



Announcement of the Bangkok Metropolitan Administration (BMA)

Subject: Order of Temporary Closure of Premises (No. 39)

Reference is made to the promulgation of the Regulation Issued under Section 9 of the Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005) (No. 30) dated 1st August 2021, whereas it is necessary to strictly enforce measures, prohibitions, and practices for an extended period of time, and tighten some measures for efficient control of spread and prevent the aggravated situation. However, with the prevention and control of the spread among construction workers in the area of Bangkok Metropolis and nearby provinces to prevent the spread in clusters by temporary closure of construction sites and temporary residential venues for workers as well as the adoption of measures for temporary closure of risky venues or business in some cases for the benefit of controlling and preventing the disease spread, the result of operations during the past period revealed that business owners and responsible persons have collaborated in improvement of workers' accommodations and venue sanitation, improvement of business establishments and preparation of disease prevention and control measures as well as inspection and follow-up to comply with measures prescribed by the Government. Therefore, it is deemed appropriate to adjust the enforcement of some measures and apply to relating groups of persons, venues, and businesses to reduce effects on the public both in terms of economy and society. Meanwhile, measures on control, inspection and follow-up of disease prevention and control prescribed by the Government for the maximum and strict control areas shall be strictly complied within the extended enforcing time. All measures, prohibitions and practices applied in the maximum and strict control area as prescribed in the Regulation (No. 28) dated 17th July 2021, and urgent integrated control measures for risky venues, businesses and activities, as well as all other measures, criteria or guidelines prescribed by local competent officials or responsible agencies under the said Regulation so long as they are not contrary to or inconsistent with this Regulation, shall continue to be in force for the maximum and strict control areas in all provinces until 31st August 2021. Governor of Bangkok, with the approval of the BMA Communicable Diseases Committee, shall consider implementing under communicable disease laws by allowing shops selling food or beverage which are located in shopping malls, shopping centers, community malls or other similar establishments to be opened for operations only for food delivery service until 08.00 p.m. The sales of food or beverage shall be done via food delivery service channels only and sales directly to customers is not allowed to reduce contact among several sellers and customers, and shall be operated under conditions, time clause, systematic arrangement and regulations as well as disease prevention measures prescribed by the Government.

Therefore, in order to comply with the said Regulation, by the virtue of Section 35 (1) of the Communicable Diseases Act B.E. 2558 (2015), and Regulation Issued under Section 9 of the Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005) (No. 28) dated 17th July 2021 and (No. 30) dated 1st August 2021, Governor of Bangkok, with the approval of the BMA Communicable Diseases Committee as stated in the Meeting Resolution No. 23/2564 dated 2nd August 2021, shall have the order as follows:

1. Premises ...

1. Premises shall be temporarily closed and any operation must comply with the Announcement of the Bangkok Metropolitan Administration (BMA) on Order of Temporary Closure of Premises (No. 32) dated 14th June 2021, (No. 34) dated 27th June 2021, (No. 35) dated 5th July 2021, (No. 36) dated 10th July 2021, (No. 37) dated 19th July 2021, and (No. 38) dated 21st July 2021 so long as they are not contrary to or inconsistent with this Announcement;

2. Shops selling food or beverage which are located in shopping malls, shopping centers, community malls or other similar establishments shall be opened for operations only for food delivery service until 08.00 p.m. The sales of food or beverage shall be done via food delivery service channels only. It is prohibited to sell food or beverage directly to customers to reduce contact among several sellers and customers, and it shall be operated under conditions, time clause, systematic arrangement and regulations as well as disease prevention measures prescribed by the Government;

Business owners of or responsible persons for shopping malls, shopping centers, community malls or other similar establishments shall have systems for COVID-19 symptom screening, monitor the registration of food delivery men before entering buildings or areas, provide queuing system and arrange specific areas for queuing, as well as provide waiting areas with appropriate sitting and standing distance. Such implementation of measures and other public health measures prescribed by the Government shall be strictly supervised and overseen;

3. Areas or venues for construction, modification or demolition of buildings, temporary residential venues for construction workers, and travel and movement of workers, which have been enforced under the announcements or orders to temporarily close the premises or stop the operations under the Announcement of the Bangkok Metropolitan Administration (BMA) on Order of Temporary Closure of Premises (No. 34) dated 27th June 2021, or have been granted relaxation of measures with conditions under the Announcement of the Bangkok Metropolitan Administration (BMA) on Order of Temporary Closure of Premises (No. 35) dated 5th July 2021 but later were able to control disease spread under the public health standard, or have improved the sanitation of premises, can be opened or operated under criteria, measures and guidelines in supervision, follow-up and evaluation prescribed by the Ministry of Public Health or the Government. This includes implementation of “Bubble and Seal”, the disease prevention and control measure in the specific areas, to prevent the spread among construction workers. In the case where the spread occurs in the areas, intensity of measures shall be adjusted. At any rate, the business operations can still be allowed under measures of travel and movement between residential venues and working areas with the sealed route control and supervision. Separation of infected persons, persons with close contact, persons who are not infected, and vulnerable groups shall be managed and medical and public health services are provided. Daily sustenance and other assistance prescribed by the Ministry of Public Health shall be strictly arranged. The district office in charge of the area shall notify the owners whose business is allowed for operations.

Any persons who violate or fail to comply with this Order shall be guilty of an offense under Section 52 of the Communicable Diseases Act B.E. 2558 (2015) which shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding one hundred thousand Baht or to both and shall be guilty of an offense under Section 18 of the Emergency Decree on Public Administration in Emergency Situation B.E. 2548 (2005) which shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding forty thousand Baht or to both.

As this is a case where there is urgent necessity and the delay of action may cause great harm to any individual or affect the public interest, litigants shall not be given the right to object under section 30 paragraph two (1) of the Administrative Procedure Act, B.E. 2539 (1996).

This Order shall take effect between 3rd August 2021 and 31st August 2021 or until further notice.

Announced on 2nd August 2021.

Pol. Gen. (Signature)
 (Aswin Kwanmuang)
 Governor of Bangkok

Remark: This unofficial English Translation has been provided for the benefit of law information access only and contains no legal authority. For reference or legal use, please refer to the original Thai text.