

Proposed Amendments to the Copyright Act of Thailand

The Department of Intellectual Property (**DIP**) proposed principles and reasons for drafting an Act on Amendments to the Copyright Act B.E. 2537 (A.D. 1994) for public hearings from June 13 to 30, 2025. The proposed amendments aim at expanding the scope of copyright protection, strengthening the moral rights of authors and performers, giving the examination and approval power to the Copyright Board, and giving more flexibility to the Court on ordering destruction of evidence in civil cases and imposing penalties in copyright infringement cases.

Broader Copyright Protection per RCEP and WPPT Commitments

To meet the commitments to the Regional Comprehensive Economic Partnership Agreement (**RCEP**) and the WIPO Performances and Phonograms Treaty (**WPPT**), the DIP proposed amending Section 8 of the Copyright Act to include Thailand's accession to international agreements on copyright protection and amending Section 4 of the Copyright Act to expand the scopes of the definitions as follows:

“Audiovisual work” extends to a work that records in any format that is capable of being replayed by necessary equipment.

“Cinematographic work” extends to audiovisual work in any recording format.

“Sound recording” extends to a record in any format that is capable of being re-played by necessary equipment.

“Performer” includes a person who performs, conveys, or otherwise presents a copyrighted work, regardless of whether the term of copyright protection has expired, or to arts and cultural expression.

“Communication to the public” includes making the work available to the public in such a way that one may access it from a place and at a time individually chosen by them.

“Publication” extends to the distribution of duplicated copies of a work in any form or manner and its communication to the public by any means, including making it available to the public via the Internet, which shall be carried out only with the authorization of the copyright owner.

Better Protection for Rights of Authors and Performers

The moral rights of authors and performers are to include the right to attribution and protection against distortion, mutilation, or other acts that harm their honor or reputation.

Performers will have exclusive rights over their unrecorded performances, including sound and video broadcasting and communication to the public, sound recordings, covering reproduction, distribution, and making them available to the public in a way that allows access at a time and place individually chosen. Performers are entitled to fair remuneration for the use of their sound recordings.

More Power for the Copyright Board and the Court

The Copyright Board will be given power to establish examination criteria, procedures, or methods for copyright registration and determination of types and rates of royalty fees to ensure equitable remuneration for copyright owners and performers. The Court will also be given more power and discretion in ordering destruction of evidence in civil cases and determining penalties appropriate to the manner and severity of the offence in each case.



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