

**Notification of the National Broadcasting and Telecommunications Commission
on Characteristics and Categories of Radio and Television Broadcasting Business**

Pursuant to the Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010), the National Broadcasting and Telecommunications Commission has powers to prescribe characteristics and categories of radio broadcasting, television broadcasting and telecommunications business;

By virtue of Section 27 (3) (24) of the Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010) being an Act which contains certain provisions in relation to the restriction of rights and liberties of persons, in respect of which Section 29, in conjunction with Section 35, Section 36, Section 41, Section 43, Section 45, Section 46, Section 47, Section 61 and Section 64 of the Constitution of the Kingdom of Thailand so permit by virtue of law, in conjunction with Section 4 and Section 7 of the Broadcasting Business Act, B.E. 2551 (2008) being an Act which contains certain provisions in relation to the restriction of rights and liberties of persons, in respect of which Section 29, in conjunction with Section 32, Section 33, Section 35, Section 36, Section 41, Section 43, Section 45, Section 46 and Section 47 of the Constitution of the Kingdom of Thailand so permit by virtue of law, the National Broadcasting and Telecommunications Commission hereby prescribes the Notification as follows:

Clause 1 In this Notification:

“Radio or television broadcasting network services” means a provision of interconnection system of the set of transmitters or audio or visual broadcasting equipment being used for the broadcasting of public information or programs from a station to receiver either by means of any wire, radio frequency, optical, electromagnetic waves or any other means;

“Radio or television broadcasting facilities services” means a provision of infrastructure or facilities for the radio or television broadcasting services such as land, building, premise, pole, cable, antenna, pipe or any other objects as prescribed by the Commission;

“Radio or television broadcasting services” means any transmission of public information or programs to receiver that is able to receive the signal and view or listen to the content through any of radio frequency, wire, optical, electromagnetic waves, or other means, or a combination thereof, or the provision of similar services prescribed by the Commission as radio or television broadcasting business;

Unofficial Translation

“Application services” means a provision of audio services, information, multi-media, or any other similar services through the radio or television broadcasting network which is a direct service provided to service users irrespective of whether service charges, fees or any other expenses are applied;

“Commission” means the Broadcasting Commission.

Clause 2 For the purpose of prescribing characteristics of the radio and television broadcasting business relevant to current circumstances and broadcasting technological development, this Notification hereby prescribes the following characteristics of services:

2.1 Radio or television broadcasting network services

2.2 Radio or television broadcasting facilities services

2.3 Radio or television broadcasting services

2.4 Application services

Clause 3 There shall be two categories of radio or television broadcasting services:

3.1 Radio or television broadcasting services that are subject to an assignment of radio frequency shall consist of the following sub-categories:

3.1.1 Public services refer to the services with the objective to serve the public. The services shall be divided into three types:

3.1.1.1 Type one public services

3.1.1.2 Type two public services

3.1.1.3 Type three public services

3.1.2 Community services refer to the services with the objective to serve the public, particularly to benefit and meet the needs of respective community or locality.

3.1.3 Business services refer to the services for commercial purpose. The services shall be divided into three types:

3.1.3.1 Business services at national level

3.1.3.2 Business services at regional level

3.1.3.3 Business services at local level

The objective of each service type shall be in accordance with the annex of this Notification.

3.2 Radio or television broadcasting services not using radio frequency and not subject to radio frequency assignment shall be prescribed by the Commission.

Unofficial Translation

Clause 4 The National Broadcasting and Telecommunications Commission may further prescribe additional characteristics and categories of the radio and television broadcasting business.

Clause 5 Any person who intends to operate a radio or television broadcasting business as prescribed under this Notification shall obtain a license from the Commission.

An application for a license to operate a radio or television broadcasting business shall be in accordance with the criteria prescribed by the Commission.

Clause 6 This Notification shall come into force as from the day following the date of its publication in the Government Gazette.

Announced on the 4th day of July B.E. 2555 (2012)

Air Chief Marshal Thares Punsri

Chairman of the National Broadcasting and Telecommunications Commission

Unofficial Translation

Annex

Objectives for each category of radio or television broadcasting business that is subject to radio frequency assignment under the Law on Radio Frequency Assignment and Regulation on Broadcasting and Telecommunications Services:

Categories		Objectives of Services
Public Services	Type one	Radio or television broadcasting business operations for enhancing knowledge, education, religions, art and cultures, science, technology and environment, agriculture, and for promoting other occupations, health, sanitation, sports or promoting other quality of life for people
	Type two	Radio or television broadcasting business operations for the state security or public safety
	Type three	Radio or television broadcasting business operations for distributing news and information for promotion of good understanding between the government and the public, and between the Parliament and the public; distributing news and information in order to raise public awareness on the administration under the democratic system with the king as head of state; news and information services rendering public benefits particularly for the disabled, underprivileged, or interest groups who conduct social activities; or news and information services for other public interests.
Community Services		Radio or television broadcasting business operations for public services that benefit and meet the needs of users in the community or locality

Unofficial Translation

Categories		Objectives of Services
Business Services	National level	Commercial radio or television broadcasting services received in all regions of the country
	Regional level	Commercial radio or television broadcasting services received in group of provinces
	Local level	Commercial radio or television broadcasting services received in a province

This English Translation is prepared with the sole purpose of facilitating the comprehension of foreign participants in the broadcasting rules and regulations and shall not in any event be construed or interpreted as having effect in substitution for or supplementary to the Thai version thereof.

Please note that the translation has not been subjected to an official review by the Office of the National Broadcasting and Telecommunications Commission (The Office of the NBTC). The Office of the NBTC, accordingly, cannot undertake any responsibility for its accuracy, nor be held liable for any loss or damages arising out of or in connection with its use.