

Notification of the Electronic Transactions Commission

Subject: Category of electronic transactions and rules on assessment on the scale of impact of electronic transactions pursuant to Security Techniques

B.E. 2555

Whereas the Royal Decree on the Security Techniques in performing Electronic Transactions B.E. 2553 requires the Commission to provide a Notification specifying the categories of electronic transactions or rules on assessment of the scale of impact of the electronic transactions pursuant to the Security Techniques prescribed by the Commission as the reliable techniques.

By virtue of Section 6, first paragraph of the Royal Decree on the Security Techniques in performing Electronic Transactions B.E. 2553, the Electronic Transactions Commission hereby issues the Notification to prescribe the categories of electronic transactions and rules on the assessment of the scale of impact of the electronic transactions pursuant to the Security Techniques, as follows:

Clause 1 This Notification is called the “Notification of the Electronic Transactions Commission on Category of electronic transactions and rules on assessment on the scale of impact of electronic transactions pursuant to Security Techniques B.E. 2555”.

Clause 2 Electronic transactions in the following categories shall apply a strict level of Security Techniques:

(1) Electronic transactions with regard to electronic payments according to the Royal Decree on Electronic Payment Service Business B.E. 2551;

(2) Electronic transactions with regard to the finance of commercial banks according to the laws on financial institution businesses;

(3) Electronic transactions with regard to insurance under the laws governing life insurance and casualty insurance;

(4) Electronic transactions with regard to the security of operators of security businesses under the laws governing securities and the stock exchange;

(5) Electronic transactions which archive, collect and provide information of various persons, or assets or registers which are public documents or public information;

(6) Electronic transactions which provide services on public utilities and related public services requiring continuous operation.

Clause 3 In assessing the scale of impact of the electronic transactions, the agency or organisation shall adhere to a risk assessment principle of the information technology system generally accepted as reliable to be a guideline in assessing the scale of impact.

Clause 4 Assessment on the scale of impact of the electronic transactions shall assess impacts on the following aspects:

- (1) Impact with regard to the value of financial damage;
- (2) Impact to the number of subscribers or interested persons vulnerable to the danger to life, body or health;
- (3) Impact to the number of subscribers or interested persons vulnerable to any other damage other than (2);
- (4) Impact with regard to national security.

Clause 5 Assessment of the impact with regard to the value of financial shall be arranged into three levels with the following assessment criteria:

- (1) In case of the value of financial damage not exceeding one million Baht, this shall be classified as a low impact level;
- (2) In case of the value of financial damage exceeding one million Baht but not exceeding one hundred million Baht, this shall be classified as a medium impact level; and
- (3) In case of the value of financial damage exceeding one hundred million Baht, this shall be classified as a high impact level.

In assessing the value of financial damage under the first paragraph, the damage shall be calculated from that happening in one day and from direct damage only.

Clause 6 Assessment of the impact to the number of subscribers or interested persons vulnerable to the danger to life, body or health shall be arranged into three levels with the following assessment criteria:

(1) In case of no subscriber or interested person vulnerable to the danger to life, body or health, this shall be classified as a low impact level;

(2) In case of subscribers or interested persons affected from the danger to body or health at least one person but not exceeding a thousand persons, this shall be classified as a medium impact level; and

(3) In case of subscribers or interested persons affected from the danger to body or health exceeding a thousand persons, or from the danger to life at least one person, this shall be classified as a high impact level.

Assessing of the impact to the number of subscribers or interested persons vulnerable to the danger to life, body or health under the first paragraph shall be calculated from the number of such persons affected in one day.

Clause 7 Assessment of the impact to the number of subscribers or interested persons who may receive any other damage other than clause 4 (2) shall be arranged into three levels with the following assessment criteria:

(1) In case of the number of subscribers or interested persons potentially affected not exceeding ten thousand persons, this shall be classified as a low impact level;

(2) In case of the number of subscribers or interested persons potentially affected exceeding ten thousand persons, but not exceeding one hundred thousand persons, this shall be classified as a medium impact level; and

(3) In case of the number of subscribers or interested persons potentially affected exceeding one hundred thousand persons, this shall be classified as a high impact level.

In assessing the impact to the number of subscribers or interested persons vulnerable to the damage under the first paragraph, the damage shall be calculated from that happening in one day and from direct damage only.

Clause 8 Assessment of the impact on national security shall be arranged into two levels with the following assessment criteria:

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(1) In case of no impact on the national security, this shall be classified as a low impact level; and

(2) In case of having an impact on the national security, this shall be classified as a high impact level.

Clause 9 If it appears a result of assessment representing a high impact level in any one of aspects by which the strict level of Security Techniques shall be applied to such electronic transactions and if there is a medium impact level in at least two aspects, the medium level of Security Techniques shall be applied.

Clause 10 This Notification shall come into force after three hundred and sixty days from the date of its publication in the Government Gazette.

Notified on the 13th day of November B.E. 2555

Group Captain Anudith Nakornthap

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Chairman of Electronic Transactions Commission