



Legal Execution Department, Ministry of Justice

Press Release

Achievement of Legal Execution Department in the 1st Quarter of the Fiscal Year 2016

25th January 2016

Bankruptcy Case Administration Center,

The Government Complex, Rajaburi Direkridhhi Building

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On 25th January 2016, Miss Ruenvadee Suwanmongkol, Director-General, Legal Execution Department (LED) with the Deputy Director-General conduct the press conference to announce the LED's performance of the 1st Quarter of the current fiscal year (October – December 2015) as follows:

The LED undertakes all activities in accordance with the Minister of Justice's 6-prong policies, especially, facilitation of justice to minimize disparity, prevention and suppression of narcotics, corruption and special crimes, and development and revision of law, as well as the LED's 2016 strategic plans and policies.

The LED's key achievement of the 1st Quarter of 2016 Fiscal Year:

1. Expedite the Turnover of Seized Properties

To increase the liquidity and the growth of the Thai economy, the LED has proactively carried out public auctions more effectively by adopting technologies and organizing the public auctions on Saturdays and Public Auction Fairs.

Achievement: 31,168,409,067 Baht, the highest turnover of the past 5 years. Such turnover is 57.42% higher than the target.

The Value of Properties Sold (Baht)	The Target under the Plan (Baht)	Percentage
31,168,409,067	19,800,000,000	157.42

2. Post-Judicial Mediation

The LED has focused on household debts, SMEs debts, student loans and agricultural debts, to mitigate any negative repercussion.



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Achievement: success rate of 83.14% with 2,534 cases and 760,034,458 Baht, the highest success of the past 5 years (220.68% higher than an average mediation success of the past 5 years.)

	Mediation Fairs in cooperation with 7 Organizations		Outcome throughout the country	
	Number of Cases	Amount (Baht)	Number of Cases	Amount (Baht)
Number of Cases	1,481	325,570,295.88	3,048	1,311,776,826.70
Successful Cases	1,296	273,207,561.34	2,534	760,034,458.58
Successful Rate (%)	87.50		83.14	

3. Development and Revision of Laws and Regulations

The LED has recognized the importance of developing and revising related laws and regulations. The LED is a driving force in developing and revising laws and regulations relating to the civil enforcement and insolvency and business reorganization to ensure laws and regulations are timely and in accordance with international standards and to facilitate justice, minimize social disparity, enhance competitiveness, and foster domestic and international investor's confidence.

Achievement: 5 laws and regulations have been in effect and 6 laws and regulations are in the process.

5 active laws

- Bankruptcy Act (No. 8) B.E. 2558 (2015)
- Civil Procedure Code (Section 309 Quarter) (No. 29) B.E. 2558 (2015)
- Ministerial Decree on Registration and Qualifications of Planner and Plan Administrator (No. 2) B.E. 2558 (2015)
- Ministerial Regulation Prescribing Qualifications of Official Receivers Eligible to Issue Orders relating to Proof of Claim B.E. 2558 (2015)
- Ministerial Decree on Setting Rules, Measures and Conditions of the Public Auction B.E. 2559 (2016)



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6 drafts

- Draft Bankruptcy Act (No. ...) B.E. (the Business Reorganization of the SMEs) – The National Legislative Assembly approved this draft on 21st January 2016.
- Draft Amendment of the Civil Procedure Code, Chapter 4, Part 2
- Draft Amendment to the Civil Procedure Code regarding e-auction and mobile application auctions
- Draft Ministerial Regulation on Enforcement Procedures Performed by Enforcement Officer (No. ...) and Draft Ministerial Regulation on Property Valuation (No. ...)
- Proposal to amend the entire Bankruptcy Act
- Proposal to draft Legal Execution Act

4. Adoption of the Information Technology in Operation Processes

The LED has focused on adopting the IT in operation processes aiming to facilitate the ease to the public and interested parties, decreasing travel-related costs and expediting the process.

Achievement:

(1) E-Offering/Auction Pilot Project, starting on 27th March 2016 in the LED offices in Bangkok and 4 provinces, i.e., Chiang Mai, Khon Khaen, Nakhon Ratchasima, and Songkhla for the first time ever. General Paiboon Koomchaya has given this policy to the LED on 27th November 2015 aiming for minimizing costs and times related to potential investors. The LED then has set up the working group, drawn business plan and adopted the test run to make such good policy possible. In doing so, the LED views that it will increase the interest of potential buyers and transparency of the public auction, and finally strengthen investor confidence.

(2) E-filing, starting from 31st December 2015, the public can print out the “Pay-in Slip” through the LED website for the payment at the contact bank for the first time.

(3) E-Payment, for the first time, starting from 31st December 2015, the interested parties can pay electronically the additional expenses for the civil case at the contact bank. Moreover, starting from 22nd January 2016, the LED has developed the E-payment for the allocation of proceeds and cost of living for the bankrupt.

(4) New Application for Condos along the Rails (BTS Skytrain), as selected by the Ministry of Justice to be one of the New Year gifts given to the public, the LED has developed another mobile application to illustrate all seized condos along the rails to facilitate potential buyers who are interested in condos located in



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convenient areas. The LED aims to provide this service in February 2016. The LED is now also developing the system to illustrate the map and location of seized properties in 3-D format.

(5) E-Insolvency Case Management System, to ensure the efficiency of the LED services in both civil enforcement and insolvency cases, the LED is now in the process of developing the E-Insolvency case management system.

5. Integration with Other Offices and Institutions

To ensure the efficiency of all resources given and work in an integrated manner, the LED had entered into MOUs with various institutions, for instances, the Office of the Narcotics Control Board (ONCB) in enforcing fines in narcotics cases. The total amount of 1,060,925.30 Baht has been delivered to the court. Below is the record of the successful enforcement of the narcotics cases from October 2015 - December 2015.

Narcotic Cases	4 cases successfully sold	Attachment
287 entering cases	Value of 514,600 Baht	154 cases
133 cases at the seized stage	2 cases in revocation of seizure	Value of 63,936,333.39 Baht
Value of 14,037,119.28 Baht	Value of 930,424 Baht	Remittance of attached money at once 22 cases in 6,877,250 Baht

In addition, the LED has sent letters to all official registrars, e.g., Department of Lands, Department of Land Transport, Department of Business Development, Department of Civil Aviation, Marine Department, Department of Intellectual Property, Department of Industrial Works, the Stock Exchange of Thailand, the Royal Thai Police, Social Security Office, Ministry of Interior, Bangkok Metropolitan, and Bank of Thailand to link all data.

6. Increase of the Country's Competitiveness

As the ASEAN Economic Community has established since 2015, the LED has well prepared itself and ASEAN member countries with regular conferences timely. The LED has to thanks our ASEAN member countries and Japan, People's Republic of China and Republic of Korea for their close cooperation. In April 2016, the LED will organize the International Conference on Cross Border Insolvency as mandated by the ASEAN Law Ministers Meeting (ALAWMM) in Bali in 2015.



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7. Resolving Agricultural debts

The LED and the Bank for Agricultural and Agricultural Co-operatives (BAAC) have cooperated in examining agricultural debt in enforcement stage. This is an urgent issue to be resolved by having all of the LED offices nationwide conduct mediations for such debt, providing farmers legal knowledge, financial knowledge, and supporting refinance. Until now, there are 2,292 agricultural-debt cases in the enforcement stage (as of 8th January 2016).

Status	Number of cases	Amount (million Baht)	Value of Properties (million Baht)
The Bank is considering loan	140	34	37
Mediation (Verification/ appointment)	368	82	19
Success (Resolution reached/loan approved)	83	16	15
Unsuccessful settlement/ loan denied	452	1,809	60
No request for execution yet	357	56	0.8
During other processes (stay of execution)	18	5	1
Finish cases (Properties sold, seizure revoked, execution period lapsed, etc.)	874	179	109
Total	2,292	2,184	244

Besides, the LED offices have coordinated with the Farmers Council in every province to mentor the farmers in enforcement stage.

8. Enhance the Potential of SMEs

As the SMEs are the backbone of the Thai Economy and contribute greatly to the GDP, the LED for the first time taps into the SMEs to ensure that their potential is fortified. The LED has proposed the draft Bankruptcy Act: Business Reorganization for SMEs as the first time to enable SMEs that still have potential but face financial distress and inability to pay their debts can submit business reorganization plan like big companies. In addition, the LED together with the Office of Small and Medium Enterprises Promotion (OSMEP) will organize seminars to provide legal knowledge about “Getting Credit”



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in 12 provinces nationwide.

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