



# Thailand Co-Production Investment Initiative

By

Sukhothai Thammathirat Open University

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## Preface

This Letter of Investment Initiative is produced for disseminating the study in the Project on Development of Approach to Promoting Competition in Television Industry by the Method of Co-Production. Whereas Sukhothai Thammathirat Open University received the financial subsidiary for the research from Office of The National Broadcasting and Telecommunications Commission (NBTC.), this letter covers key elements relating to co-production, comprising of: a definition of co-production; mode of entry into investment in program content production in Thailand; and relevant legislations, as well as gathers a list of government agencies, rules, regulations and authority of the agencies relating to co-production of television program contents in Thailand. Moreover, there are pieces of information concerning situations of the media and nature of the competition of the television industry in Thailand, and examples of interesting showcases about co-production among Thai and foreign entrepreneurs, as well as collects a list of television business entrepreneurs and involved parties, who have potential for participating in co-production. The authors hope that this letter will be beneficial to Thai and foreign television entrepreneurs, who are interested in investment in co-production, as to coordinate their efforts among themselves in the future.

The Authors  
Sukhothai Thammathirat Open University Researchers



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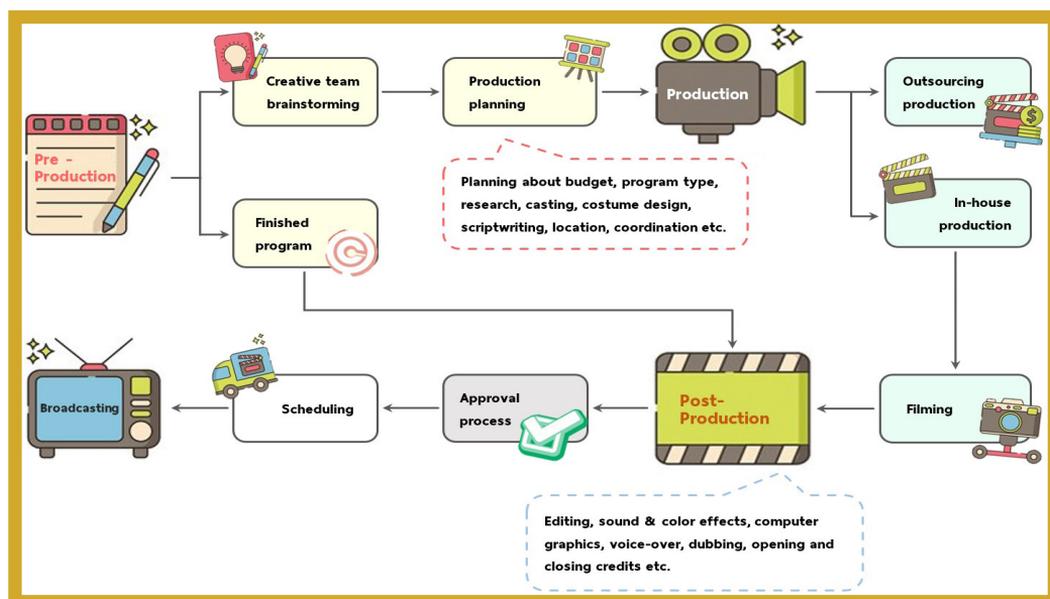
# Chapter 1

## Definition of Co-Production

Co-production means a process of participating in production of a television program, sharing the production costs, and co-owning the copyright of the production. Co-production of a television program has major stages, being: planning; producing; and broadcasting the program. Planning for co-production involves with planning the budget, format, contents and interpretation of the program. Producing a program involves with participating in writing a script, performing and use of technologies in the production. Broadcasting the program contents involves with establishing a publication network, reducing obstacles to entry into foreign markets, and creating efficient competitive atmosphere.

International co-production is a process of co-producing a television program between contracting parties from 2 countries or more, in which each country participates in the production of the program contents, for economic or cultural benefits, whereas each contracting party will share the production costs or take a role in the production process, and co-own the copyright of the produced contents. In principle, each country's form of participation and proportion of investment depends on negotiation and business agreements between the contracting parties.

Practices and procedures in co-production were originally separated into 3 stages, namely: preproduction; production; and post-production, and each stage involves with procedures as follows.



In general, co-production can be done at any stage of the production, beginning from joint-investment to broadcasting and distributing the program to customers. In a case where a co-producer is an owner of channel or platform, after the program is produced, it will be scheduled, in order that the finished program will be broadcast or distributed at a time suitable for the target viewers, genre of the program and relevant regulations, whereas most popular programs, either produced in-house or licensed, are mostly scheduled to be broadcast during prime-time, being a period after news coverage, around 8:30 PM. – 10:30 PM.

## Benefits Expected of Co-Production

1. Financing - For a domestic program producer, whose investment is in a small amount, if it can co-produce a program with a foreign entity, whose investment is in a bigger amount, the smaller entrepreneur can access to a new source of fund and an opportunity to produce a bigger program.

2. Production - Co-production with foreign producers can allow each producer to access a new project, varieties of experience, a small country may learn skills and proficiency from a co-producer in a foreign country, whose work is featured in a global level.

3. Market Size - An important part of co-production to give an opportunity to each producer to access to a foreign country's market, both the countries of the producers and the global market.

4. Distribution - Co-production helps reducing various obstacles to distribution and publication in the co-producers' countries, because the programs will enjoy the rights of nationals of those countries, for example, not being restricted by the proportion of foreign programs (quota access). As a result, such programs can be considered to be local production.

5. Cultural Aspect - Entries to produce programs in some countries have limits in terms of cultures, because such countries do not allow foreign producers to access specific sites the countries. Co-production can eliminate some cultural limits, because the production teams will be recognized as their own nationals.

6. Access to benefits and incentives of foreign governments - In many countries, there are incentives for investment, similar to measures of Thailand's Board of Investment (BOI). Hence, co-production can help Thai producers accessing investment promotion benefits and incentives in foreign countries as well.

## Why Co-Production with Thai Entrepreneurs Is Preferable?

Thailand's Strength in Co-Production of Television Programs with Foreign Countries

1. Thailand has strength in terms of human resources, who have acceptable knowledge, proficiency and experience, with world-class production equipment.

2. Production costs in Thailand are not considerably high, because of low labor costs. As a result, production costs in Thailand are lower, in comparison with most countries.

3. Thailand has many filming locations, which beautiful and globally famous.

4. Thailand's art and culture, including cuisine, are reputable worldwide, and being an attraction.

5. Thai stars and actors are highly capable and popular in many countries.

6. Particular contents or story-lines, which are produced and presented by Thailand, are distinctive and unique, for example, belief in ghosts (horror genre) or boy love stories (Y/Yaoi genre).

7. Thailand is open for co-production with foreign countries, and has lower limits to quota access and cultural limits, in comparison to the countries in the same region.

In the age of new media landscape, content services on on-line platforms, such as OTT, are playing prominent roles in providing with opportunities to create new contents for the viewers. Processes of co-production with entrepreneurs at a national level may be in a form of joint-investment in content creation at the beginning, or participation in designing the form and contents of the programs, as well as casting the actors, or contribution to distribution of the program contents at an international level, in turn, it will provide with new and good opportunities for current television entrepreneurs and content producers. Therefore, co-production in these forms will be more recommended for content producers or television channels on OTT platforms in the future. It will be promising business opportunities for Thailand's contemporary content producers.

## How to invest in co-production between Thailand and other country?

1. Consider participation in program content production in various aspects, for example, financial contribution, technical contribution and cultural contribution;

2. Consider choosing suitable joint-investors (business partners);

3. Consider choosing forms of international co-production;

4. Consider forms of joint-investment, contractual provisions, relevant legislations and regulations.

## Forms of International Co-Production

Forms of international co-production can be sorted out into 2 categories, being: Official Co-Production; and Unofficial Co-Production.

### 1. Official Co-Production

2. Official co-production is a process of co-production between content providers from 2 countries or more, whereas the government of each producer's country participates in negotiation and conclusion of an formal contract, in order to promote and facilitate production and operations of the co-producers in accordance with the contract. As governments of the co-producers' countries mutually execute the contract, the producer in each country can apply for approval for a project, and the co-production will become an official agreement on international television program production.

Currently, Thailand has never officially executed a treaty or contract on co-production with any country. However, there are several countries interested in concluding international cooperation in co-production with Thailand. Therefore, Thailand is in a process of consideration for concluding an bilateral treaty or agreement on international co-production.

As the project is official co-production, the contents, which are produced by the project, will be deemed to be a form domestic production. As a result, the production can get support equally to a program produced by a domestic entrepreneur, for example, government grants, issuance of visas and work permits for foreign personnel, and import of filming equipment, etc.<sup>1</sup>

### 2. Unofficial Co-Production

Unofficial co-production is a process of co-production between content providers from 2 countries or more, but is not based on any international treaty or agreement between the relevant governments. That is to say, all terms and conditions will be in accordance with the business agreement mutually concluded by the providers, based on the principle of freedom of contract. As such, cooperation in this form may not get any support from the governments, just a vehicle for conducting trade between the co-producers. Unofficial co-production has 4 key features as follows:

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<sup>1</sup> TIME Consulting. Final Research Paper: Project on Promotion of Opportunities for Trade in Services Relating to Television Industry in ASEAN Region. 2561.

1. The co-production involves with cooperation of at least 1 aspect, namely financial, technical or art;
2. Ownership of the produce contents (copyright) will depend on the terms and conditions of the business contract between the content providers;
3. Both parties usually are companies, which register their objectives for producing contents in the countries of cooperation;
4. Other terms and conditions, apart from the above, will depend on the business agreements, varying from case to case.

# Chapter 2

## Legislations on Trade and Investment Relevant to Co-Production Project

Implementing a co-production project is deemed to be business activities relating to a service business, which is governed by the framework of the domestic legal regime and government agencies competent in regulating content production. As such, the entrepreneur should study provisions under the legal framework relevant to implementation of the co-production project, before commencement of the implementation, in order to be beneficial for business planning. There are 2 major relevant legislations, being: 1 Foreign Business Act, BE 2542 (1999), which is the legislation providing with approaches to governing and regulating foreign investment in Thailand, whereas the basic intent is to develop the structure of the economy, as well as to enhance efficiency and competitiveness of domestic entrepreneurs; 2 Investment Promotion Act, B.E. 2520 (1977), and amendment thereto, whose intent are to provide with benefits for foreign investors, as to attract foreign investment into the country, in order to be a tool for encouraging development of Thailand's economy.

### Foreign Business Act, BE 2542

Foreign Business Act, BE 2542, is deemed to be a key legislation of the legal framework, which is consequential to the Royal Thai Government's direction to be open to contemporary foreign investment. This legislation provides with approaches to governing and regulating foreign investment in domestic business, and the principles of this legislation are to be imposed on entrepreneurs, who are foreigners, by the definition in Section 4 of Foreign Business Act, BE 2542<sup>2</sup>, whereas Thai entrepreneurs are naturally beyond the force of this

<sup>2</sup> Section 4. In this Act, "foreigner" means:

- (1) a natural person who is not of Thai nationality;
- (2) a juristic person not registered in Thailand;
- (3) a juristic person registered in Thailand, being of the following descriptions:
  - (a) being a juristic person at least one half of capital shares of which are held by persons under (1) or (2) or a juristic person in which investment has been placed by the persons under (1) or (2) in the amount at least equivalent to one half of the total capital thereof;
  - (b) being a limited partnership or a registered ordinary partnership the managing partner or the manager of which is the person under (1);
  - (4) a juristic person registered in Thailand at least one half of the capital shares of which are held by persons under (1), (2) or (3) or a juristic person in which investment has been placed by the persons under (1), (2) or (3) in the amount at least equivalent to one half of the total capital thereof;

For the purpose of this definition, shares of a limited company represented by share certificates issued to bearers are deemed as shares held by foreigners, unless otherwise provided by the Ministerial Regulation."

legislation. Foreign entrepreneurs can operate only business, which is not reserved for Thai nationals or Thai entrepreneurs in the lists attached to the Act, and Section 8<sup>3</sup> provides with 3 lists as follows:

List 1 business, which foreigners are prohibited from operating by the prescribed special reasons;

List 2 business, which foreigners are prohibited from operating, unless upon obtaining permission from the Minister with the approval of the Council of Ministers, comprising business having impacts on arts, culture, traditions, customs and folklore handicrafts or businesses having impacts on natural resources or the environment, as prescribed in the list;

List 3 business, which foreigners are prohibited from operating, , unless upon obtaining permission from the Director-General with the approval of the Commission, being business, in respect of which Thai nationals are not yet ready to compete with foreigners, including all business categories, with whose exemption is not provided by a Ministerial Regulation.

Foreign Business Act, BE 2542, is a rule to be taken into consideration for implementing a co-production project between a Thai and foreign entrepreneurs, whereas the television program content production is covered in List 3 attached thereto. The entrepreneurs must consider the substantial matters of the form of the joint-investment in the program content production. In a case where any type of juristic person is to be established in a form of a joint-investment between the Thai and foreign entrepreneurs, if the foreign composition of shareholding is deemed by Section 4 to be a foreign juristic person, such juristic person will become a foreign juristic person, and will be governed by the legislation, resulting in the juristic person being required to subsequently apply for business permit from Director-General of Department of Business Development, Ministry of Commerce, under the provisions of Section 17 of Foreign Business Act, BE 2542.

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<sup>3</sup> Section 8 “Subject to section 6, section 7, section 10 and section 12:

(1) no foreigner may operate such businesses *stricto sensu* not permissible to foreigners by special reason, as prescribed in List One;

(2) no foreigner may operate such businesses related to national safety or security, businesses having impacts on arts, culture, traditions, customs and folklore handicrafts or businesses having impacts on natural resources or the environment, as prescribed in List Two, unless upon obtaining permission from the Minister with the approval of the Council of Ministers;

(3) no foreigner may operate such businesses in respect of which Thai nationals are not yet ready to compete with foreigners, as prescribed in List Three, unless upon obtaining permission from the Director General with the approval of the Commission.”

## Investment Promotion Act, B.E. 2520

Investment Promotion Act, B.E. 2520, is a legislation, whose main objective is to encourage foreign and Thai entrepreneurs to operate more business in the country, in the categories promoted by the government, having impact on development of the country's economy and business sector, along with the intent to promote investment of the domestic entrepreneurs, as to substitute import. The legislation provides with benefits, as well as investment guarantee investment and market protection for investors, with the Board of Investment (BOI) as the leading agency competent in the matters under the law.



# List of Government Agencies, Rules, Regulations, Authority of the Agencies Relating to Television Program Co-Production Measures

A preproduction stage, production stage and post-production stage are involved with various government operations and agencies in Thailand, which can be summarized as the following diagram.

In the Preproduction Stage

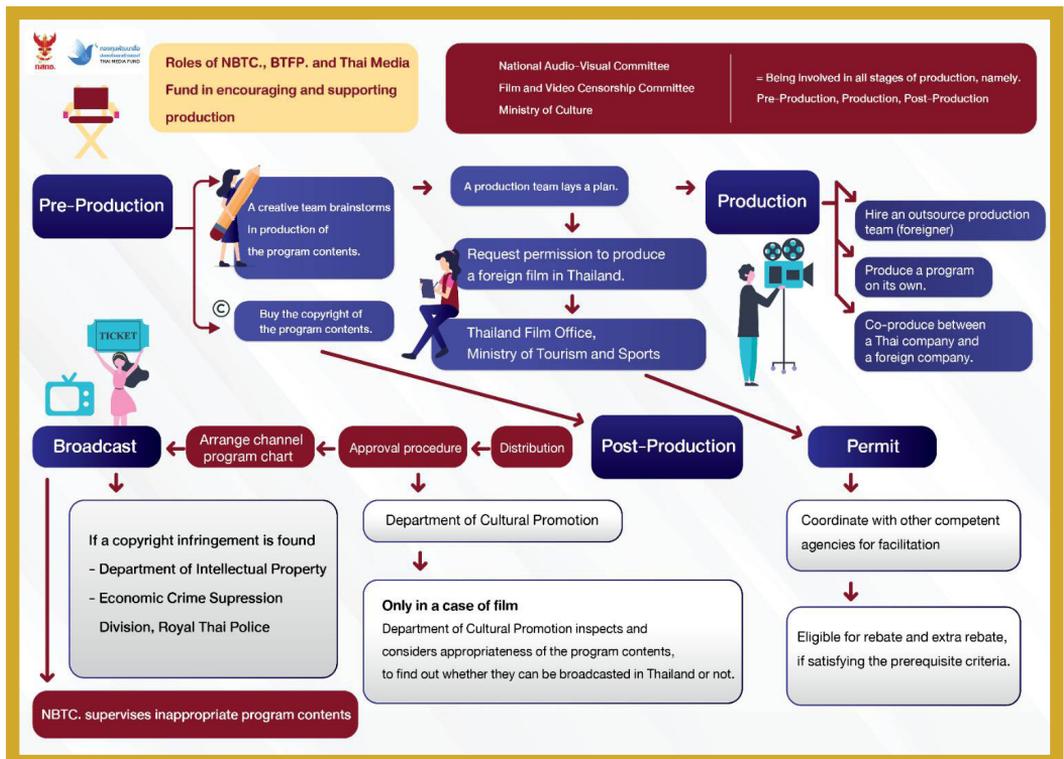


Diagram Summarizing Preproduction Stage, Production Stage to Post-production Stage

## 1. Preproduction Stage

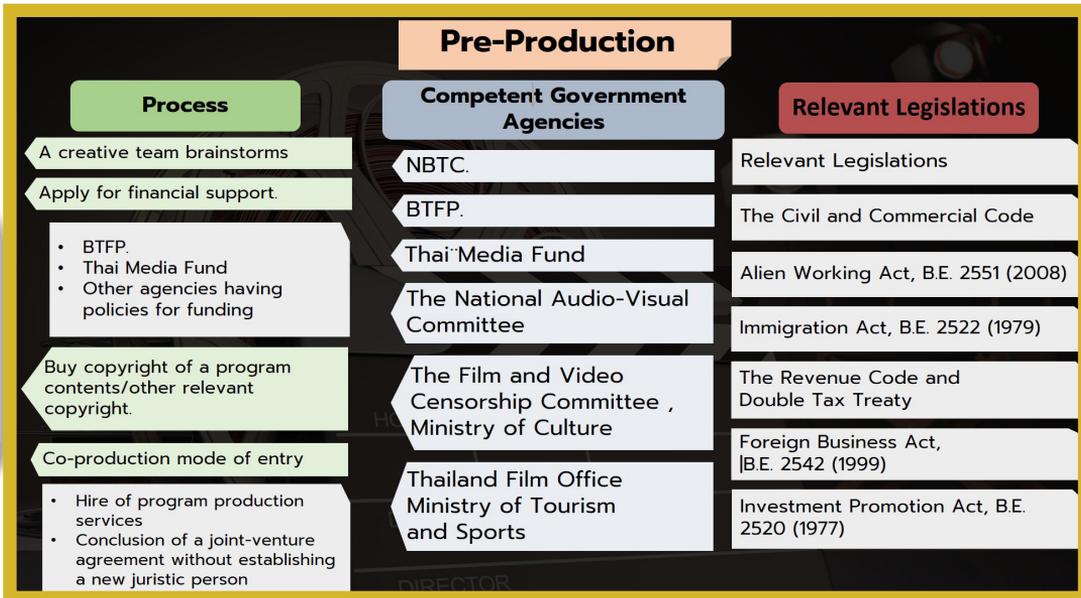


Diagram Displaying Operation Processes and Agencies Relating to the Preproduction Stage

From the diagram, it can be viewed that the preproduction stage begins when Thai and foreign content provider wish to jointly invest in television program production. They will mutually establish a creative team for brainstorming, in order to jointly produce the program. At this stage, if the team wants to obtain financing for the production, according to the study, it can request from at least 2 funds, whose policies show interest in promoting co-production. In the future, they should be followed up to find out whether they will provide opportunities for entrepreneurs to apply for financial support. They are Broadcasting and Telecommunications Research and Development Fund for Public Interest (BTFFP), Office of NBTC., and Thai Media Fund, or other competent agencies.

Thai Media Fund is a fund promoting and supporting production and development of various media. The Fund stipulates consideration criteria, as in the Regulation of Thai Media Fund, Regarding Criteria and Methods for Allocating Funds to Projects or Activities Relating to Development of Safe and Creative Media, B.E. 2560 (2017), being:

1. An applicant for the funds for production and development of the media must be a Thai individual or a juristic person registered in Thailand.
2. A production or development project must be consistent with policies and strategy relating to production and development of safe and creative media.

As such, content producers have opportunities to apply for financial support for Chapter 2

producing and developing media from Thai Media Fund. And in a case of co-production in Thailand, Thai content producers also have opportunities to apply for financial support for producing and developing media from the Fund, provided that projects eligible for the financial support must deal with subject matters upholding morality, ethics, cultures and security, and promoting creativity, learning and life skills of the people, especially children and youths, and encouraging the people to be harmonious and peacefully coexist in the society.<sup>4</sup>

Foreign content providers' co-production of films or television programs in Thailand can be categorized into 3 forms as follows:

1. Entry in a form of hire of services or lease of production site on a temporary basis;
2. Entry by jointly invest with Thai content providers, based on completion of projects, without establishing any new juristic persons;
3. Entry by jointly invest in establishment of new juristic persons as permanent presence,

provided that each mode of entry is governed by different legislations as follows:



<sup>4</sup> Thai Media Fund, "6-Month Periodic Report of Budget Year 2020" [on-line], accessed on the 13th of November 2020.  
Source: <http://www.thaimediafund.or.th/page/view/57/?p=1>

Mode of Entry 1 is eligible for various interesting support, whereas Ministry of Tourism and Sports takes the roles through Department of Tourism, stipulating criteria for applying for permit to produce films in Thailand, and measures for promoting production of film in Thailand. The key promotion measures include providing with privileges for joint-investment or co-production between Thai and foreign film producers, who can get refunds at the rate of 15 - 20 percent from the fund, in accordance with the criteria of foreign films, provided that the shareholding composition in the joint-investment is not restricted.<sup>5</sup> Hence, a scrutiny committee is established, being the Reimbursement Review Committee under the Thailand Film Incentive Measures<sup>6</sup>, under Notification of the Department of Tourism On Criteria, Methods and Conditions for Requesting Privileges Under the Thailand Film Incentive Measures, B.E. 2560 (2017), whereas persons eligible for the privileges comprise of:

1. A filmmaker who is granted permission to make a foreign film in the Kingdom under the Film and Video Act, B.E.2551 (2008), and who has contracted the services of a local coordinator registered with the Department of Tourism;

2. A foreign filmmaker, with whose definition is provided by the Notification as:

2.1 A company duly registered under the law of the foreign country, excluding a Thai company registered in a foreign country; or

2.2 A foreign company, whose shares are held by Thai individual or juristic person in the proportion of not exceeding 49 percent, excluding a company eligible under conditions of the Board of Investment;

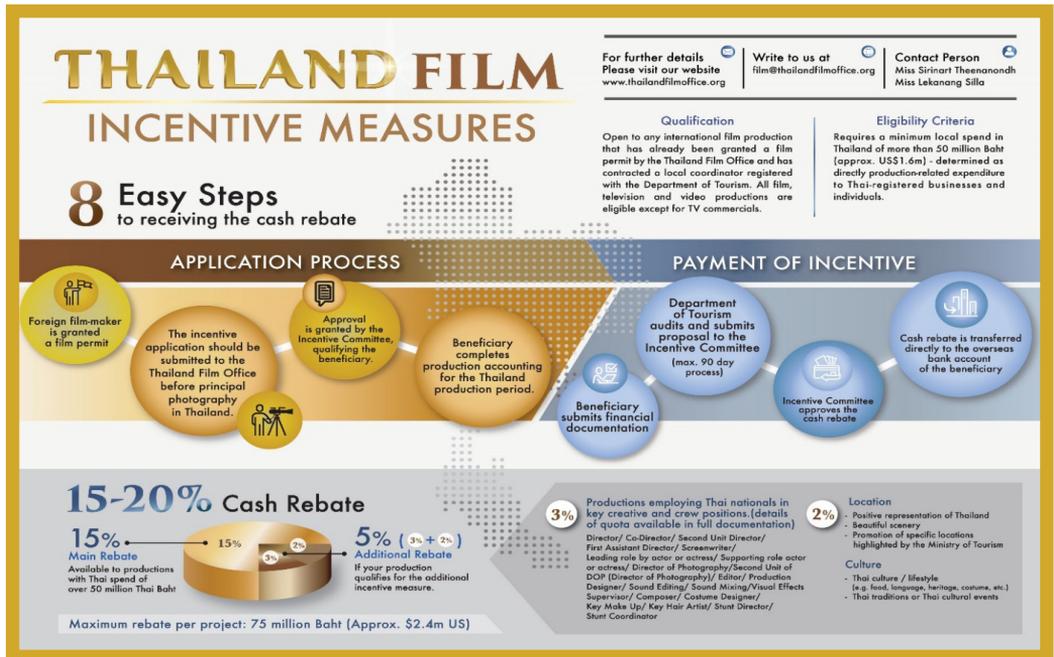
3. A filmmaker who is a foreign national with local spending of not less than 50 million baht from funds obtained from abroad, which has been paid exclusively to Thai individuals or Thai juristic persons, excluding expenses paid to foreign nationals working in Thailand on film production in the Kingdom in the type of film specified by the Department of Tourism;

4. Co-production between Thai and foreign film makers is eligible for requesting privileges under these measures in compliance with the criteria for foreign film production. There is no restriction on the co-production ratio of such film.

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<sup>5</sup> Article 3 (4) Notification of the Department of Tourism On Criteria, Methods and Conditions for Requesting Privileges Under the Thailand Film Incentive Measures, B.E. 2560

<sup>6</sup> Ibid.



In Modes of Entries 2 and 3, there are several legislations and government agencies regulating and supporting them, whereas:

### Mode of Entry 2

Entry by jointly invest with Thai content providers, based on completion of projects, without establishing any new juristic persons, for example, executing a business contract on joint-investment in co-production or executing a joint-venture contract, without registering a new juristic person, is a case where 2 investors or more assemble to implement an activity, agreeing to share profits and costs of the joint-investment, or by the proportion of the investment, as partners in specific project, whereas the relationship depends on agreements between all the investors, and responsibilities to third parties are contemplated under the contract on a case-by-case basis. Therefore, in principle, the legal relationship is governed by the laws on contract and partnership under the Civil and Commercial Code.

### Mode of Entry 3

Joint-investment by establishing the juristic person in Thailand as permanent presence is regulated by Department of Business Development, Ministry of Commerce, whereas the joint-investment is considered to be categorized into 2 forms as follows:

Form 1 Establishment of Juristic Person, in which foreigner holds the share in a smaller proportion than Thai national (a case where the foreign shareholding composition is not exceeding 49 percent of the total company's shares) In this case, the said company

is legally a Thai company, and deemed to be entitled to operate business similar to ordinary Thai national. As such, in a case of transnational joint-investment where the joint-investors want to enjoy privileges the same as Thai entrepreneurs, establishing business entities in this form is the most recommended.

Form 2 Established of Juristic Person, in which foreigner holds the share in a larger proportion than Thai national (a case where the foreign shareholding composition is at least 50 percent of the total company's shares) In this case, the said company is deemed to be established under Thai law, but does not have Thai nationality, and it is legally deemed to be a foreign company. As such, establishing entities in this form does not allow the juristic persons, who enter and operate joint-venture in Thailand, to enjoy any rights similar to Thai juristic persons. However, perhaps because, in the said joint-investment, the foreign investor contributes to the venture in a proportion larger than the Thai investor, resulting in the share holding composition necessarily being stipulated to reflect the actual investment proportions. Consequently, as the said company is a foreign juristic person, it is prohibited from operating business in Thailand, until it obtains a foreign business permit, for which must be applied from Department of Business Development, Ministry of Commerce. Under Foreign Business Act, B.E. 2542, the foreign business permit can be obtained through 2 following paths:

First Path - requesting for permit from Department of Business Development, Ministry of Commerce, to operate business, provided that the objective must be clearly stipulated that the company will operate any specific types of business, for example, to produce television program contents. Because television program content production is deemed to be controlled business in List 2 attached to the Act, permit must be obtained in the procedures prescribed by the law, in order to be applicable to the said juristic person.

Second Path - if the business to be invested in is under the criteria for enjoying investment promotion under the Investment Promotion Act, the said foreign juristic person can apply for privileges from the Board of Investment, also referred to as "BOI", whereas enjoyment of the said privileges is a ground, on which the juristic person can immediately apply for foreign business permit, along with other provided privileges, whose details are as follows:

Concerning about measures for investment promotion, the regulating agency is the Board of Investment (BOI), as an agency encouraging entries for investment in the country. Privileges relating to co-production are provided as follows, which will be beneficial to entrepreneurs in the film and television industry, both in Thailand and foreign countries, as

to be taken into consideration for investing. They are processes to be contemplated from the preproduction stage. The Board of Investment stipulate that the following business categories are eligible to enjoy privileges:

Business Category in Article 7.9.1.4 - comprising of activities implemented in industrial zones for motion picture production (Movie Towns), whose conditions for enjoying the privileges are to provide with facilities in the industrial zones for motion picture production, as follows:

1. Indoor and outdoor film and/or television program production studios (Indoor Studio and Outdoor Studio);

2. Post production services, e.g. film developing and duplicating, special effects, computer animation, sound lab for motion pictures,

provided that the promoted persons will enjoy exemption from corporate income tax for 5 years, exemption from duties on machine import, exemption from duties on raw materials of production for exports, and other non-tax privileges, such as visas for foreign personnel;

Business Category in Article 7.20 - comprising of activities of Thai motion picture production, whose conditions for enjoying the privileges are as follows:

1. Thai motion picture production shall include production of movies, documentaries or television programs, but does not include production of an advertisement;

2. Revenue exempt from tax shall include:

- ▶ Revenue obtained from the sale of copyright, including sale of motion pictures in other forms such as CD, video CD, DVD, etc.;

- ▶ Revenue obtained from a revenue sharing scheme from movie theaters and motion picture distributor,

provided that the promoted persons will enjoy exemption from corporate income tax for 5 years, exemption from duties on machine import, exemption from duties on raw materials of production for exports, and other non-tax privileges, such as visas for foreign personnel;

Business Category in Article 7.21 - comprising of Motion picture support services, whose conditions for enjoying the privileges are motion picture support services shall include documentaries, television programs, animation and commercials, that have a scope of business, as follows:

1. Rental services of movie production equipment and/or movie production props must have main equipment machinery, such as camera, grip equipment, light set, etc.;

2. Film development and duplication services must have main equipment/machinery, such as film development machine, film duplication machine, digital film duplication machine, etc.;

3. Sound recording services must have main equipment/machinery, such as digital sound recorder, digital sound editing machine, digital sound mixing machine, etc.;

4. Picture technical services must have machines and equipment capable of creating special pictures that are not possible with cameras. The service providers must have main equipment and machinery, such as standard definition/high definition digital recorders, editing suites, digital compositing and special effect creation, etc.;

5. Coordination services for foreign movie production in Thailand must include coordinating with related government agencies for permits, location scouting and sourcing of staff and movie equipment,

provided that the promoted persons will enjoy exemption from corporate income tax for 5 years, exemption from duties on machine import, exemption from duties on raw materials of production for exports, and other non-tax privileges, such as visas for foreign personnel.

## 2. Production Stage

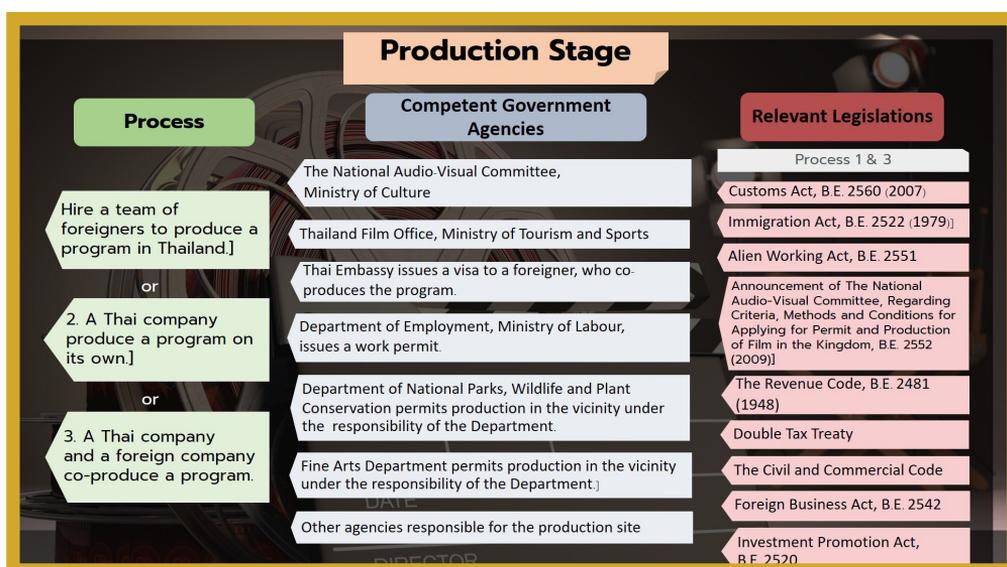


Diagram Displaying Processes and Agencies Relating to the Production Stage

The production stage begins upon a foreign team being hired to produce a program in Thailand, or a case where Thai entrepreneur produces an in-house program, or a case where Thai and foreign companies co-produce a program, whereas several competent government agencies regulating this stage comprise of:

the Film and Video Screening Committee - being the agency authorized to permit production of foreign motion pictures in Thailand, by virtue of Film and Video Act, B.E. 2551, Section 18, and Announcement of the National Audio-Visual Committee, Regarding Criteria, Methods and Conditions for Applying for Permit and Production of Film in the Kingdom, B.E. 2552;

Ministry of Culture - being the agency authorized to encourage transnational joint-investment, as well as production of motion pictures in Thailand, according to National Strategy 4 of Strategies of Film and Video Promotion, Phase III (2017-2021), whose tactics and approaches to implementing the strategies are as follows:<sup>7</sup>

1. Encouraging transnational co-production of film and video, including:

1.1 Encouraging formulation of plans for cooperation in development of film and video industry with foreign countries, by promoting cooperation in formulation of plans for development of Thai film and video industry with foreign countries, for example, specifying approaches to developing Thai film and video industry in collaboration with ASEAN countries, etc.;

1.2 Encouraging joint-investment in development of film and video industry with foreign countries, by negotiating and coordinating cooperation with film and video content providers in foreign countries, negotiating approaches to mutual cooperation, and formulating agreements on co-production in various forms;

2. Encouraging entries for film and video production in Thailand:

2.1 Promoting activities publicizing Thailand as production sites for foreign films;

2.2 Formulating measures for encouraging production of foreign films in Thailand;

2.3 Supporting amendment to relevant legislations, comprising of: Film and Video Act, B.E. 2551; Ministerial Regulation Regarding Permission and Operation of Video Shop Business, B.E. 2552, and Announcement of the National Audio-Visual Committee, Regarding Criteria, Methods and Conditions for Applying for Permit and Production of Film in the Kingdom, B.E. 2552, or any legislations supporting entries into investment in film production in Thailand;

<sup>7</sup> Ministry of Culture, "Strategies of Film and Video Promotion, Phase III (2017-2021)" [on-line], accessed on the 1st of May 2020. source: [https://www.mculture.go.th/mculture\\_th60/download/article/article\\_20161130090947.pdf](https://www.mculture.go.th/mculture_th60/download/article/article_20161130090947.pdf)

Thailand Film Office Ministry of Tourism & Sports is an agency providing with facilitation in a form of One-Stop Service, in order to facilitate foreign entrepreneurs, who want locations in Thailand to be filming sites through filming coordinators in Thailand. Department of Tourism stipulates qualifications of eligible applicants, as to avoid problems with disqualified agents.<sup>8</sup> Apart from this, Department of Tourism stipulates criteria for permission application for filming in Thailand, and promotion measures for production of foreign films in Thailand. That is to say - consideration for permission to produce firms in the Kingdom, which is authority of the Film and Video Screening Committee, under Section 18 (1) of Film and Video Act, B.E. 2551, whereas the criteria are prescribed in Sections 20 and 21.

Section 20 Any person wishing to produce a foreign film in the Kingdom shall submit an application for approval together with a screenplay, plot and summary of the film which will be produced to Department of Tourism (the Office of Tourism Development), and shall obtain approval from the Film and Video Censorship Committee and a State agency which is responsible for the location to be used for the production of the film under relevant laws.

The application and approval shall be in accordance with the rules, procedures and conditions prescribed by the Committee and published in the Government Gazette.

Section 21 The person having obtained approval under section 20 shall produce the film according to the screenplay and plot as well as conditions which have been approved by taking into account of a scene for shooting a dialogue and a location in order to make it suitable to the circumstances, state of society and environment.

Moreover, Announcement of the National Audio-Visual Committee, Regarding Criteria, Methods and Conditions for Applying for Permit and Production of Film in the Kingdom, B.E. 2552, is promulgated as guidelines for conducting the application processes.

And is permit is obtained from the National Audio-Visual Committee, Department of Tourism will further issue a letter to another competent agency, for convenience of the applicant.

In applying for permit to produce films and videos in Thailand, applicants must conduct the application processes through local coordinators, who are registered with Department of Tourism, and there are entrepreneurs, in both forms of juristic persons and individuals, operating.

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<sup>8</sup> Announcement of Department of Tourism, Regarding Criteria for Registering Coordinators of Production of Foreign Films in Thailand, B.E. 2560 (2017)

### 3. Post-Production Stage

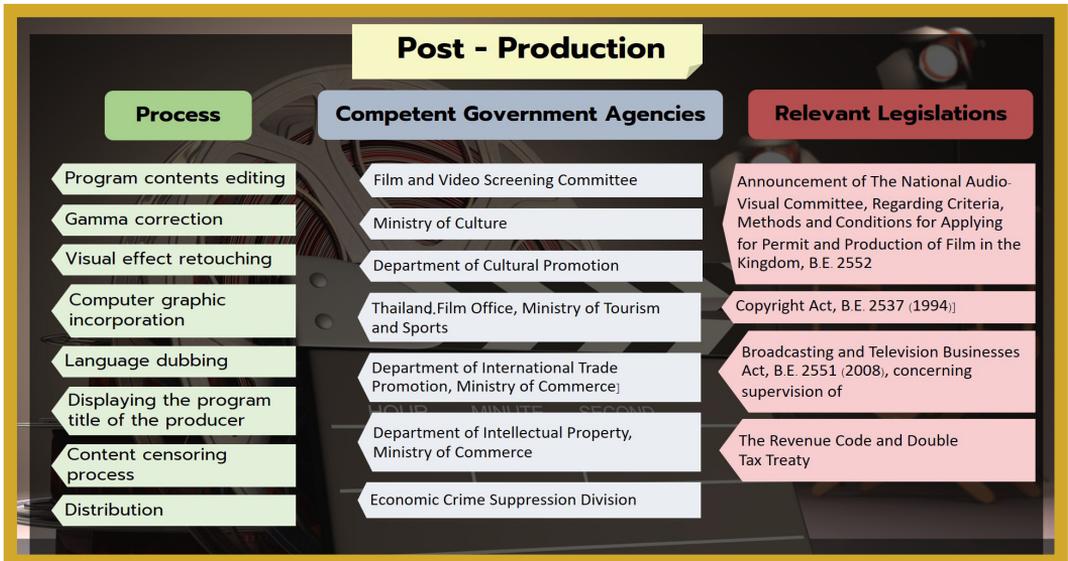


Diagram Displaying Processes and Agencies Relating to the Post-Production Stage

Processes of the post-production stage involves with program content editing, gamma correction visual effect retouching, computer graphic incorporation, language dubbing, displaying the program and producer's titles, content screening process, distribution, whereas the agencies competent in this stage are as follows:

1. the Film and Video Screening Committee responsible for contemplating co-produced programs to be displayed in Thailand, using a system of application for permit from the Film and Video Screening Committee, as such, co-production of programs to be displayed in Thailand must undergo the screening and permission processes from the Film and Video Screening Committee at first;<sup>9</sup>
2. Ministry of Culture providing with measures for promoting foreign films in Thailand, through promotion of foreign film production business, as well as foreign film and video post-production business, in Thailand, facilitation and provision with privileges, for example, providing with financial and tax incentives;
3. Department of Cultural Promotion being the agency responsible for cases of films, having the duty to inspect and contemplate appropriateness of the contents, as to find out whether or not they are suitable to be displayed in the country;
4. Thailand Film Office, Ministry of Tourism & Sports being the agency responsible for coordinating facilitation with other competent agencies, whereas, if co-production satisfies

<sup>9</sup> Section 47, Film and Video Act, B.E. 2551

the stipulated criteria or conditions, the co-production team is eligible for enjoying privileges of rebate and extra rebate;

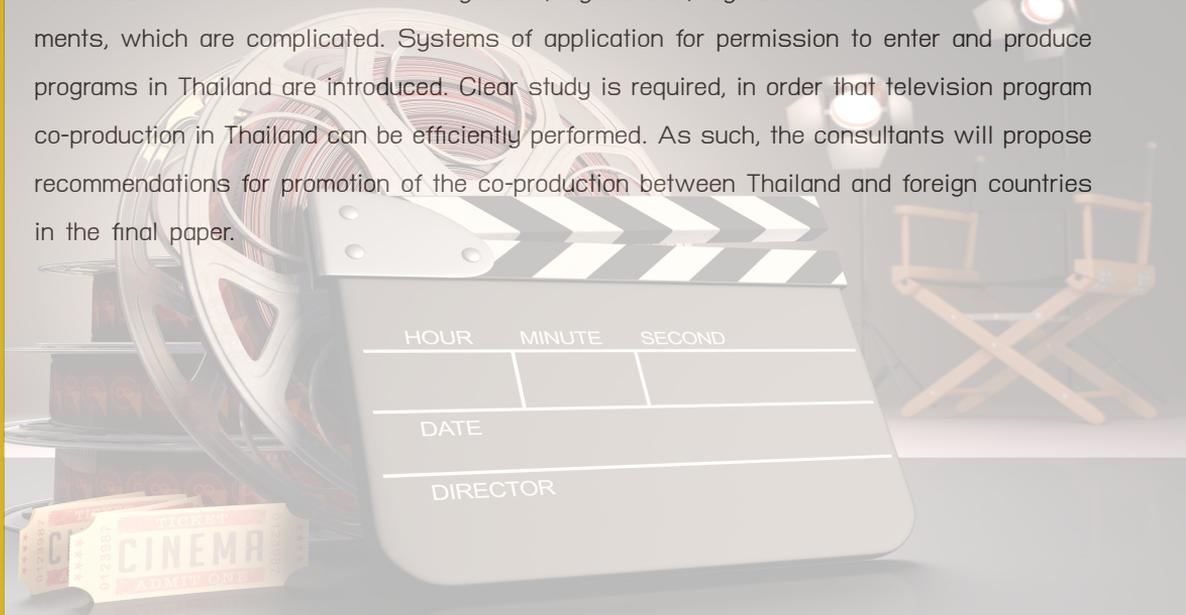
5. Department of International Trade Promotion, Ministry of Commerce being the agency cooperating with co-producers in encouraging the co-produced programs to be promoted and distributed in foreign countries, by displaying them in various festivals;

6. Department of Intellectual Property, Ministry of Commerce being an agency imposing punishments, if copyright infringement cases under Copyright Act, B.E. 2537, are found;

7. Economic Crime Suppression Division being an agency imposing punishments, if copyright infringement cases under Copyright Act, B.E. 2537, are found.

## Summary

Processes of and agencies competent in co-production between Thailand and foreign countries involve with a multitude of agencies, legislations, regulations and relevant announcements, which are complicated. Systems of application for permission to enter and produce programs in Thailand are introduced. Clear study is required, in order that television program co-production in Thailand can be efficiently performed. As such, the consultants will propose recommendations for promotion of the co-production between Thailand and foreign countries in the final paper.

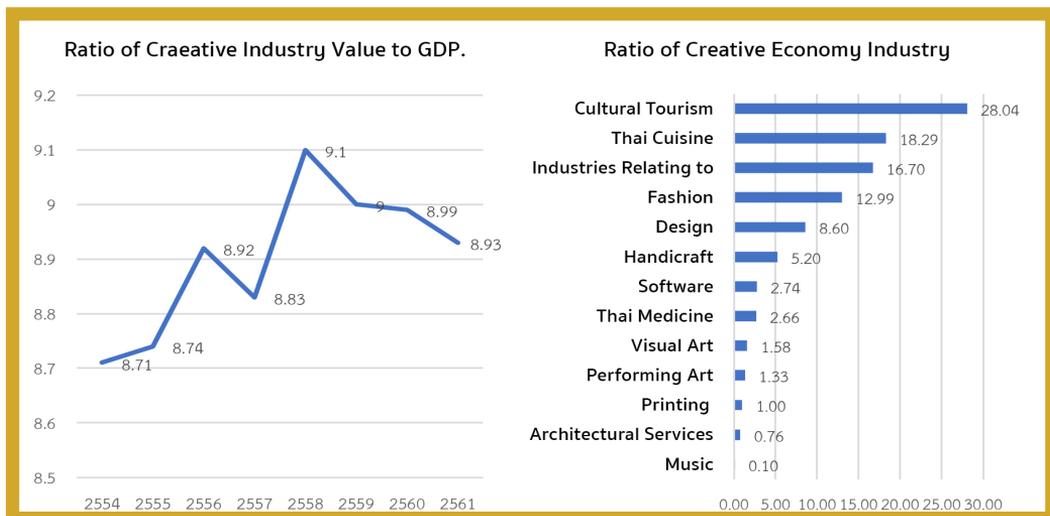


# Chapter 3

## Situations of Media and Competition in Television Business Operation in Thailand and Television Program Production in Thailand, in Which Co-Production is Required

### Overall Thai Economic Conditions and Thailand's Television Program Production

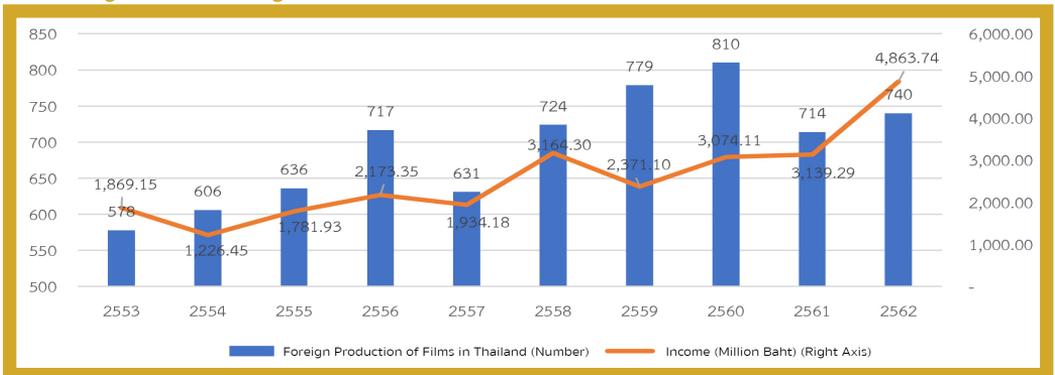
The Royal Thai Government prioritizes propelling the country to have a creative economy, or an economy driven by knowledge, study, creativity and utilization of intellectual properties, in relation to the society's cultural bases, accumulated knowledge and cutting-edge technological innovations. The government's encouragement is incorporated in the 20-Year National Strategies, A.D. 2018-2037, National Economic and Social Development Plans, Policies on Thailand 4.0, which propel the country's economy, using innovations and creative economic development plans. As the value of the creative economy is contemplated, from the data of Creative Economy Agency (Public Organization), which is the research data of 2018, it is found that the value of the creative economy was equivalent to 8.93 percent out of the country's GDP, or amounting the economic value of 1.46 Million Baht, whereas the television-related industries generated value added for the country in 2018 in the amount of 244,062 Million Baht, advertisement industry 208,803 Million Baht, broadcasting industry 32,838 Million Baht, and film industry 2,421 Million Baht, and these industries totally employed of 216,775 persons.



Source: Creative Economy Agency (Public Organization)

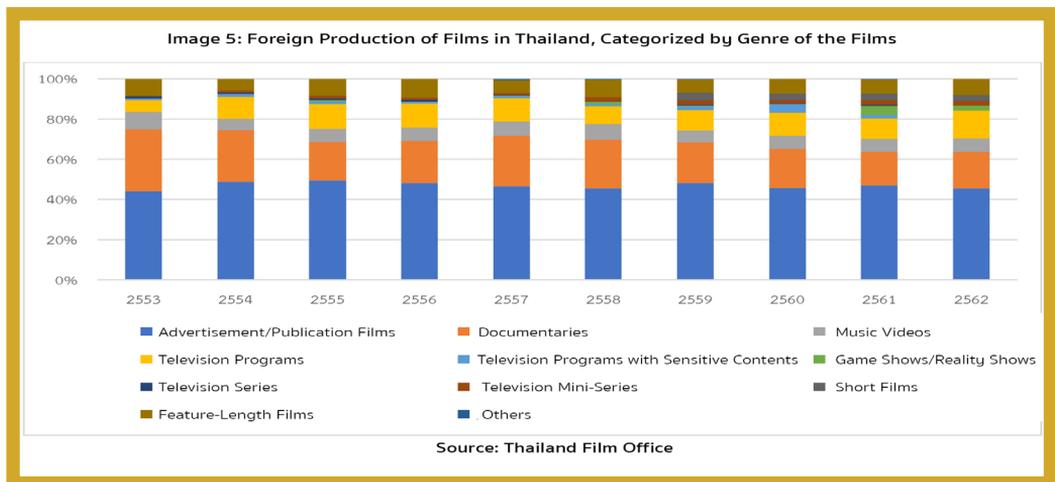
Moreover, this industry is considered a potential industry. Especially the fact that Thailand is the point of attraction for foreigners to come and shoot movies in Thailand. According to the Foreign Film and Video Affairs Division, Ministry of Tourism & Sports, it was found that foreigners were more likely to request permission to film in Thailand. More than 700 films in the last 5 years (2015-2019) generated income for the country in 2019 to 4,863.74 million baht, 2.6 times higher than in 2010. In Thailand, it was found that most of the advertisements were public relations with a proportion of more than 40 percent every year, followed by films, documentaries and feature films. The countries that took the most filming in 2019 were Japan, India, China, the United Kingdom, and the United States, respectively.

Figure 3.1 Foreign Production of Films in Thailand and Incomes



Source: Thailand Film Office

Figure 3.2 Foreign Production of Film in Thailand, Categorized by Genre of the Films



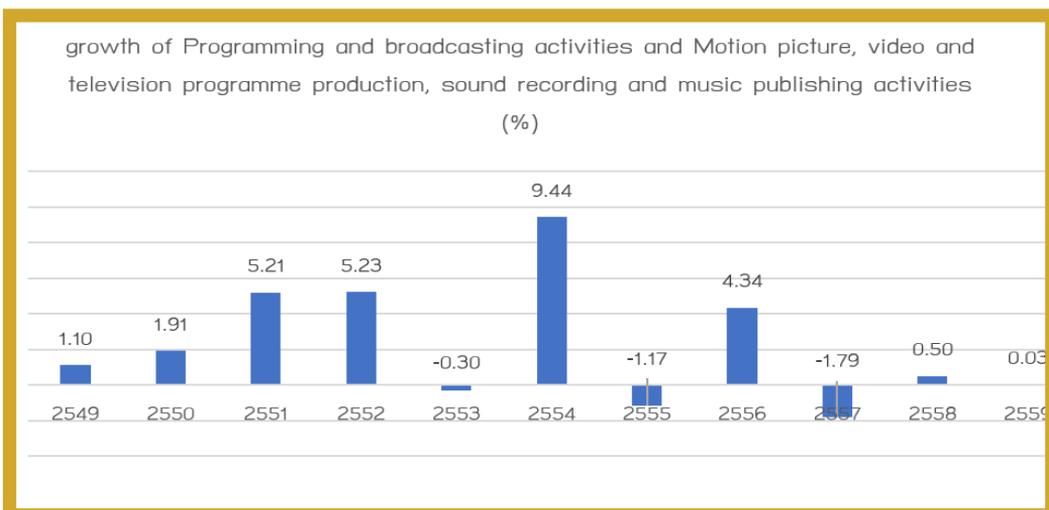
Source: Thailand Film Office

Table: Number of Foreign Entries for Production Fo Films in Thailand, during A.D. 2010-2019, Categorized by Countries of Origins

Country	2553	2554	2555	2556	2557	2558	2559	2560	2561	2562
Japan	123	113	149	140	133	119	117	141	112	111
India	128	170	125	150	107	125	124	110	111	105
Korea	41	47	33	29	22	34	42	40	35	38
China	22	33	24	30	37	48	65	75	57	75
America	22	35	27	33	26	42	47	53	46	47
England	12	22	32	41	37	45	40	60	57	54
Hong Kong	24	24	37	38	28	29	21	24	16	36
Australia	8	15	6	22	18	19	36	16	19	22
Taiwan	16	9	1	7	2	7	5	7	4	1
Europe	79	97	73	71	85	108	96	117	113	129
Others	103	104	129	156	136	148	186	167	144	122
Total	578	606	636	717	631	724	779	810	714	740

Source: Thailand Film Office

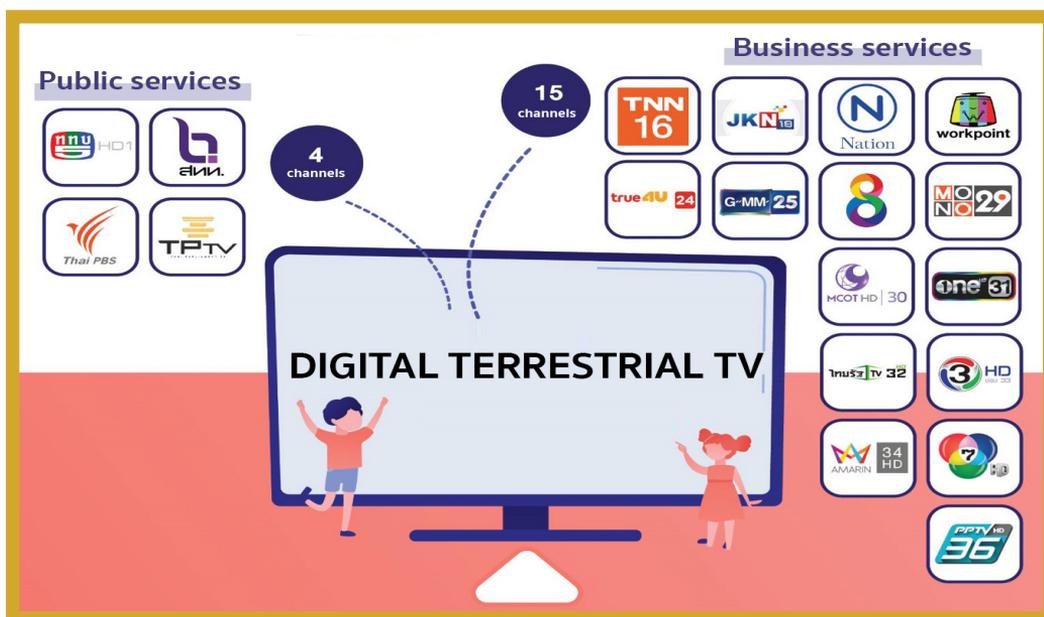
Figure 3.3 Foreign Production of Film in Thailand, Categorized by Genre of the Films



Source: The National Economic and Social Development Council (2020)

## Situations of Media and Competition in Television Business Operation in Thailand, Relating to Television Program Production

Television is still the most accessible medium for Thai people. Digital TV is considered the main media of Thailand. In 2021, operators providing digital terrestrial television services. There are 2 types of spectrum allocated by the NBTC: 1) 4 public service channels and 2) 15 business service channels. satellite television network and other online media that serve as a channel for bringing content from producers to the public eyes<sup>10</sup>



Nielsen has reported an overview of advertising spending in the period January - June 2021 found that in the first half of the year. The value of advertising spending in various media amounted to 53,640 million baht, an increase of 8% compared to the same period last year. In June alone, advertising spending was 8,674 million baht, an increase of 14%, with 'digital' still the medium with the highest ad spending growth. The growing medium is TV, which is valued at 32,097 Million Baht, increasing at 10 percent from the same interval of the previous year, Digital media 11.4 billion baht, an increase of 20%, cinema media 1,771 million baht, an increase of 6%, and in-store media of 333 million baht, an increase of 7%. Mobile media 4,935 million baht, a decrease of 8%, radio media 1,576 million baht, a decrease of 11%, and print media 1,528 million baht, a decrease of 13%.

<sup>10</sup> Office of NBTC, The Report on Competition Landscape and Competition Behaviors in Television Industry (2020) Thana Press Limited Company (2020)

Figure 3.4 Foreign Production of Film in Thailand, Categorized by Genre of the Films

Media spending (Million THB)	Y2016	Y2017	Y2018	Y2019	Y2020	JAN-JUN 2020	JAN-JUN 2021	%Growth JAN-JUN	JUN 2020	JUN 2021	%Growth JUN
TV	70,995	65,787	70,382	70,310	63,173	29,201	32,097	↑ +10%	4,440	5,308	↑ +20%
Internet (DAAT)	9,479	12,402	16,928	19,555	21,058	9,498	11,400	↑ +20%	1,583	1,900	↑ +20%
Outdoor & Transit	11,002	12,259	12,915	13,506	10,985	5,382	4,935	↓ -8%	741	760	↑ +3%
Cinema	5,445	6,816	7,383	8,838	4,395	1,672	1,771	↑ +6%	250	111	↓ -56%
Radio	5,263	4,476	4,802	4,741	3,602	1,766	1,576	↓ -11%	267	277	↑ +4%
Print	12,782	9,684	7,416	5,671	3,834	1,751	1,528	↓ -13%	284	271	↓ -5%
In-Store	703	946	1,060	1,040	674	312	333	↑ +7%	28	47	↑ +68%
<b>Total</b>	<b>115,669</b>	<b>112,370</b>	<b>120,886</b>	<b>123,661</b>	<b>107,721</b>	<b>49,582</b>	<b>53,640</b>	<b>↑ +8%</b>	<b>7,593</b>	<b>8,674</b>	<b>↑ +14%</b>

Source: Nielsen Advertising Information Service

Source: The National Economic and Social Development Council (2020)

It can be seen that the television market is still growing. Especially during the COVID-19 epidemic situation, more people stay at home and consume more media. just now TV content is not displayed solely on the traditional television screen. But more and more distributed on digital platforms through online media such as on mobile phones, tablets, computers and other digital devices. which the growth of various platforms It will increase the demand for program content as well. Therefore, the TV content production industry is something that has a future. in accordance with the saying that "Content is King".

# Chapter 4

## 1. Case study of cooperation between TV operators and TV content producers in Thailand and abroad (Showcase)

1.1 Co-producing content between companies Transformation Film from Thailand in collaboration with Mango Entertainment from China (เฮ้ย! ลูกเพ่ นี่ลูกพ่อ (My God Father!))

In 2020, True has done this by co-producing the movie “Hey! Look! Look! It’s My God Father!” in the form of Format Program, with 60% investment by China and 40% by Thailand and selling the format to the country. Various considered a great success. The film is based on the original content of China. The success factor is bringing famous foreign stars (Thailand) to play in the new version. Filming in Thailand can generate a Return of Investment (ROI) ratio of 76 percent, and there is also an opportunity to earn additional income from global screenings.

Cooperation with China by giving the Chinese side a majority stake. It is a strategy that will help bringing Thailand into the Chinese market more easily, for example exemption from foreign content quota; Content censorship.

Figure 4.1 : Film “เฮ้ย!ลูกเพ่ นี่ลูกพ่อ” (My God Father!), co-produced by Thai and Chinese companies



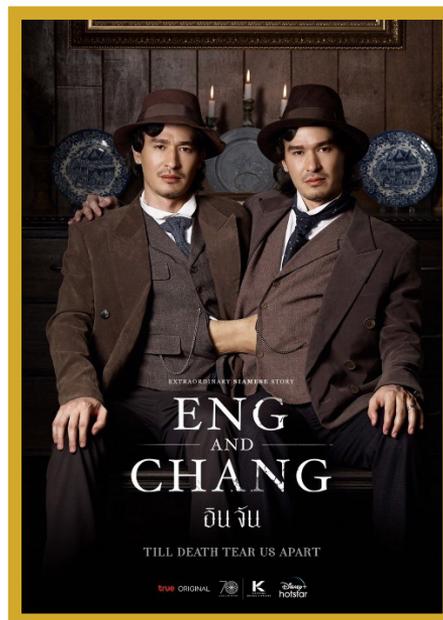
Source: <https://www.facebook.com/watch/?v=321976032239735>

Transformation Film is formed by the merger of four major alliances, namely M Pictures Entertainment PLC, TRUE Group, Bangkok Film Studio, and Matching Studio Plus, which have announced a joint venture to produce quality Thai films for both domestic and international markets. hoping to increase the market share of Thai movies with the strengths of the four partners in production distribution channel and a comprehensive content presentation channel Aiming to raise the standards of the Thai film industry both in terms of the quality of film production and the quality of personnel in the industry.

### 1.2 Series: “อินจัน” (Extraordinary Siamese Story: Eng and Chang)

The series “In Chan” has a length of 13 episodes, which True Group created specifically to penetrate the western market. Because Siamese Twins (Siamese Twin) In-Chan are twins that grow and are known in the United States. The Thai production team also had to write scripts in English in order to penetrate the western market, especially through OTT, the Disney Hotstar platform. Co-Production between TRUE Group by True Original, Kantana Motion Pictures and Disney<sup>11</sup> to produce Disney Original content using most of the filming locations in Kanchanaburi. It premiered on Disney+ Hotstar on the 30th of June 2021.

Figure 4.2 Series: “อินจัน” (Extraordinary Siamese Story: Eng and Chang)

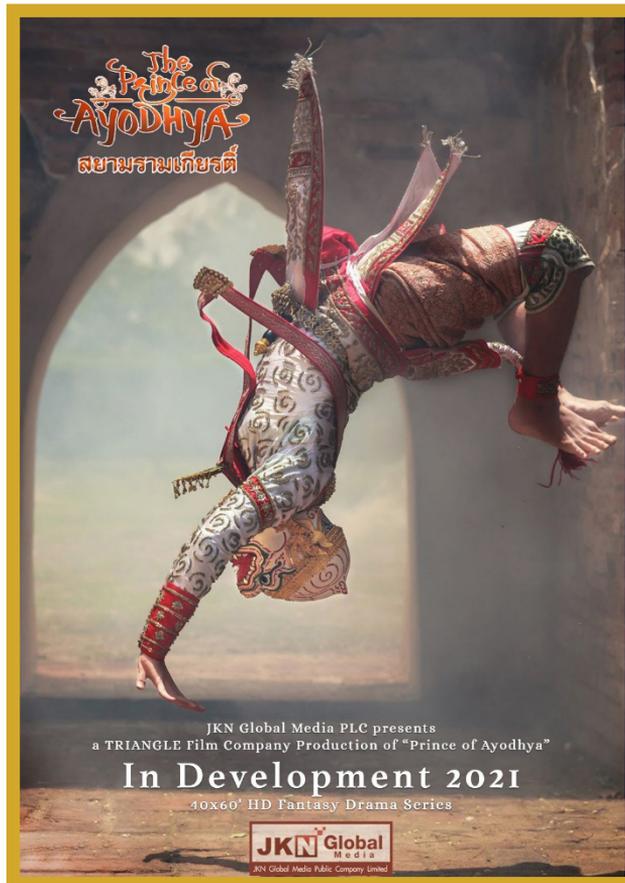


<sup>11</sup> Aran Nongpon, The First Poster of Eng and Chang: Disney+ Hotstar Original Series from <https://thestandard.co/extraordinary-siamese-story-eng-and-chang-on-disney-plus-hotstar>.

1.3 Co-production of program content between JKN of Thailand and Triangle Film Company of India. (Siam Ramayana)

JKN Global Media PLC. has co-produced program content with Triangle Film Company, an Indian series production company with a number of works such as Sidaram. 'Siam Ramayana' (The Prince of Ayodhya), with a budget of hundreds of millions, is a 40-episode Fantasy-Drama series, 60 minutes each episode, which JKN intends to be as great content as The Lord of the Rings in Asian Edition.

Figure 4.3: TV Series 'สยามรามเกียรติ์'



Source: <https://www.jknworldwide.com/the-prince-of-ayodhya/>

The Legend of Ayodhya ‘สยามรามเกียรติ์’ is considered to be one of the contents produced by JKN itself (Original) by JKN as all investors. The plot is taken from the royal writings of King Rama I in the Thai version. Content has been adjusted (adaptation) to connect with current events. (scriptwriter) is an Indian Use Indian actors with an international image with leading actors in Thailand and want a star who can speak English It was originally expected to be complete and ready for release in 2021, but it appears that the Covid-19 situation has delayed production.<sup>12</sup> JKN specializes in distributing finished content. program), so the distribution of the series This ‘Siam Ramayana’ is planned that the content will be sold in Thailand first and then sold to India and then go out to the international market by selling copyrights all over the world.



<sup>12</sup> Interview Chief Investment Officer (CIO)/Head of International Sales. JKN Global Media PLC.



# Chapter 5

# List of television operators or people related to industrial production Television with potential for co-production of television programs (Co - Production)

## Digital TV operators

### 1. BEC WORLD PUBLIC COMPANY LIMITED

3199 Maleenont Tower Floor B1, G, 2, 3, 8, 9, 10, 30-34 Rama 4 Rd., Klongton, Klongtoey. Bangkok 10110

Tel.: 0 2262 3333 Fax : 0 2004 1384

<p>1. Television Business Providing digital terrestrial television services. The national business service is operated by BEC - Multimedia Co., Ltd. (BECM), a subsidiary of the Company, currently broadcasting both informational and entertainment programs on Channel 33 HD in digital TV systems and online platforms.</p>	
<p>2. New media business BECi is an online platform. Operate in connection with digital businesses such as mobile applications, websites and social media.</p>	
<p>3. Production of variety content programs and promotional activities BEC World operates production Providing and distributing news programs Entertainment programs and documentaries to broadcast on the company's own television channel and sold to other companies including the distribution of copyrights for broadcasting abroad</p>	
<p>4. Procurement of entertainment activities, documentaries, including production and distribution Chandelier Music responsible for music production</p>	

### 2. GMM GRAMMY PUBLIC COMPANY LIMITED

50, Gmm Grammy Place, 36-38th Floor, Sukumvit 21 (Asoke) Road, Khlong Toei Nuea, Khet Watthana, Bangkok, 10110

Tel: 0 2669-9000 Fax: 0 2669-9009

The business operations of GMM Grammy Public Company Limited can be divided into 3 business groups: 1) core business 2) related business and 3) joint venture business as follows:

1. Core business group performed under the model “Total Music Business” (Total Music Business) from artist selection Music production, marketing, music copyright management Distribution of music products through physical and digital channels, organizing concerts and artist management business

1.1 Music Business

1.2 Artist management business

1.3 Showbiz Business

Organize concerts and music festivals The main income comes from ticket sales. Sponsor’s support and various activities organize a music festival

1.4 Other businesses Selling artist products Artist content production business for online channels rental business GMM Live House Concert Hall and GR Singing and Music Academy Business Vocal to expand and generate more revenue for the music business

2. Related business groups

2.1 Home shopping business is a business selling products through distribution channels 24 hours a day through channels An item called ‘O Shopping’

2.2 Movie business

Operated under GDH Five Five Nine Company Limited, a subsidiary company. with a goal Continuously produce quality movies and series to the market. in a variety of content different, but still retains its own style

2.3 Satellite television business

It is a business operated by the Company’s subsidiary, which operates 2 types of businesses, namely:

1. Satellite box distribution business Terrestrial digital TV set-top box Internet TV set-top box Products in the category of portable music player (Music Box) and MP3 Karaoke Microphone (Karaoke Microphone) to support the Company’s main business.

2. Satellite television media business Operate the business of free-to-air satellite television broadcasting via Thaicom satellite on the “Fan Music” channel.

3. Business groups from joint ventures

Currently, GMM Grammy Public Company Limited operates digital TV business. with business partners through investments in The One Enterprise Company Limited and GMM Channel Group Holding Company Limited (operates digital TV business, radio business, and content producer business)

## Digital TV Business

The One Enterprise Company Limited operates a digital television station business. High Definition (HD) general category channel under the name “Channel One 31” with the objective of creating quality content that has both substance. and entertainment to meet audiences of all genders All ages to aim for the goal of becoming a leading television station in Thailand (National Television), both dramas. variety show contest entry News programs and entertainment news

### 3. Workpoint Entertainment Public Company Limited

No. 99 Moo 2, Bang Phun Subdistrict, Mueang Pathum Thani District, Pathum Thani Province 12000

Tel: 0 2833 2000 Fax: 0 2833 2999

Workpoint Entertainment Public Company Limited operates the business of the Company and its affiliates. It can be divided into Main Businesses:

1. Television business Workpoint 23 is broadcast on digital television. It is a variety show.quiz shows, game shows and reality shows There are both self-developed items. Programs that have purchased copyrights, program formats, and rights of programs that are ready to broadcast (Finished Program), programs that are rented by outsiders, airtime, etc., and are distributed through online channels in full. on every platform

2. Theater and concert business The theater and concert business There have been many concerts and theatrical works. Both are performances from domestic and foreign actor groups.

3. Organizing business Workpoint provides a full range of event management services. In the past, it has been entrusted to organize many important events for both the public and private sectors.

4. Business of selling goods and services Products and services are sold under the company’s proprietary brand and consignment covers a wide range of products.

### 4. True Company

No. 18 True Tower, Ratchadaphisek Road Huai Khwang Subdistrict, Huai Khwang District, Bangkok 10310

Tel: 02 859 1111 Fax: 02 859 9134

True Corporation Public Company Limited is the pioneer and leader in convergence in Thailand. Providing a wide range of convergence platforms and devices, it offers a full range of telecommunication services and solutions. True’s core businesses are divided into 5 groups as follows:

<p>1. True Online landline service And additional services also include Internet and broadband services. Data Network Service and WE PCT Service TrueOnline is the largest fixed line service provider in Bangkok and its vicinity. basic telephone network True is the most advanced fiber optic network in Thailand. True Group is the country’s largest internet and broadband service provider. as well as being a major service provider in the business of transmitting and receiving data and provide additional services For general and business customers</p>	
<p>2. True Move Provide innovative services and wireless communication systems. on the 1800 MHz frequency band through a state-of-the-art and high-quality service model across the country.</p>	
<p>3. True Visions Lead in the service of subscription television. which serves all over the country via digital satellite and through the cable network</p>	
<p>4. True Money Providing electronic prepaid cards and being an agent for payment of goods and services of both products and services of True Group. and other services including payment of services to merchants who transact through e-commerce systems</p>	
<p>5. True Life Provide digital content services and it is a channel that makes it possible to reach the mobile phone community and the online community. It is also a medium for consumer-to-consumer transactions. business to consumers and business to business</p>	

**5. KN Global Media Public Company Limited**

Borommaratchachonnani Rd, Tambon Song Khanong, Amphoe Sam Phran, Chang Wat Nakhon Pathom 73210  
 Tel.: 034-310569

JKN Global Media Company has affiliated companies which are:

<p>1. JKN TV Company</p> <p>It is a TV channel broadcasting via cable and satellite TV. It is a program that focuses on Asian Fantasy, Hollywood Hits and Super Show and is also the organizer of the biggest events in Thailand.</p>	
<p>2. JKN News Company</p> <p>Producing news programs broadcast on television channels</p>	
<p>3. JKN Worldwide Company</p> <p>Producing movies, Thai and Indian drama series Lifestyle and LGBTQ categories</p>	
<p>4. JKN IMC</p> <p>Responsible for marketing and purchasing of integrated media</p>	
<p>5. JKN Landmark</p> <p>It is a collection of places that create emotional aesthetics, entertainment sources, and content centers from all over the world.</p>	

### 6. MCOT Public Company Limited

MCOT Public Company Limited (MCOT.) State enterprises under the Office of the Prime Minister Registered as a public limited company on August 17, 2004 with the mission of mass communication business. MCOT Plc. television business Radio broadcasting business, Thai news agency, and services of facilities and digital terrestrial television broadcasting networks. Under the joint venture agreement, Bangkok Entertainment Company Limited operates the television transmission business, Thai color TV, Channel 3, and True Visions Cable Public Company Limited operates the subscription television service. As for the television business, Channel 9 MCOT HD is a digital television channel in the category of business services. General category in High Definition (HD) No. 30 broadcasting signal 24 hours through the national digital terrestrial frequency television network of MCOT Public Company Limited, 39 main stations and no less than 129 additional stations covering all areas of Thailand and distributed on other digital platforms such as Streaming, Line TV, as well as selling finished programs of MCOT. to the international program market and in

2020, MCOT has an important strategy, which is to do Co-Production with international program producer partners. It is a joint production between Channel 9 MCOT HD No. 30 and Japan International Broadcasting Inc. (JIB), Japan. with new travel programs of two ages Cooperating with China Media group and CCTV in China, as well as investing in co-production with Netflix, which will create more interesting quality programming content.

## 7. hai PBS

45 Vibhavadi Rangsit Rd, Khwaeng Talat Bang Khen, Khet Lak Si, Bangkok 10210  
Tel.: 0 2790 2000 Fax: 0 2790 2020

Thai PBS is a public television station. carry out production Providing quality and standard news, knowledge, and entertainment services. According to the ethical regulations of the Thai Public Broadcasting Service as Thailand's first non-profit public media organization for dissemination through all kinds of media. By taking public interest and value for money, Thai PBS broadcasts on Digital TV Channel No. 3 and on satellite TV channels. including new media on various platforms, including social media platforms via application Thai PBS (Thai PBS Application) and OTT (VIPA.me). During the past covid-19 outbreak situation at the beginning of 2020, Thai PBS has also set up a learning television channel ALTV (Active Learning Television), digital TV channel number 4, which started broadcasting on July 1, 2020

Thai PBS has experience in cooperation with various international organizations. both co-producing (Co-Production), exchange programs, joint venture (Joint Venture), and work with media organizations or international media organizations such as Korea Educational Broadcasting System (EBS TV), South Korea, Taiwan Public Television Service (PTS), Taiwan. and exchange programs between member countries of the Asia Pacific Broadcasting Union (ABU).

### Program Content Producers and distributors

#### 1. ZENSE Entertainment Co., Ltd.

600/1-3 B-Square Rama IX - Meng Jai Village, Saha Kan Pramun Alley, Khwaeng Wang Thonglang, Khet Wang Thonglang, Bangkok 10310

Tel.: 0 2530 8111, 0 2530 8222

Fax: 0 2530 8133, 0 2530 8136, 0 2530 8146

Zense Entertainment Company Limited) is a leading content producer in Thailand. has cooperated with leading international program producers to develop and produce new programs a variety of styles Both TV shows that are invented and produced by themselves. and leading foreign format TV programs They also send the format of the items that are thought and produced by themselves for distribution abroad. It is a company that has outstanding experience in co-production with foreign countries in a variety of formats.

Examples of programs produced by Sense Entertainment Co., Ltd. are:



## 2. GDH 559 Co., Ltd.

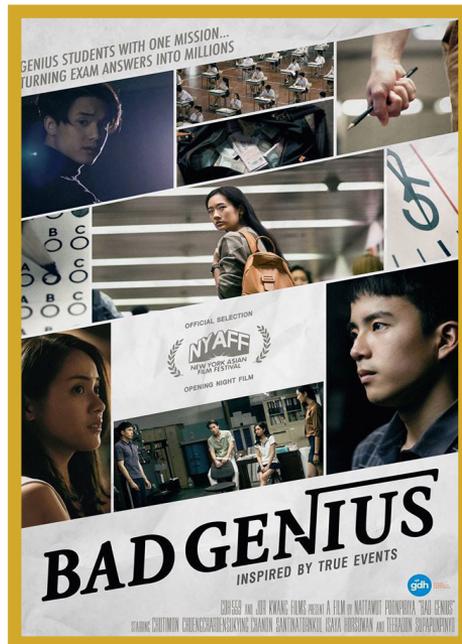
92/11 Soi Sukhumvit 31, Khwaeng Khlong Tan Nuea, Khet Watthana, Bangkok 10110

Tel.: 02-662-3404

Fax: 02-662-3405

GDH 559 Co., Ltd. is a Thai film production and distribution company that is a collaboration of GMM Grammy Public Company Limited and Hub Ho Hin Bangkok Company Limited. Received high popularity in many stories both at home and abroad, such as smart games, cheating, which can earn in China over 200 million yuan or 1 billion baht, and is also popular in other countries such as South Korea, Japan, Hong Kong, Cambodia, Laos, Vietnam, the Philippines. On June 30, 2017, Smart Game Cheat was selected to be screened as the opening film of the 16th New York Asian Film Festival, being the first Southeast Asian film to receive this honor. GDH is also active in producing variety shows. and dramas that are highly popular with viewers as well.

Figure 5.1 Poster of the Film “Bad Genius (ฉลาดเกมส์โกง) in the 16th New York Asian Film Festival



In the year 2020, GDH Group has created Business Comprehensive Model Covering from content production including movies, series and online content – production – artist creation and management – Marcom Agency planning marketing communication strategies – public relations events, and purchasing advertising media for them. with both affiliated companies and their own customers, which have both companies that are already in operation And new companies can synergy work together to create a variety of income sources. and long-term growth which consists of

- GDH 559 producing feature films – series;
- Nadao Bangkok Co., Ltd. produces, produces series - movies, manages artists and opens Na Dao Music to create music content in particular;
- Sawasdee Taweasuk Company Taking care of making key art pieces;
- Siang Dee Thaweasuk Company Take care of sound mixing;
- Ngan Dee Taweasuk, taking care of PR events;
- Nam Nai Mai Ngam Company Oversee the planning of communication strategies. and creative content To promote work in the GDH group together as well as accepting work from outside customers.

In 2020, GDH has driven the business. Enter the era of “Diversify” and “Collaboration” because besides producing content has expanded cooperation with many partners and partners Both as a Video Streaming platform and joint ventures with foreign countries such as WeTv, Viu and world-class apps like Netflix that focus on buying Thai movie content. and promote the movie fully In addition to the above, there are also LINE TV, Hooq, AIS PLAY and others. In addition, in 2020, there are also apps New iQiYi from China that will open a hub in Thailand as well Which will give the audience more choices. which GDH strives to bring content to all platforms.

### 3. Nadao Bangkok Co., Ltd.

92/14 Thawi Suk Alley (Soi Sawatdi), Sukhumvit 31, Klong Ton Nuea, Wattana, Bangkok 10110

Tel.: 08 0167 5601

Nadao Bangkok Co., Ltd. is a television program production, film production company and actor recruiting company. It is currently a subsidiary of GDH. Five Five Nine because GDH grew up on the foundation of being a movie content producer while Na Dao started out as an artist management company. By using the model to make a production “series” to develop artists together. Starting from contract manufacturing Until now, he is an investor who produces himself. The first era of “Na Dao Bangkok” is also a contract production company. The first is the “hormone series” produced for cable TV of GMM Group. has informed the birth of many new actors Therefore, it is a testament to the success of the production model to develop artists. At the same time, it produces content for the Video Streaming platform, the first platform to be a partner is “LINE TV”, open to making Original Content different from general TV channels. Then in 2018, “Nadao Bangkok” has moved towards investing in content creation itself Starting with the story “Blood is thick, people fade” broadcast on Channel One and reruns on LINE TV in 2019, creating content for the drama “My Ambulance. Love to Hurt Mr. Emergency” that has created a popular trend, both the series - music and C. “GREATMEN ACADEMY” series

### 4. Kantana Group Public Co., Ltd.

333/3 Ratchada Niwet 19 Alley, Khwaeng Samsen Nok, Khet Huai Khwang, Bangkok 10310

Tel.: 0 2275 0046

Fax: 0 2274 2054

E-mail: [webmaster@kantana.co.th](mailto:webmaster@kantana.co.th)

Kantana Group Public Co., Ltd. operates a full-service business. including advertising time sales, marketing, program production, equipment rental services, and production locations. Being a consultant in the management of television stations in foreign countries, management of satellite and cable television stations. and broadcasting, digital system in all media or All Media Platform. and create a list The country's largest television Covering all kinds of programs such as dramas, documentaries, programs for children and youth, reality programs and produce advertisements for various program production companies and television channels with digital Standard quality supports full HD-High Definition system. Kantana Group Public Co., Ltd. has affiliated businesses as follows:

#### 1. Content Business Line

1.1 Kantana Media and Marketing Company Limited Management of sales, advertising time and marketing promotion. Organize promotional and public relations activities through the Top Rating program on digital TV channels Popular Satellite TV Channels and online channels on various platforms and through social media communication

1.2 Kantana Evolution Company Limited Buy a good license The highest rating from the country to create a typical Thai style, coupled with the production of a television drama from a great script including television programs in various styles which emphasize novelty, modernity and creativity in style of the new generation;

#### 1.3 Kantana Movie Town

Producing more than 240 hours of TV dramas per year, which is constantly gaining popularity with audiences. With a lot of feedback and achievement awards, Kantana Movie Town is one of the largest outdoor studios. On an area of over 600 rai, which supports work at all levels under the concept of "Green Entertainment" with various scenes which is an outstanding architecture in many forms which has received a world-class architecture award as well as the location and equipment for filming a reality show Surrounded by natural conditions that can be used for filming and props and costumes of various eras Equipment for filming in HD (High Definition) and the support team at every step. from the stage of production preparation (Pre-Production) production (Production) until the stage after production (Post-Production) in a comprehensive way

#### 1.4 Kantana Motion Pictures

Producing films by Kantana's new blood outstanding with content and presentation techniques and also works in other genres such as short films, commercials, music videos, dramas, series, documentaries and television shows. in a new, modern style

Support working for customers both domestically and internationally, from Pre-Production to Post-Production.

#### 1.6 Major Kantana Broadcasting Co., Ltd.

Cooperation between Major Cineplex Group Co., Ltd. - a leader in the film industry, and Kanata Group Public Co., Ltd. - a leader in the television industry,

This channel was established as a television station that offers entertainment in the form of movies 24 hours a day, with a variety of movies from all Thai and international camps. Complemented by various programs and activities with viewers regularly, Major Kantana Broadcasting Company Limited has collaborated with Turner International Asia Pacific Company Limited to operate the Boomerang Thailand channel (Boomerang Thailand). TV station cartoons of thailand Broadcasting a full Thai version to jointly create entertainment for the family

#### 1.6 Saradee Co., Ltd.

Being hired for producing production programs, thereby focusing on news documentaries to expose the truth in society.

### 2. Production Service Business Line

Business movie production and distribution services for films and animation films that are leading in the country. and is the leader in providing the most modern and comprehensive film and commercial filming services in the region. It covers the entire business of production preparation. (Preproduction), production (Production) and advanced post-production (Hi-end Postproduction) for movies. and commercial movies both domestically and internationally including the rental of tools, equipment, studios at world-class standards and coordinating the production of movies that support work both in the country and abroad Under subsidiaries are Kantana Japan, Kantana Sound Studio Co., Ltd., Kantana Animation Studio Co., Ltd., Kantana Production Service Co., Ltd., Kantana Post Pro. Duction (Vietnam) Co., Ltd. and Kantana Post Production (Thailand) Co., Ltd.

### 3. Educational Business Line

Kantana Edutainment Company (International) Co., Ltd. operates educational business management with Kantana Institute, which is a specialized institute, offers bachelor's degrees. Bachelor of Fine Arts Program and Master of Arts Program Master of Arts Program Entertainment Media Management as well as providing academic services and organizing training courses on entertainment media production for government and private agencies.

## New Business Line

Carrying out other business-related tasks in terms of organizing activities and government relations activities with government and private agencies including marketing activities business Promotion and public relations for related businesses Its subsidiaries are Kantana Sport and Entertainment Co., Ltd. and K. Precast Construction Co., Ltd.

### 5. TV Burabha Co., Ltd.

TV Burabha Co., Ltd.

246/8 Soi Yotin Pattana, Klongjan, Bangkok, Bangkok 10240

Tel.: 0 2158 6122

Fax: 0 2158 6141

TV Burabha is a television production company. that aims to create quality work with the intention to create a good society Each television program format of TV Burapha has a primary purpose. The contents of each item must be through the process of creativity, thinking and production for maximum benefit to the audience whether it is an extension of knowledge, ideas, society, morals and ethics In addition, TV Burapha continues to conduct social activities. To promote, honor, honor those who do. public good and be an inspiration to others. including other activities that will be beneficial to society In addition to the production of the show TV Burapha also offers equipment rental, equipment, on and off site recording, advertising, events, concerts and live events.

TV Burapha has many famous works such as people search people. List of frogs outside the shell Currently, there are many programs broadcasting on digital TV channels.

### Over-the-Top TV (OTT TV) Service Providers

#### 1. Tencent (Thailand) Co., Ltd.

8 T One Building, 10th, 11th and 12th Floor (Unit 3-5 Soi Hemwong, Phra Khanong, Khlong Toei, Bangkok 10110

Tel.: 0 2833 3000

Fax: 0 2833 3113

Tencent (Thailand) Co., Ltd., develop services on the Internet that is versatile and complete Create an ecosystem of information, entertainment, and be an important cog for trade partners to expand business growth together. ready to support the transition of Thai society to a digital society with the following business groups:

## News & Portal

### 1.1 Sanook.com

a leading website that presents information that is both informative and entertaining. Covering all lifestyles of Thai society Sanook.com has more than 20 channels to present content. Have fun! Applications to be downloaded and used easily, both iOS and Android systems to increase accessibility. And there are also 24-hour updates via all social media channels



### 1.2 NoozUp

an application that offers a variety of interesting news, information, entertainment, updated in real time. Get notified of breaking news, important issues, easy to use with a beautiful design.



## Entertainment & Media

### 2.1 JOOX

music streaming application It is a platform that connects users to their favorite artists, hit songs, popular albums and can also create personal playlists. from the songs that the team recommends including JOOX radio stations that suit your taste and emotions in each moment as well



### 2.2 Tencent Games

a game developer and a world-class game provider. and is the largest online gaming community provider in China. Offers a large number of quality online gaming products. variety of platforms The online games provided by Tencent Games are all carefully selected in terms of content and quality. Both in the form of development with the company's internal game studio. and cooperate with partners to launch games in various formats around the world



### 2.3 WeTV

WeTV is a video streaming application. Asian entertainment center, Chinese series, Korean series retro thai drama Focus on a variety of entertainment such as series, anime and leading variety shows. There are leading Chinese series from Tencent Video to watch. There is also a Thai retrospective drama from Channel One31 throughout the year and also collaborating with Thai creators to create WeTV Original Series, including smart games, cheat the Series, Hundreds of tricks and many more.



## Service

<p>3.1 Media &amp; Advertising</p> <p>Tencent's Media &amp; Advertising business uses the Sanook.com platform and website. Which is the number 1 website in Thailand and Tencent is also a service provider in all forms of advertising as well.</p>	
<p>3.2 Top Space</p> <p>Providing website development services that support all kinds of devices. to social media management With a team of source with experience.</p>	

### 1. Tencent Cloud

Provide cloud service that users can choose to use software and computer resources of service providers to use. The service provider is the network administrator for users to be open, stable and efficient. safe and reliable Guaranteed service with more than one billion monthly active users.

### 2. Netflix

Netflix is a multinational provider of subscription streaming media on the world's most popular OTT (Over-the-top) platform. including in Thailand Subscribers can watch TV shows and movies on any internet-connected device without commercials. You can also download TV shows and movies to your iOS, Android or Windows 10 device and watch them without an internet connection.

# NETFLIX

### 3. Viu

Viu is the premier OTT video streaming service provider from Hong Kong-based giant PCCW Media Group (PCCW Media). Has the most copyright from Korea, Thailand, Japan, Hong Kong, with the fastest Thai subtitles, available in 16 countries, including Hong Kong, Singapore, Malaysia, Indonesia, Philippines, Thailand, Myanmar and the Middle East, including Bahrain, Egypt, Jordan, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates including South Africa Managed by PCCW Media Group, which has more than 41 million users.

In addition to importing series and variety shows from all over Asia for Thai audiences to follow, Viu is also committed to producing Viu's original series (Vue) connected. with social stories and local culture The latest is collaborating with partners like AIS PLAY,

a Streaming Service Provider, to jointly develop original content series for the region. And it's the first time AIS Play joins with regional OTT video streaming service providers to develop content to reach more audiences, starting with 2 stories: My Bubble Tea, Wan Noi Rak 100 % and Voice in the Rain according to a model called Viu Original.



#### 4. LINE TV

LINE TV is a website and application that offers video on demand services with no monthly or annual subscription fees. Developed by LINE Corporation of Japan and launched in Thailand for the first time on October 28th, 2014, users can watch various content free of charge. LINE TV earns revenue from advertising sales. LINE TV focuses on content production in 3 main areas: content. Rerun, Original Content and music content In collaboration with 161 content producer partners, LINE TV has been the number one content rerun platform among Thai people for many years in a row.

LINE TV aims to reach all Thai people and has plans to expand into a “Trading Platform” or Commerce Platform in 2020 and achieve the goal of “No. 1 Online TV” in 2021. give a lot But one of the hearts that makes LINE TV’s viewership growing is LINE TV Original Content, which has statistics showing that the number of viewers of LINE TV Original Content per story has increased up to 32% from 2018-2019 and continues to create Original Content. continue to continue to meet the needs of the audience.<sup>13</sup>



# LINE TV

<sup>13</sup> The Standard, Summary of Line Today and Line TV and their Targets Retrieved 5 January 2021 from <https://the-standard.co/line-explosion-2020/>

## Questions and Answers

### Questions

1. What kinds of issues that producers in Thailand should develop for the benefit of co-producing in the future?

### Answers

Proposal development because manufacturers in Thailand are familiar with working with TV stations in Thailand. and marketing only in Thailand and accustomed to being directed by executives from television stations who only understand their own market Therefore, the problem of Thai producers really That is, how to create a Proposal that international companies will see the strengths and good points of Proposal This is very important because Production Houses in Thailand do not have expertise in this field.

Network building or connection doing business with foreigners The important issue is knowing which companies have potential and sincere in working with them. Invest in quality Not only profits

### Questions

2. How does the current situation of the coronavirus epidemic affect the distribution of program contents?

### Answers

Each content has a clear target audience, such as some movies that were originally planned to be released in theaters but because of the Covid-19 pandemic situation Therefore, it has been changed to Premier on OTT Platform, which is a change of plans in the middle of the road. but has been very successful in terms of broadcasting through OTT that is Premier, when looking at the current situation. Entrepreneurs must be resourceful. read the situation Read the state of the economy. and the condition of consumers Dynamic decision making is required. And should not stick to the old style of the window strategy, which is the dissemination of program content. which channel was published before or after which at present There have been a lot of changes when following Social Media, the trend of viewing through the OTT Platform, which results in the opening of foreign markets as well. Because the international market will keep an eye on the trends that occur in Social Media as the main decision to watch. This shows that the international market is keeping an eye on the content of Thailand's programs and the resulting trend has increased the value of the program content. become a new phenomenon.

### Questions

What is the strength, if countries in Asia countries co-produce program contents?

### Answers

1. Asian countries are similar in culture and content preferences.
2. Asian countries use more social media
3. Asian countries have mutual recognition.
4. Asian countries can work together to boost tourism in Asian countries.
5. If Asian countries co-produce the program together, they will benefit from the price.
6. Traveling between Asian countries doesn't take long, no more than 6 hours.
7. Asian countries have a population of more than 4 billion people.

### Questions

What are the factors that business operators should consider in selecting elements of program content for co-producing program contents?

### Answers

#### Casting Actors for Production

The choice of actors is a key element in capturing the audience's attention. Able to create marketing content streams There are two principles in casting the leading actors in a story: the first is the selection of famous actors or influencers who are considered influential actors, making it easy to create a trend in marketing content. 2 Casting Out Of Not-Famous Actors but is an actor who has a charming personality, great skill, understands how to convey his role well, can convey the emotions of the characters to be able to reach the audience.

#### Directors and Production Teams

Directors and crews with creativity will be able to produce content that catches the eye of the public.

#### Producers

Producer companies are like brands that can build trust in the eyes of the audience. The ability to work on CGI scenes or special effects can also catch the public eye.

#### Awards Earned

Awards that have been received can certify the talent of an actor. The quality of the director and crew and the production company.

#### Trailers

Preview of short clips such as Promo, Teaser, Trailer are taken into consideration.

### Scripts and Story-lines

Story writing has to consider the audience that you want to be the audience, what their culture, tastes, and preferences are. Then you should write a story with content that is familiar to that audience. In addition, it is necessary to consider the composition of the story chapter, what is the essence, consisting of:

The storyline is the theme of the content for the audience to understand the importance of the story (Keyword) by telling a story using a sequence of events. and place the content to look consistent and logical Including a climax point that solves the answer to the conclusion of the story to the audience.

Characters consist of 3 characters, namely 1) the actor or the person who is affected by the action in the play, 2) the protagonist or main character in the storytelling 3) The secondary character or the supporting character in the narrative to enhance the content.

6.3 conceptual content It is a mirror that makes the audience aware of the consequences of the action that will result in the consequences. which is the concept of philosophy, which is the moral of living life

6.4 Music is part of the storytelling. by using music and songs in communication to the audience The content of the song will be useful in telling the synopsis. and convey the emotions of the actors in each scene;

### Questions

China is a big market that entrepreneurs in many countries are interested in investing in co-production of program content or send the content to sell in China. What is the initial guide for co-producing with China or distributing program content to China?

### Answers

China also has a so-called control. International Quota of content that will reach audiences in China Which will count all, whether it's the side of Hollywood itself or the side of Thailand or other countries will be included in this quota

In addition to the quota, there will be another part, which is a matter of China's censorship. China has the strict about scrutinizing what types of content are inappropriate, and WeTV, as the main platform, has to follow these strict rules, for example ghost story content which is liked by the Thai audience but it is forbidden in China and may not pass censorship. Violent content is also prohibited too.



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Economic Expert	Assoc. Prof. Dr. Pithak Srisuksai
Business Management Expert	Dr. Praphan Wongbangpo
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