



Legal Execution Department, Ministry of Justice

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Legal Execution Department (LED) announces its key achievements in the second quarter of 2017 - expediting the turnover of properties more than 32,426 million Baht, settling more than 6,000 cases in the post-judicial mediation to promote fairness, and ready to enhance legal awareness to the public and integrate working with all sectors

Today (24th April 2017), at 10.00 am, Miss Ruenvadee Suwanmongkol, Director-General of the Legal Execution Department (LED) announces the LED's performance for the second quarter of the fiscal year 2017 (January - March 2017) that the LED could expedite the turnover of seized properties at the amount of 32,426,569,877 Baht, 60.33% higher than the result in the same period of the fiscal year 2016. 6,109 cases out of 6,796 cases entering to the post-judicial mediation process have been successfully resolved with value of 1,787,461,464.56 Baht. The success rate is 90.24%, which is 176.18% higher than the result in the same period of the last year.

Miss Ruenvadee Suwanmongkol, Director-General of the LED reveals that key achievements of the fiscal year 2017 are as follows;

1. Primary mission

1.1 Expediting the Turnover of Seized Properties

More than 62,382,216,525 Baht in value of the turnover properties has been expedited, of which the target is 100,000 million Baht. It is 60.33% higher than the result in the same period of the fiscal year 2016. In the first 6 months of this fiscal year, the LED has already achieved more than 50% of the target due to the application of the "4As" policy, the public auction on weekends and off-site public auctions for public convenience, and the use of electronic system in facilitating the offering of bidding price via electronic system (E-Offering Auction). Moreover, the turnover result at 12,589,401,775 Baht in March 2017 is considered as the highest amount in the past 16 months.

The LED plans to conduct off-site public auctions of seized properties from the Civil Case Enforcement Bangkok Office 1 – 6, Nonthaburi Legal Execution Office, Pathum Thani Legal Execution Office, and Pathum Thani Legal Execution Office Thanyaburi Branch at IMPACT Muang Thong Thani in May 2017.

1.2 Post-Judicial Mediation under the "Proactive, In-depth, and Comprehensive" strategies



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The LED has cooperated with new groups of creditors by collaborating with financial institutions, governmental and private sectors for the post-judicial mediation service can cover more target groups, without cost, in order to promote fairness and reduce inequality. In the second quarter of the fiscal year 2017, the LED jointly organized mediation fairs across Thailand with 16 agencies from public and private sectors. The LED also proactively organized the mediation fairs to facilitate the judgment debtors residing in southern Thailand who were affected by flood. 286 judgment debtors attended the project with the claim value of 181,419,380.17 Baht. 236 cases were successfully settled with the total value of 124,546,166.56 Baht. The success rate is 82.51%. Moreover, the LED collaborated with the Student Loan Fund in the mediation fairs in eight provinces of Southern Thailand - Pattani, Yala, Songkhla, Surat Thani, Phuket, Phatthalung, Trang, and Satun, during 18th March – 4th April 2017. There were 1,859 cases entering the mediation process with the value of 250,219,610.08 Baht. 1,853 cases were successfully settled with the total value of 249,617,367.23 Baht. The success rate is 99.68%. As a result, the liquidity of the Student Loan Fund was increased and the Fund can bring money gained from the mediation to offer loans to other students in need. In addition, the judgment debtor's properties are freed from enforcement and the judgment debtors have a better quality of life. Directors of all LED offices in Thailand are assigned to take a proactive role in helping debtors and promoting fairness.

The proactive strategies of the LED have caused 6,769 cases entering the mediation process and 6,109 cases were successfully settled with the total value of 1,787,461,464.56 Baht. The success rate is 89.88% and it is 176.18% higher than the rate in the same period last year. From October 2016 to March 2017, the LED was able to settle 8,965 cases out of 9,974 cases, or 89.88% of all cases entering to post-judicial mediation.

From mediation fairs from October 2016 to March 2017, 7,215 cases has entered the process with the value of 1,728,608,136.13 Baht. 6,594 cases has been successfully settled with the value of 1,433,919,086.33 Baht. The success rate is equal to 91.39%.

The LED will collaborate with companies and financial institutions in organizing the post-judicial mediation fair for consumer debt and credit card debt at IMPACT Muang Thong Thani in May 2017.



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1.3 Laws and Regulations Improvement

(1) The Draft Amendment Act on Civil Procedure Code Chapter 4 Part 2 (No. ..) B.E. which was approved by the National Legislative Assembly in the second and third reading on 23rd March 2017 and is now under the process for royal assent. This is a major reform in enforcement of civil judgment since it reduces steps and chances of abuse of process in order to increase efficiency and fairness to parties and interested persons. Besides, the LED has planned to raise awareness to related parties nationwide and drafting related secondary laws which are 1) Draft Ministerial Decree on Qualification, Rules, Measures, and Conditions of Authorized Person to Perform in Substitution of Enforcement Officer B.E., 2) Draft Ministerial Decree Setting Rules, Measures, and Conditions of the Public Auction B.E., and 3) Draft Ministerial Decree Setting Rules, Measures, and Conditions of the Public Auction via Electronic Means B.E.

(2) The Draft Bankruptcy Act (No. ..) B.E. was approved in the principles on 27th December 2016 by the Cabinet and sent to the Council of State to review. However, the Head of the National Council for Peace and Order announced Order No. 21/2560 on Amendments of Laws to Facilitate the Ease of Doing Business by ordering the enactment of Section 20, 23, 35/1, and 39 of the draft Bankruptcy Act (No. ..) B.E. Currently, the LED is in the process of drafting an announcement on setting a website to advertise orders in bankruptcy and business reorganization cases. From 1st May 2017 onwards, the public can check the announcement of order of the Central Bankruptcy Court or the announcement or order of the Official Receiver from LED website (www.led.go.th) by registering name, address, ID number, and accepting the terms and conditions to use the system, for compliance with Computer-related Crime Act B.E. 2550 (2007) and data collection.

1.4 Case Management

In the second quarter of the fiscal year 2017, the LED finished 1,889 cases that have been pending over ten years out of total 12,880 pending cases. The success rate is 14.67%

1.5 Improvement of public services in enforcement of civil judgments and administration of insolvency cases



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The LED is committed to constantly improving the public services in enforcement of civil judgments and administration of insolvency cases to facilitate parties in the cases and related people. In the second quarter of the fiscal year 2017, there are improvements as follows;

(1) Deposition of money security by debit or credit card via EDC Payment is opened in every office nationwide and has been used by 754 persons at the amount of 135,775,000 Baht. In the second quarter, there were 338 users at the amount of 46,081,000 Baht.

(2) Electronic Queue System has served at Civil Case Enforcement Bangkok Office 1-6 since January 2017 and will full-scale function in every office nationwide within 2017.

(3) The linkage for information on writ of execution via electronic means with Thon Buri Civil Court; the LED has received information since 17th March 2017 and is able to process on such information real-time This is a significant starting point of expanding cooperation with other courts and developing to Thailand 4.0. So far, the LED has received 126 writs of execution from Thon Buri Civil Court.

(4) The LED has accelerated the creation of distribution account by issuing the LED Circular Letter No.3 dated of 14th February 2017 on the Duration of Creating Distribution Account in Civil Cases, setting timeframe where there is no interference, the enforcement officer shall send notification to creditor to examine the distribution account, or remit money to the responsible LED office, within 45 days after the date that the enforcement officer receives money.

1.6 Operation under the World Bank's Ease of Doing Business

The LED is responsible for the 9th Indicator (Enforcing Contracts) with the Office of Judiciary, and the 10th Indicator (Resolving Insolvency). On 17th March 2017, the LED submitted the answers to questionnaires of both indicators to the World Bank, and participated in the workshops for contributors on 2nd March 2017 to clarify the questions of the questionnaires and improvements of the LED. Moreover, on 22nd March 2017, the LED gave a presentation on the outstanding improvements in public services to elevating the ease of doing business in enforcing contracts and resolving insolvency in the conference for clarifying and raising awareness in improvements of business environment which Deputy Prime Minister Wissanu Krea-ngam presided over at Centara Grand Hotel at CentralWorld Bangkok.



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1.7 Development towards being the academic center of enforcement of civil judgments and administration of insolvency cases in ASEAN

The LED will organize the “International Conference on Enforcement of Civil Judgment: Sharing Experiences towards Best Practices” with civil enforcement agencies of ASEAN member countries, the People’s Republic of China, Japan, and the Republic of Korea, at the Berkeley Hotel Pratunam, on 7th – 9th June 2017. The LED has submitted the information of the conference to Ministry of Justice to present to the 17th ASEAN Senior Law Officials Meeting (ASLOM) that will be held during 14th – 17th May 2017 in Malaysia for the ASEAN member countries can nominate delegates to further exchange knowledge and experiences.

2. Proactive operation and integration with other agencies to promote fairness, and to help and protect peoples’ rights

2.1 Mediating informal debt in enforcement of judgment stage

The LED attended the opening of integrated and sustainable solutions to the informal debt issues under the concept of “Eliminating informal debts to zero”, the event held by Ministry of Finance at IMPACT Muang Thong Thani on 1st March 2017, where the Prime Minister General Prayut Chan-o-Cha presided over the opening ceremony and gave the keynote speech. The LED has integrated operations with other agencies in mediating informal debt in enforcement of judgment stage. For example, director of LED office across the country is a member of the provincial subcommittee on mediating and reconciling informal debt, pursuant to the 3rd measurement of the integrated and sustainable solutions to the informal debt issues; the lessening of informal debt burden by mediation and reconciliation.

For more efficient post-judicial mediation, the LED has assigned all the directors of the LED offices nationwide to gather the list of individual creditors who did not cooperate in the mediation process of the LED. It was found that there are 565 cases with the total value of 229,358,507.95 Baht. The LED also assigned that the directors carry out this policy proactively such as meeting the creditors in person to explain the details of post-judicial mediation and inquire any concern they may have, and coordinating with other agencies for further actions.



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In addition, the LED integrated with Office of the Permanent Secretary of the Prime Minister Office, Government Savings Bank, and Bank for Agriculture and Agricultural Cooperatives in a consultation clinic for loan shark-related cases that was recently opened on 28th March 2017.

2.2 Enforcement of judgment in civil and penal actions

The LED has proactively operated and integrated with various agencies in cooperating in helping and providing legal advice and related information to the related persons, especially plaintiffs in civil and penal actions such as the case of Wealth Ever World Co., Ltd. (Shogun case).

2.3 Enhancing Legal Awareness

The LED has been proactive in enhancing legal awareness; particularly the laws on guarantee, mortgage, pledge, sale with right of redemption, and enforcement of civil judgment and bankruptcy to people across the country, especially vulnerable groups which are farmers, household debtors, and SME entrepreneurs. In the second quarter of the fiscal year 2017, the programs to enhance legal awareness of the people were jointly held by the provincial LED offices and Provincial Farmers Council nationwide.

3. Project under the 20-year national strategy

3.1 The establishment of private trustee in accordance with the LED's project plan under the 20-year national strategy

The LED initiates the establishment of private trustee system, which is one of the flagship projects in the 20-year strategy of the LED. The LED held a public hearing on 20th February 2017 with an honor of Mr. Suwaphan Tanyuwardhana, Justice Minister, to preside the hearing. On 3rd April 2017, the LED attended the hearing seminar with the Sub – Committee on State Organizational Structure Reform under the National Reform Steering Committee on State Administration of the National Reform Steering Assembly. The Sub - Committee proposed the report to the Committee and on 12th April 2017 the Committee approved the development of private trustee system. It is scheduled as the agenda for the meeting of the National Reform Steering Assembly on 1st May 2016.