

SLOWLY ROUNDING INTO FORM

The NBTC is drafting rules for over-the-top platform operators in Thailand, aiming to build a framework for regulation. **B3**

NBTC set to rein in OTT platforms



A user browses videos on an OTT platform. OTT services allow users to access media content and communication services over the internet.

Framework for regulation in motion

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The National Broadcasting and Telecommunications Commission (NBTC) is quickly drafting a regulatory framework to govern over-the-top (OTT) platforms operating in Thailand, especially video-on-demand and video-sharing businesses.

The move is another state effort aimed at monitoring domestic and global OTT platform providers, requiring business details be sent to the regulator to pave the way for the NBTC to shape the OTT industry in the future.

OTT services allow users to access media content and communication services over the internet.

Prawit Leesathapornwongsa, advisor to NBTC commissioner Pirongrong Ramasoota, said the management of the NBTC and the Electronic Transactions Development Agency (ETDA)

have been conducting talks on the issue. However, the boards of both state agencies have yet to discuss the issue.

ETDA would like the NBTC to issue a regulatory framework governing video-on-demand and video-sharing platforms, requesting information regarding their businesses be sent to the NBTC, said Mr Prawit.

Currently, the ETDA is telling platform operators seeking to do business in Thailand to provide their information to the agency before they are able to start operating. It is also urging all existing local and foreign operators to provide their information to the agency by Nov 18. The required information includes details regarding their business, services and users.

The ETDA move is in line with the Digital Platform Service (DPS) law, which took effect on Aug 21. The legislation is meant to regulate digital platforms, with the intention of transparently governing operators and promoting consumer protection.

Mr Prawit said an NBTC working committee led by Mrs Pirongrong has

been drafting the regulatory framework which is expected to be finished and submitted to the NBTC board's meeting on Oct 25.

Under the framework, OTT platform providers which inform their businesses in the country via an NBTC channel will receive a permit to operate in Thailand, but this process does not amount to a licensing scheme.

The NBTC licensing regime applies to licensees in which the stake of a foreign shareholding does not exceed 25%, making it hard to enforce the rule on foreign OTT platform providers.

Mr Prawit said the NBTC would govern both domestic and international OTT platform providers in Thailand on an equal and fair basis through a legal broadcasting scheme.

Previously, Mrs Pirongrong said some clauses in the existing Computer Crime Act and the NBTC Act may have to be amended to help govern OTT platforms fairly.

The NBTC has the authority and accountability for details relating specifically to TV broadcasting and

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spectrum utilisation, while the Digital Economy and Society Ministry is responsible for content.

The OTT business has created challenges globally and there have been concerns for years over how the authorities are responsible for content, how to set proper policy measures to govern the operators and how operators can be leveraged to make contributions in terms of the collection of a fee.