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JFCCT / EABC CONFERENCES
BEING DIGITAL WEBINAR SERIES 2020
Digital Tools – Electronic Meeting, Electronic Signature

ELECTRONIC MEETING LAW

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Emergency Decree on Electronic Meetings B.E. 2563 ("EDEM")

- Enactment Date: 18th April 2020
- Effective Date: 19th April 2020
- Repealed and replaced the Notification of the National Council for Peace and Order No. 74/2557 on Electronic Meetings B.E. 2557 dated 27th June 2014
- In response to the Covid-19 pandemic
- For efficiency and continuity of public sector administration and private sector operation

E-Meeting under EDEM

1
Meeting is required by law.

2
Meeting is convened via electronic media.

3
Attendees are not at the same place.

4
Attendees can discuss or exchange opinions via electronic media.

5
Meeting must meet the e-meeting security standards announced by the MDES (Ministry of Digital Economy and Society).

Electronic Meeting

Legal Status of E-Meetings

- An alternative of meetings convened under the normal legal procedures.
- Chairman of the meeting can decide to call an e-meeting.
- Notices, minutes and agenda documents can be also made, given and kept by electronic means.
- E-meetings have the same legal effect as meetings convened under the normal legal procedures.
- Electronic data of e-meeting cannot be denied in evidence in civil, criminal or other lawsuits merely because it is electronic data.

Person in Charge of Holding E-Meeting Must:

1. **Arrange for attendees to identify themselves** through electronic means before commencement of the meeting
2. **Arrange for attendees to vote** on an open voting or a confidential voting
3. **Prepare a minutes of the meeting in writing**
4. **Record audio or audio-visual records of all attendees** throughout the meeting (except for confidential meeting parts) as electronic data and keep them as part of the minutes
5. **Keep the electronic traffic data of all attendees** for evidence as electronic data and keep it as part of the minutes
6. **Convene e-meeting in accordance with the MDES e-meeting security standards**

MDES Notification on E-Meeting Security Standards

- MDES Notification on Standards for Maintaining Security of Meetings via Electronic Means B.E. 2563 dated 12th May 2020
- Effective Date: 27th May 2020
- Security standards for e-meetings
  - Compliant with the EDEM requirements
  - Adopting the international e-meeting security standards

Seven E-Meeting Security Standards

Identification

a process to identify each attendee by using information and/or telecommunications technology.

Devices

an interactive audio or video communication with sufficient channels and devices.

Accessibility

accessibility to the meeting documents by attendees.

Voting

open and secret voting methods that can identify the number of votes and the total voting scores.

Disruption

notification of any disruption that occurred during the meeting.

Attendees

retention of the electronic traffic data of all attendees.

Record Retention

retention of the information and evidence of the meeting and attendance of all attendees.

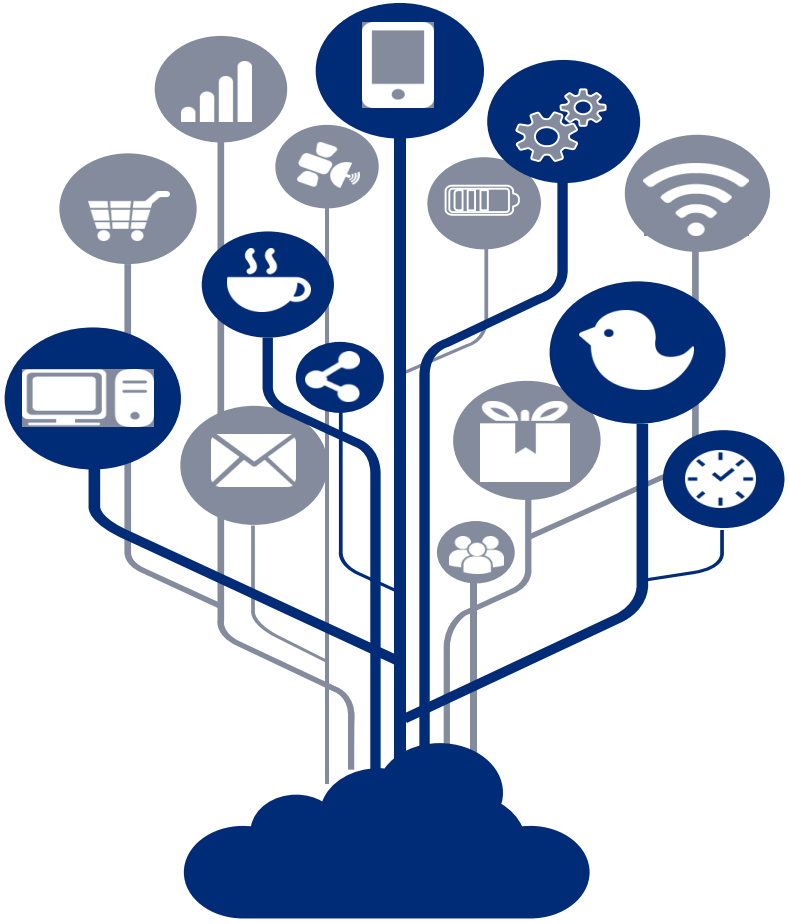
Additional Security Standards for Confidential E-Meetings

01 Security measures against unauthorized access.

02 **Undertakings of attendees to keep the meeting confidential.**

03 **Meeting control system must be secure.**
Attendee is not allowed to record any audio and/or video of the confidential e-meeting of the public sector.

MDES Minimum Information Security Standards



CONFIDENTIALITY

No accession and disclosure of information to unauthorized person

INTEGRITY

Information is retained without alteration

AVAILABILITY

Information can be accessed and used when needed

DATA PROTECTION

Personal data protection law is complied.

OTHERS

Authenticity, accountability and reliability of electronic data.

ETDA Information Security Standards for E-Meeting Control Systems

- Announcement of the Electronic Transactions Development Agency ("ETDA") on Standards for Maintaining Information Security for E-Meeting Control Systems dated 29th May 2020
- 10 measures / objectives for general e-meeting control systems.
- 5 measures / objectives for confidential e-meeting control systems.
- 3 levels of normative and informative measures:

  "shall" = requirement

  "should" = recommendation

  "may" = permission

ETDA Information Security Standards Are Based On:

- **ISO/IEC 27001:2013 and ISO/IEC 27770:2019 –** requirements for information security management control.
- **ISO/IEC 27002:2013 -** guidelines for organization information security standards and management practices including implementation and management of information security risk environment.
- **ENISA Technical Guidelines for the Implementation of Minimum Security Measures for Digital Service Providers** - high-level security objectives for digital service providers and sophisticated levels of implementation of security measures.
- **ETDA Recommendation on ICT Standards for Electronic Transactions 19-2018 Digital Identity Guideline for Thailand: Enrolement and Identity Proofing** - enrollment and verification of identity for use in digital authentication.

ETDA Information Security Standards Are Based On:

- **ETDA Recommendation on ICT Standard for Electronic Transactions 20-2018 on Digital Identity Guideline for Thailand: Authentication** - authenticator assurance level for identity provider to prevent impersonation and other attacks.
- **ISO/IEC27017:2015** - security standard for cloud service providers and users for a safer cloud-based environment and reducing security risks.
- **ISO/IEC27018:2019 -** measures to protect Personally Identifiable Information (PII) for public cloud computing environment.

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