 15,708,295 Baht. They consisted of 12 cases where consumers were wrongfully sued by the businesses or were sued while trying to exercise their rights as consumers. TCC also provided lawyers in 10 cases where consumers decided to take the businesses to court. In another ten cases, TCC acted on behalf of the consumers.

Number of complaints received by TCC in the fiscal year 2023, categorized by consumer issues

|       |  | Number of cases                    |                            |        |        |
|-------|--|------------------------------------|----------------------------|--------|--------|
|       | Consumer issues                          | Via one-<br>stop-service<br>center | Via<br>provincial<br>units | Total  | (%)    |
| 1     | General goods and services               | 7,819                              | 2,337                      | 10,156 | 62.92  |
| 2     | Finance and banking                      | 999                                | 1,086                      | 2,085  | 12.92  |
| 3     | Media, telecom, and IT                   | 13                                 | 902                        | 915    | 5.67   |
| 4     | Food, drug, and health products          | 11                                 | 726                        | 737    | 4.57   |
| 5     | Health services                          | 49                                 | 648                        | 697    | 4.32   |
| 6     | Housing and real estate                  | 87                                 | 496                        | 583    | 3.61   |
| 7     | Transport and vehicles                   | 37                                 | 423                        | 460    | 2.85   |
| 8     | Public services, energy, and environment | 6                                  | 146                        | 152    | 0.94   |
| 9     | Education                                | 8                                  | 11                         | 19     | 0.12   |
| 10    | Others                                   | 95                                 | 243                        | 338    | 2.09   |
| Total |  | 9,124                              | 7,018                      | 16,142 | 100.00 |

TCC, together with Thailand National Metal and Materials Technology Center (MTEC) and National Science and Technology Development Agency (NTSDA), have conducted a test on the quality of safety helmets sold in the market. Twenty-five models were purchased and sent to a lab certified by the Thailand Industrial Standards Institution.

The results showed that more than 40% of the helmets failed the test. Only 14 models passed while 11 models, including 5 models of children's helmets, failed.

TCC had urged TISI to quickly remove the 11 models that failed the test from the market and impose a fine on business operators who violated the law. It also proposed that the Department of Land Transport, the Ministry of Industry, and the Ministry of Public Health raise the standards for issuing of driver's licenses by adding lessons and tests on how to select a quality helmet and how to properly wear it.

### 2. Developing consumer protection policies and measures

This is carried out by TCC's Policy and Innovation Department with the objectives to campaign for changes, improvements, or solutions to the policies and the system. This is information-based consumer protection work with the authority to investigate and report actions or non-actions that affect consumers' rights to the government or relevant agencies. The department is also in charge of evaluating TCC's work.

In the fiscal year 2023, TCC has prepared 25 recommendations on consumer protection policies and measures at both the local and national levels, covering eight consumer issues such as:

- Recommendations to the Bank of Thailand on solutions to financial scam problems. TCC urged the BOT to monitor the operations of financial institutes and business operators, ensuring their strict compliance to the Prevention and Suppression of Technology Crimes Act B.E.2566 and imposing punishment for their failures to comply. The criteria for full compensation for consumers must also be determined in the case where consumers are not at fault. Stricter requirements on opening accounts online or at convenient stores are also needed to prevent frauds or mule accounts.
- Recommendations to the Mayor of Bangkok to cancel the contract for the operations of Extension 1 and Extension 2 of the BTS Green Line because it is beyond the terms of the main contract and passengers were charged unrealistically high fares. TCC asked the BMA to draft a new contract for the two extensions. A proposal on the new electric train fares was also submitted to the BMA while a

working committee consisting of TCC and consumer representatives was also set up to call for public transport that everyone can use and can have a say in the pricing scheme, connectivity between different modes, and monitoring of the city's safe and fair public transport service.

A proposal to the BMA to address consumer grievances regarding the construction of high-rise buildings in their communities, such as the suspension of construction licenses for three construction projects with disputes until an impact assessment is conducted. A committee should be set up to work with the Office of Natural Resources and Environmental Policy and Planning (ONEP) in establishing an independent fund financed by fees



from business operators. The fund will be used for the impact assessment projects to make project approval more transparent.

A proposal to the Ministry of Public Health on food products that contain banned substance from cannabis and hemp. TCC also called for a change in the recommendation regarding the age of cannabis consumers to 'Persons under the age of 20 should avoid eating' in all the ministry's labels and warnings. Forbidden words in advertisements on the quality,

benefits, or efficacy of cannabis and hemp should be added to the Ministry's Notification on Food Advertisement B.E.2561.

TCC also urged the Ministry of Public Health and the Ministry of Digital Economy and Society to work together on measures to regulate the sale and publish a ban on the sales of food or drink products containing ingredients from cannabis or hemp in vending machines as well as online shops. This is because buyers' ages cannot be verified through vending machine or online purchases. Additionally, misleading advertisements might be present. The Ministry of Agriculture should also take part in the matter by conducting research on active ingredients in cannabis and hemp to determine the standard maximum amount to protect consumers of all ages from the long-term effects.

A proposal to the Department of Public Health Service Support under the Ministry of Public Health to address violations of consumer rights when purchasing beauty or surgery services from beauty clinics. TCC called for regulations or the Ministry's notification to ensure health service physicians abide by the law, exercise more control over the licensing of beauty service, educate would-be clients so that they know if the doctors or service providers are strictly following standard procedures.

A proposal to the Central Committee on the Price of Goods and Services to regulate medical services. TCC urged the committee to regulate the medical fees charged by private hospitals in emergency cases because consumers can seek medical services in any hospital in an emergency. This includes the cases diagnosed as not urgent or cases considered not urgent without a diagnosis. TCC proposed the use of the National Health Security Office's rates, and the regulation of the medical fees in the 72 hours after the critical period if patients cannot find or cannot transfer to another hospital. TCC also asked the Department of Business Development to require hospitals to publish the items related to the medical service costs in detail in their financial statements. The Department's database should also be upgraded for more convenient use by the public.



- Transport to inform owners of cars in Thailand with Takata airbags to have them serviced. At the time, 575,762 cars, or 30% of the total cars with the problematic airbags had not been serviced with new airbags. TCC urged the Department to issue a certificate of airbag replacement to the owners so that they can submit it to the private vehicle inspection stations. These cars have been in use for many years, so the owners are likely to visit the Department every year to pay the vehicle tax or renew their registration.
- A proposal to the Ministry of Interior to amend the Ministerial Regulations No.65 B.E.2558 issued under the Building Control Act B.E. 2522. TCC called for the



implementation of the cabinet's resolution on 27 September B.E.2565 regarding the Civil Society Solar Power Project, waiving the blueprint certification by civil engineers for solar rooftops in buildings with less than 5 kilowatts to reduce the unnecessary costs. TCC also urged the implementation of a net metering policy to make the installation of solar cells more interesting to the public.

Some of the proposals have been considered by the government agencies, for example:

The Department of Business Development notified private hospitals to declare medical

cost charged to emergency case patients.

- The Ministry of Interior asked the Department of Public Works and Town and Country Planning to facilitate the waiver of certification by civil engineers for the installation of solar rooftops with less than 5 kilowatts capacity.
- The Public Health Ministry acknowledged the proposed measures to control the use of cannabis and hemp in food products for consumer protection and has asked the relevant units to carry out the procedures.
- The Office of the Permanent Secretary for the Ministry of Culture and Cooperatives submitted TCC's proposal on the research of active ingredients in cannabis and hemp to the Department of Agriculture, the National Bureau of Agricultural Commodity and Food Standards, and the Agricultural Research Development Agency for consideration.
- The Ministry of Digital Economy and Society will proceed with its work under the Computer-related Crime Act B.E.2550 and its amendment regarding misleading online advertisements of food products containing cannabis or hemp.

TCC has supported research and studies related to consumer protection. The research that has been completed is the study on the feasibility of establishing a national basic pension fund and the assessment of the impact that the fund allocation will have on the economy and society. The findings showed that the fund can be set up using public income, inequality tax, non-tax revenues, and increases in collected taxes or elimination of government projects that do not generate social or economic productivity. If a monthly allowance of 3,000 Baht is given to each elderly person, 12.7 million people will benefit from the scheme. It would cost the government approximately 450 billion

Baht, but 700 billion Baht more cash will be in circulation within five years and the GDP will increase by 4.17%.

TCC has prepared a report on the actions or non-actions on unresolved consumer complaints. This may involve actions or non-actions by relevant government agencies. For example:

- The case of Srisawad Corporation PCL offering personal credit service that may mislead consumers and may involve scams implicates the Bank of Thailand and the Fiscal Policy Office. These two agencies are responsible for credit providers regulation. The issue also involved the Office of the Consumer Protection Board which has the authority to regulate contracts.
- The Bank of Thailand might be considered neglecting its duty for not setting binding rules or regulations to stop apps from stealing money from consumers' bank accounts.
- The case of houses that were not built according to the approved plan but the land officer in charge ignored or delayed the investigation into the consumer complaints.

Regarding its work performance, Thailand Consumers Council has asked the Thailand Development Research Institute to conduct the evaluation of its work in the first three years and prepare the five-year strategies and strategic plan (2024 – 2028), the result of which will be published in the 2024 annual report.

### 3. Provincial units and consumer organizations support

This project is carried out by Members and Consumer Organizations Support Department. It aims to empower members and consumer organizations in different parts of the country to be able to promptly and effectively resolve problems for consumers in the area.

In 2023 TCC welcomed four new members (from Ayutthaya, Khon Kaen, Buriram, and Phuket). They are among TCC's 308 member organizations from 43 provinces. There are 10 provinces in the north with 95 members, 10 provinces in the northeast with 81 members, seven provinces in the south with 39 members, six provinces in the west with 33 members, five provinces in the east with 26 members, four provinces in the central plain with 10 members, and 24 members from Bangkok.

Two new provincial units were established in Khon Kaen and Ayutthaya. There are 14 provincial units altogether: five in the north, three in the south, three in the west, two in the northeast, and one in Bangkok.

TCC's activities at the zone and provincial levels include: group leader trainings, workshops for members in the provinces where the member organizations are provincial units to carry out consumer rights protection work at the sub-district level, empowering seminars for leaders from provinces in the same zone, provision of support for AIDs Access Foundation as a member, active citizen project for members of consumer organizations, and campaign on the establishment of a national basic pension scheme.

For capacity building and organization management, TCC has conducted training courses on consumer protection work for 89% of member organizations, provincial and local offices. The four main courses are mediating disputes online (third and fourth group),

empowering and networking for lawyers at the regional level, basic complaint handling for all members, and empowering and networking for journalists and leaders of consumer organizations from the regions.

Apart from that, TCC partnered with Puey Ungphakorn School of Development Studies, Thammasat University, to conduct a reflection and evaluation of the provincial and local offices' performance. The project began in late September 2023. TCC in conjunction with Rangsit University also conducted a public hearing and a satisfaction survey on the performance of its consumer protection work in 2023.

In supporting consumer protection movement on specific issues, TCC and the Thai Health Promotion Foundation have carried out these two projects to ensure consumer rights and benefits.

1) A two-year matching fund project to empower consumer organizations in safe and fair public transport development (April 2023 – March 2025). The project allows consumer organizations in 33 provinces in seven regions to participate in the development of safe and fair public transport policies, supports consumer rights protection work and develops safe school bus policy, facilitates the establishment of learning centers for school bus safety management, and enhances the movement for safe public transport system locally and nationally.

2) A one-year project to empower consumer organizations in the handling of health-related issues (1 June 2023 – 31 May 2024) in 12 northern and central provinces where there are no TCC members.

### 4. Communications for consumer protection

The work on consumer protection communication is carried out by the Media and Public Communications Department. The objectives are to publish TCC's activities and raise awareness on the duties and responsibilities of TCC; produce and disseminate publications on consumer protection; warn consumers against faulty goods and services; and drive campaigns for consumers' interests.

In the 2023 fiscal year, the department has published 1,555 pieces of news reports, scoops, articles, infographics, video clips, and live broadcast. TCC's materials were published via its seven channels, with 93,751 followers. TCC has worked with private and government agencies as well as celebrities to publicize consumer information in different platforms which received a total of 30,117,144 views. The information was also shared by newspapers, radio channels, online platforms, as well as influential figures for 2,199 times with a PR value of 207,848,053.08 Baht.

TCC also teamed up with TikTok to prevent consumers from online frauds via TikTok's Community Partner Channel (CPC).



TCC can directly contact TikTok when suspicious contents such as misleading advertisements, unbelievably cheap offers, or unsafe products need to be investigated.

The work on public communication for consumer rights awareness via several channels has gained TCC the Thailand Influencer Awards 2023 in the category of Best Social Impact Influencer two years in a row.

With different and ever-changing consumer problems in different parts of the country, there is a crucial need to empower media workers on consumer protection. In 2023, TCC and Isra Institute Thai Press Development Foundation jointly organized the training for journalists in the field of consumer protection in the northeast (Khon Kaen), the north (Chiang Mai), the south (Songkla), and Bangkok.

In 2023, TCC's Data and IT Center upgraded the organization website and the complaint receiving portal as part of its commitment to guard and protect consumer rights and utilize digital technology to enhance the organization's operations and innovations to keep up with modern technology.

### 5. Organization management and consumer organization empowerment

The project on organization management and consumer organization empowerment is handled by the Office Administration Department. The objective is to efficiently carry out administrative tasks in finance, accounting, human resources, preparation and administration of annual plans, and budget planning for the central office, zone organizations, provincial units, and networks.

On 1 June 2023, TCC moved from its temporary location at G Tower to its new office at no. 110/1, Soi Lat Phrao 26, Alley 1-2, Chom Phol Sub-district, Chatuchak, Bangkok. The building and it's surrounding had been renovated to be a prototype of energy and environment friendly office building. The organization's rules, regulations, and 12 notifications have been reviewed and revised for clarity and correctness.

Moreover, organizational moral and ethical principles have been drafted according to TCC's regulations. Its procurement and inventory management procedures issued in 2021 were also revised to comply with the Government Procurement and Inventory Management Act B.E. 2560 as advised by the inspection sub-committee.





## Problems, obstacles, and solutions

The three major problems and obstacles in TCC's operations related to the external factors are:

1. Operational budget. First, the budget proposal procedures are lengthy and complicated because TCC is not entitled to direct budget from the government. A budget request must be submitted via the Office of the Permanent Secretary, under the Prime Minister's Office. Preparations must be done long in advance while approvals must be sought at several levels. Second, the budget is limited and there is no consistency in the financial support from the government.

To resolve this problem, TCC will put in place a work mechanism where it can work together with the Office of the Permanent Secretary, under the Prime Minister's Office in a faster manner. TCC will submit a proposal to the government requesting regular annual financial support, at the minimum rate of 5 Baht per capita or 350 million Baht a year, following the spirit of the law and the Constitution like other developed countries.

#### 2. Guarding and protecting consumer rights.

TCC has encountered problems while handling complaint issues that have become more and more complicated. Consumers were faced with fraud, and they were clearly victims of crimes. This requires cooperation with the police as well as the prosecution of the parties involved. At the same time, the gap between consumer rights awareness and the advanced consumer problems is getting wider.

TCC will handle this problem by developing criteria to categorize a complaint as resolved once the police are notified and the person who committing the crime is

summoned. The other problem can be mitigated with a consumer education course to help consumers cope with modern changes and facilitate them in exercising their rights.

TCC's recommendations and proposals on consumer protection policies and measures did not gain enough attention from government agencies. TCC will look for more opportunities to work with government agencies, private companies, and political parties. It will also streamline its proposals on policies and measures.

3. Enlisting new members and providing support to consumer organizations. The expansion of TCC's member base is very limited because specific qualifications are strictly required from potential members. For example, their status as an organization must be approved by the Office of the Permanent Secretary, under the Prime Minister's Office, first. There are not many approved organizations so far. TCC will seek cooperation with the relevant agencies to equip consumer organizations with experience in consumer protection work and assist them in their preparation to meet the requirements.

Besides, there are big discrepancies in the capacity and work experience of members from different areas, resulting in different levels of performance. TCC will provide more capacity building activities for members and encourage them to learn from one another while working together.

Other problems that involving internal factors will be handled by TCC.

# Stepping into the challenges of consumer protection work in 2024

TCC realized that the modern society will become more consumeristic, with technology playing a more important role in the consumption of goods and services. Consumer rights violations and fraud will also become more severe and sophisticated, so it is crucial to provide information and consumer literacy especially on digital technology. TCC aims to provide consumer literacy on AI technology and will propose appropriate rules and regulations on artificial intelligence to the government.

TCC plans to campaign for the draft law on product liability or Lemon Law. It will propose revisions to the Consumer Protection Act B.E.2522 and its amendments, adding five more consumer rights to the existing five consumer rights recognized in Thai law to raise the standards of consumer protection in Thailand to the international level (UNGCP). Consumer protection in the digital age must also be added as well as the structural improvement of the consumer protection committee and issue-based committee to ensure efficient consumer protection. TCC will also call for the revision of the Food Act B.E.2522 in several

aspects especially on the safety of consumers.

Moreover, TCC will continue to campaign against the monopoly of telecommunication business, call for better access to renewable energy and fair energy prices, and warn consumers against call center frauds. TCC handles consumer problems at both national and individual level. For example: it will campaign for the rights to open the package before making payment for the online order; a safer, cheaper, and more convenient interprovincial transport; and, a fair contract term for concert ticket buyers.





#### **Thailand Consumers Council**

Council of the people
Funded by taxpayers
More consumer power
More benefits for everyone





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