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Guideline for holding the AGM via a video conference

Due to the previous impracticality of the Announcement of the National Council for Peace and Order No. 74/2557 on Electronic Media Conference, B.E. 2557 (2014), which stated the following restrictions:

1. 1/3 of the quorum must be presence in the same place, which was found to be conflicting with the current social distancing guideline imposed by the Emergency Decree on Public Administration in Emergency Situation B.E. 2548 (2005) and Communicable Diseases Act B.E. 2558 (2015) along with the WHO's health guideline; and
2. The previous requirement that all participants/attendees must be in the Kingdom at the same time.

The above restrictions were found to be impractical and leaving many businesses to postpone their annual general meeting (AGM) indefinitely.

To resolve this issue, the Thai government had made an additional announcement on the Emergency Decree on Electronic Media Conference, B.E. 2563 (2020) which came to effect on April 19, 2020. The new announcement effectively lifted the previously mentioned (1) and (2) restrictions. Under this new regulation, 1/3 of quorum no longer needs to be in the same venue nor within the Kingdom during the AGM. Hence, connection via video conferencing without having to meet the required quorum will now be considered valid.

Nonetheless, corporate entities must comply with the Announcement of the Ministry of Information and Communication Technology on Security Standards for Electronic Media Conference, B.E. 2557 (2014), in regard to the security standards for electronic media conference such as:

- There must be a sufficient identification, verification and authorization protocol for the participants/attendees;
- Record all audio and visual content of the meeting (except confidential matters);
- Record all video traffic information of the meeting.

For now, corporate entities wishing to hold the AGM via video conference may refer to the guideline issued by the Ministry of Digital Economy and Society, which can be downloaded via the official link ([download here](#)).

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