

Legal Update**INCREASE OF MINIMUM WAGE RATES**

The Wage Committee has announced the notification to increase minimum wage rates which has been effective from 1 January 2010. The new minimum wage rate is to protect rights of workers who expect to join labor market in 2010 in order for these workers to be able to earn for their livings along cost of living in 2010.

This notification applies to all businesses and the rates depend largely on the location of the workplace. The details of such notification are as follows:

| | Applied Province(s) | Rate of Minimum Wage (Baht / Day) |
|-----|--|--|
| 1. | Bangkok Metropolis and Samut Prakarn Provinces | 206 |
| 2. | Nakhon Pathom, Nonthaburi, Pathumthani and Samut Sakhon Provinces | 205 |
| 3. | Phuket Province | 204 |
| 4. | Chonburi and Saraburi Provinces | 184 |
| 5. | Phra Nakhon Si Ayutthaya Province | 181 |
| 6. | Chachoengsao Province | 180 |
| 7. | Rayong Province | 178 |
| 8. | Nakhon Ratchasima, Phang Nga and Ranong Provinces | 173 |
| 9. | Chiang Mai Province | 171 |
| 10. | Krabi, Prachinburi and Lopburi Provinces | 170 |
| 11. | Kanchanaburi Province | 169 |
| 12. | Phetchaburi Province | 168 |
| 13. | Chanthaburi and Ratchaburi Province | 167 |
| 14. | Singburi and Angthong Provinces | 165 |
| 15. | Prachuap Khiri Khan Province | 164 |
| 16. | Loei, Samut Songkhram and Sakaeo Provinces | 163 |
| 17. | Trang Province | 162 |
| 18. | Songkhla Province | 161 |
| 19. | Chumporn, Trad, Nakhon Nayok, Narathiwat, Yala, Lamphun and Ubon Ratchathani Provinces | 160 |
| 20. | Nakhon Si Thammarat, Pattani, Phattalung, Satul, Surat Thani, Nong Khai and Udon Thani Provinces | 159 |
| 21. | Kamphaengphet, Chainat, Nakhon Sawan, Suphanburi and Uthai Thani Provinces | 158 |

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| 22. | Kalasin, Khon Kaen, Chiang Rai, Buriram, Yasothon, Roi-Et and Sakhon Nakhon Provinces | 157 |
| 23. | Chaiyaphum, Lampang and Nongbua Lamphu Provinces | 156 |
| 24. | Nakhon Phanom, Phetchabun, Mukdaharn and Amnaj Charoen Provinces | 155 |
| 25. | Maha Sarakham Province | 154 |
| 26. | Tak, Phitsanulok, Sukhothai, Surin and Uttaradit Provinces | 153 |
| 27. | Nan and Sisaket Province | 152 |
| 28. | Phayao, Phichit, Phrae and Mae Hong Son Provinces | 151 |

❖ THE ESTABLISHMENT OF THE COORDINATION COMMITTEE TO SOLVE MAP TA PHUT'S PROBLEM

On 19 January 2010 the Cabinet approved the establishment of the coordination committee in accordance with the regulation of the Prime Minister's office with respect to the coordination on independent organisation's opinion to the projects or activities which may severely affect to the communities which was approved by the Cabinet on 12 January 2010. The former Prime Minister Anand Panyarachun will chair such coordination committee, of which most members are from the four-party panel.

The Prime Minister expected that this coordination committee will be able to start working immediately and within 60 days such committee should be able to help the state agencies and operators of Map Ta Phut industrial projects suspended by the Administrative Court to comply with Section 67 of the current Constitution concerning health and environmental impact assessments.

The current Constitution requires the establishment of an independent organisation and the state agencies in charge of approving projects with potential huge effects on the environment and natural resources to consult an independent organisation prior to giving them the green light.

Before the independent organization can be established, a coordination committee must be formed first and will coordinate with relevant organizations to choose the independent organisation's members.

However, on 20 January 2010, an environmental group filed a complaint with the Administrative Court seeking for an urgent inquiry and a temporary injunction against a regulation of the Prime Minister's office appointing the coordination committee to solve the Map Ta Phut's problems.

The petition argued that the cabinet's resolution dated 12 January 2010 approving the issuance of the said regulation of the Prime Minister's office was illegal because no public hearing was conducted on such regulation despite the fact it could affect a large number of people and organizations. Moreover, the petition requested the Administrative Court to revoke such regulation and the appointment of coordination committee as well as to order the four-party panel for solving the pollution problems at Map Ta Phut holding a forum for the public hearings in all four regions including Bangkok. The Prime Minister said he had checked thoroughly all regulations and the current process was legally valid and conformed to the current Constitution.

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