

Legal Landscape of E-sports and Gaming in Thailand (????????????????)

Thailand does not yet have a specific law dedicated to online games or e-sports. Instead, these activities fall under a fragmented framework of existing laws, including the laws governing sports, gambling, consumer protection, e-commerce, foreign business, data protection, etc.

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Thailand officially recognizes e-sports as a professional sport supervised by the Sports Authority of Thailand. This recognition grants e-sports athletes, coaches, and staff protections and rights similar to those of other professional sports.

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At the same time, organizers and game operators must be mindful of gambling concerns. The Gambling Act B.E. 2478 (1935) prohibits betting and games of chance. While e-sports is generally considered skill-based and thus outside its scope, formats resembling lotteries, lucky draws, loot boxes or gacha mechanisms should be avoided to prevent falling within the gambling framework.

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Organizers of e-sports events and game operators that sell tickets, streaming access, or related merchandise to consumers in Thailand may also need to comply with laws applicable to e-commerce and online sales of goods and services. These include the Direct Sale and Direct Marketing Act B.E. 2545 (2002), which requires registration of direct marketing businesses; the Consumer Protection Act B.E. 2522 (1979), which governs the advertising of e-sports events and gaming merchandise; the Royal Decree on the Operation of Digital Platform Service Businesses That Are Subject to Prior Notification B.E. 2565 (2022), which requires prior notification of platform details and operations to the Electronic Transactions Development Agency; and the Revenue Code of Thailand, which requires VAT registration and remittance once the threshold is met.

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For foreign organizers and game operators, the Foreign Business Act B.E. 2542 (1999) restricts certain service businesses, including e-sports and gaming event organization, and may require a Foreign Business License (FBL) from the Ministry of Commerce.

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Participation of minors also requires parental or guardian consent; otherwise, their involvement may be voidable under the Civil and Commercial Code.

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In addition, compliance with the Personal Data Protection Act B.E. 2562 (2019) is mandatory, requiring consent for the collection and use of personal data and the implementation of safeguards for data security and cross-border transfers.

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Careful compliance with these requirements is essential, and legal advice should be sought in advance of organizing any competition.

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