



Announcement of the Bangkok Metropolitan Administration (BMA)

Subject: Order of Temporary Closure of Premises (No. 43)

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. 34) dated 28th September 2021. The situation of the spread of Coronavirus Disease 2019 (COVID-19) in Thailand tends to subside and become better. The number of new infected cases has been continuously stable for a period of time, while the number of persons who were treated and recovered have a tendency to increase. Such results have been derived from the implementation by integration and collaboration of competent officials and officers from all sectors in mobilizing all efforts for disease prevention and control. Operations like providing services on vaccination according to the plan, active case finding, and dissemination of Antigen Test Kits. This includes implementation and follow-up for the caring of infected persons in compliance with the previously announced long-term disease control and prevention measures like new COVID-19 control measures for safe economic recovery, universal prevention measures for COVID-19, or safety measures for organizations. Public health sector and other responsible agencies have reported the results of situational evaluation that governmental organizations, private, and public sectors are quite experienced and prepared for the situation. In addition, Thailand's medical and public health agencies and personnel have comprehensive potential, proficiency, and efficiency in disease screening, care and treatment of different and various infected cases, and they are ready to cope with the situation in case of increasing number of infected cases in the future. Measures can be adjusted by relaxing intensity for some cases as appropriate. Control measures are prescribed as necessity under the situational level to comply with the present situation. It is still necessary for competent officials to follow up and supervise persons, premises, business operations and activities to comply with conditions of practices under long-term disease prevention and control measures aimed at the driving of the country's economic sectors, long-term national recovery and development, together with balanced and sustainable disease prevention and control. The BMA Communicable Diseases Committee or the Provincial Communicable Diseases Committee, as the case may be, shall supervise and follow up the operations of premises, businesses, or activities in the situational area designated as the maximum and strict control area of which measures have been adjusted in compliance with this Regulation so that the said premises, businesses, or activities can be opened for operations. Business owners or responsible persons shall arrange premises, examine air ventilation system, supervise for readiness of personnel and service users, and practice in compliance with conditions, time clause, systematic arrangement and regulations and disease prevention measures prescribed by the Government as well as measures specially enacted by responsible persons.

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, (No. 30) dated 1st August 2021, and (No. 32) dated 28th August 2021, and (No. 34) dated 28th September 2021, Governor of Bangkok, with the approval of the BMA Communicable Diseases Committee

as stated...

as stated in the Meeting Resolution No. 28/2564 dated 28th September 2021, shall have the order as follows:

1. Premises shall be temporarily closed as follows:

1.1 Entertainment venues, any establishments providing similar services to those of entertainment venues, amusement places, pubs, bars, karaoke shops or other similar venues;

1.2 Massage parlors;

1.3 Establishments for bath services, establishments for steam bath and herbal steam;

1.4 Water parks, amusement parks;

1.5 Playgrounds, playground equipment for children;

1.6 Gaming centers and internet cafes, or game machine arcades;

1.7 Trade fair centers, convention centers, or Exhibitions halls;

1.8 All types of indoor sport venues (except ones with good ventilation);

1.9 Elderly care centers (except admission for overnight stay as regularity);

1.10 Cockfighting rings and cockfighting training rings;

1.11 Bullrings, fish fighting rings or other similar sport arenas; and

1.12 Horse racing courses;

2. The following premises can be opened for operations or organization of some activities, and shall strictly comply with disease prevention and control measures for inhibiting the spread of disease, disease prevention measures prescribed by the Government, and measures under laws on communicable diseases specially enacted by responsible persons:

2.1 Schools or all types of educational institutes, the buildings or places can be used for learning, teaching, examination, training, or organizing any activities with large number of attendees. Representatives from the Ministry of Education, Ministry of Higher Education, Science, Research and Innovation, or other relating agencies in the responsible area and the BMA Health Department, shall together consider the necessity and implementation in compliance with disease prevention measures prescribed by the Government as well as the appropriateness of area condition and situation in the responsible area. The said necessity and implementation shall comply with the criteria prescribed by the Ministry of Education, the Ministry of Higher Education, Science, Research and Innovation and the Ministry of Public Health;

2.2 Nurseries, early childhood development centers, child development venues, special needs child centers, other venues providing care, or care centers providing welfare to children can be opened for operations. The BMA Health Department shall consider permitting the use of such venues according to its appropriateness by strictly complying with disease prevention measures prescribed by the Ministry of Public Health;

2.3 Shops selling food or beverage can be opened for operation, and consuming food and beverage is allowed until 09.00 p.m., and consumption of liquor and alcoholic drinks at the said venues is prohibited. These venues shall limit the number of persons consuming food and beverage. In terms of consumption in air-conditioned rooms, the number of persons shall limit to 50% for the number of regular seats. However, in terms of consumption in the open with good ventilation, such as small restaurants, hawkers, stalls, pushcarts, the number of persons shall be limited to 75% for the number of regular seats.

Shops ...

Shops selling food or beverage may arrange musical performances or other shows, and performers shall not exceed 5 persons. Social distancing must be kept, and contact and touch with service users must be refrained. Musicians shall always wear sanitary or fabric face masks. Only singers, performers, or musicians playing the instrument of blowing types are allowed to take off sanitary or fabric face masks during performances;

These measures shall also be complied by shops selling food or beverage which are located in shopping malls, shopping centers, community malls or similar establishments;

2.4 Convenience stores, fresh markets, or flea markets, only for selling consumer goods, can be opened for operations by their regular time until 09.00 p.m. and the service time shall be limited. The said convenience stores, which generally provide services during night time, shall be closed for services between 09.00 p.m. and 04.00 a.m. of the next days;

2.5 All types of libraries and museums, book houses, galleries, historical sites, ancient monuments, learning centers, science centers for education, science parks, science and cultural centers or other similar venues can be opened for operations and limit the number of service users. Criteria relating to space area under guidelines prescribed by the Ministry of Public Health may be considered or limiting to 75% for the number of regular seats. Service users shall refrain from consuming food or beverage while visiting or having services at the said venues and shall refrain from doing activities which possibly cause overcrowding. Disease prevention measures prescribed by the Ministry of Public Health shall be strictly observed;

2.6 Cinemas can be opened for operations until 09.00 p.m. with limit of the number of service users to 50% for the number of seating capacity. Social distancing shall be kept by leaving empty seats according to the guidelines mutually prescribed by the Ministry of Culture and the Ministry of Public Health. Service users shall always wear sanitary or fabric face masks and refrain from consuming food or beverage while watching movies;

2.7 Medical clinics for beauty service, beauty salons and barber shops, manicure and pedicure shops, and premises for tattooing or piercing of skin or any parts of the body can be opened for operations and provide services by making an appointment until 09.00 p.m.

Premises for tattooing or piercing of skin or any parts of the body which can be opened for operations shall be subject to the condition that only service users who present evidence that they have been fully vaccinated under the criteria prescribed by the Government, or have the test result as certification for not being infected with COVID-19 during the period of 72 hours before using services by the RT-PCR method, or by test kits and solution relating to the analysis of infection for SARS-CoV-2 (COVID-19 infectious agent) by COVID-19 Antigen Test Kits (ATK);

2.8 Health related establishments, spas, or establishments for Thai traditional massage can be opened for operations by making an appointment, and the service time for each person shall limit not to exceed two hours until 09.00 p.m. Disease prevention measures prescribed by the Ministry of Public Health shall be strictly observed. Services on body steam, herbal steam, and steam bath are excluded and still have not been permitted for operations;

Services relating to the use of water for health in spa business shall be subject to the special condition that service users must present evidence that they have been fully vaccinated under the criteria prescribed by the Government, or have the test result as certification for not being infected with COVID-19 during the period of 72 hours before using services by the RT-PCR method, or by the use of COVID-19 Antigen Test Kits (ATK);

2.9 Public parks, sport fields, sport venues, swimming pools for sports or marine activity for recreation, public swimming pools, outdoor venues for exercises or those located in the open, and indoor sport venues or venues for exercises with good ventilation can be opened until 09.00 p.m;

Public parks or sport venues used for medical and public health services of the Government shall be opened for operations for such purposes;

Venues for exercises, gyms or fitness centers that are air-conditioned can be opened until 09.00 p.m, and body steam and steam bath are refrained. Disease prevention measures mutually prescribed by the Ministry of Tourism and Sports and the Ministry of Public Health shall be strictly observed;

2.10 The use of premises or sport venues for organizing sport competition; in terms of organizing competitions with spectators, permission shall be submitted to the BMA Communicable Diseases Committee, and in terms of organizing competitions without spectators, permission shall be submitted to the BMA Health Department for considering the appropriateness under the criteria mutually prescribed by the Ministry of Tourism and Sports and the Ministry of Public Health. In case of indoor sport types, competitions can be organized without spectators. In case of outdoor sport types, competitions can be organized with spectators not exceeding 25% of the venue capacity. Spectators shall present evidence that they have been fully vaccinated under the criteria prescribed by the Government, or have the test result as certification for not being infected with COVID-19 during the period of 72 hours before using services by the RT-PCR method, or by the use of COVID-19 Antigen Test Kits (ATK), and disease prevention measures prescribed by the Government shall be strictly implemented;

The use of premises or sports venues as training places of national athletes can be operated without spectators, but must strictly comply with disease prevention measures prescribed the Government;

2.11 Shopping malls, shopping centers, community malls or similar establishments can be opened for operations by their regular time until 09.00 p.m., except some types of following business or activities of which conditions relating to control of providing services were still designated, or operations shall have been temporarily closed;

A. Schools and tutorial schools can be opened for operations by submitting the request for permission to the BMA Health Department for considering the appropriateness under the area condition and situations in the responsible areas. Disease prevention measures prescribed by the Government shall be strictly observed. Such implementation shall comply with the criteria prescribed by the Ministry of Education, the Ministry of Higher Education, Science, Research and Innovation and the Ministry of Public Health;

B. Cinemas can be opened for operations by complying with conditions prescribed in Clause 2.6;

C. Medical clinics for beauty service, beauty salons, manicure and pedicure shops, and premises for tattooing or piercing of skin or any parts of the body can be opened for operations and provide services by making an appointment and comply with conditions prescribed in Clause 2.7. Beauty salons and barber shops can be opened for operations by making an appointment, and the service time for each person shall limit not to exceed two hours;

D. Health related establishments, spas, or establishments for Thai traditional massage can be opened for operations by complying with conditions prescribed in Clause 2.8;

E. Swimming ...

E. Swimming pools, venues for exercises, gyms, fitness centers shall be opened for operations by complying with conditions prescribed in Clause 2.9 and 2.10;

F. Amusement parks, water parks, game machine arcades, playground equipment, gaming centers, banquets or meetings shall still be temporarily closed for operations during this period;

2.12 Production of films, television programs or similar media can be operated with the strict observation of measures and guidelines as previously announced under the Regulation Issued under Section 9 of the Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005) and those prescribed by relating agencies;

2.13 Theatres and playhouses shall submit the request for permission to the BMA Health Department for considering the appropriateness and permission for musical performances, cultural shows, folk shows, or other similar shows until 09.00 p.m. Total performers and staff shall limit to 50 persons, and they shall always wear sanitary or fabric face masks. Performers are allowed to take off sanitary or fabric face masks while performing on the stage. Touch and contact between performers and spectators shall be refrained and strictly comply with disease prevention measures mutually prescribed by the Ministry of Culture and the Ministry of Public Health;

2.14 Boxing training gyms, martial arts schools (gyms), social/ballroom dance schools or academies are allowed to use buildings and places for learning and teaching or organizing activities as prescribed in Clause 2.1;

2.15 Weight-loss centers;

2.16 Amulet and Buddha statue trading markets and centers;

2.17 Zoos or animal display venues;

2.18 Venues providing services for meeting rooms, banquet rooms, banquet places as well as other similar venues shall be opened only for organizing traditional activities or ceremonies like engagement, and banquets must be avoided; and

2.19 Hotels shall refrain from having activities organized like meetings, seminars, or banquets. Services for organizing activities or traditional ceremonies like engagement can be provided, and banquets for such activities or ceremonies must be avoided.

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 shall be 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.

4. Organizing activities with public gathering of total attendees 25 persons is prohibited, and shall be in accordance with prohibitions and exceptions under the Announcement of the Bangkok Metropolitan Administration (BMA) on Order of Temporary Closure of Premises (No. 33) dated 20th June 2021, (No. 34) dated 27th June 2021, and 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.

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 1st October 2021 and 31st October 2021 or until further notice.

Announced on 29th September 2021.

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