



# Swiss Thai



JANUARY 2020 | SWISS-THAI CHAMBER OF COMMERCE | E-NEWSLETTER #114

## TOP NEWS

- Legal:** Thailand to Increase Minimum Wage / New Contract Controls for Residential Property Leasing Businesses
- Bangkok to Canada:** Life and work in Canada
- School News:** Giovane Élber visits the RIS Swiss Section / RIS Swiss Section Nursery "The Lernzwerge" / Fleamarket / Christmas market and celebration

## THE PRESIDENT'S MESSAGE

# DEAR FRIENDS AND MEMBERS OF THE STCC



**PRESIDENT BRUNO G. ODERMATT**

As we bid farewell to another year and the end of a turbulent decade, we enter 2020 with better hopes and expectations. I wish you on behalf of the STCC Board of Directors a prosperous and successful Happy New Year. I remember how we started the last decade, in 2010, with a spirited dose of optimism, but it seems that today it is hard to maintain that same optimism. 2019 has not been a stellar year in terms of economic growth and business prospects, and leading economists are cautious in their predictions for 2020, with good reasons. If you talk to ordinary citizens, three things would top their wish list;

the economy, equality, and climate change. If you look at all economies, it takes four growth engines to drive them forward. They are investments, exports, private consumption, and government spending. Taking that framework and looking at Thailand, it does not look so bright. Investments have been lacklustre over the last years, Thai household debt has reached close to 80% of GDP, the strong Baht and ongoing trade wars have been seriously impacting exports, and the last remaining hope is government spending. Many mega-projects and public investments on the planning table were not implemented in 2019, so let's hope that the government will take actions now and get them implemented.

For my part, climate change is also on the list of top concerns, amongst the threat of nuclear armament and technological disruption. Recently I was shopping at a major retailer and to my surprise, I discovered that every

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### STCC CALENDAR

**Wednesday 8th January 2020:**  
Multi Chamber Lunch Canadian Chamber: Crystal Ball Lunch at 11:30 at the Landmark Hotel, Sukhumvit Road

**Thursday 9th January 2020:**  
STCC Stamm at Arnoma Hotel 18:00

**Thursday 13th Febuary 2020:**  
STCC FONDUE- Stamm at Moevenpick BDMS Hotel, 18:00

**Note the date:** STCC AGM Thursday 26th Mar at 18:00 Arnoma Hotel



## THE PRESIDENT'S MESSAGE

single banana was wrapped in a plastic bag. It was so surreal, that I even took a picture of it:



This led me to the discovery of a 10 month-old-female dugong, who was washed ashore in Krabi. The young orphaned juvenile dugong became separated from its group and rescuers sent it to a safe habitat for treatment, where it later died. A post-mortem examination found a large number of pieces of plastic blocking the young mammal's intestines. This was not a single case of a marine animal dying from plastic bags ending up in their stomachs, as a result of polluted oceans. It also happens increasingly to dolphins and whales, such as the case where an emaciated whale was spotted by environmentalists in the Davao Gulf, Philippines, vomiting blood and listing badly as it swam. After the whale died it was discovered that 88 pounds of plastic waste accumulated in his belly. One is not surprised that Thailand is the world's 6th biggest plastic polluter and generates over 1 million tons of plastic waste per year. Of that, over 3% finds its way into the ocean. As a result of the dugong's death, 75

department stores, convenience stores and other shops agreed to join the "Everyday say No to Plastic Bag" campaign. When I shopped this year at Central Department store, I was happy to see that cashiers refuse to offer plastic bags; shoppers are forced to use paper bags and adopt to a greener lifestyle. As there always two sides to a story, there are around 500 plastic manufacturing plants nationwide employing over 8,000 workers (source Thai Plastic Association). A sharp drop in the use of plastics will certainly lead to job losses and damages to an industry which generates around 30 billion THB revenues per year.

During the Holiday Season, our former Board Member and Editor in Chief of our newsletter, Peter Sprenger, who immigrated to Kitchener, Canada, visited Bangkok and, as we always do, we warmed up our friendship. As there is no such thing as a free lunch and I also frequently travel to Canada, we asked Peter to write for us an Op-Ed article with the topic about life and work in Canada. You will definitely enjoy reading it.

The highlights of the first quarter are our Stamm events, an upcoming luncheon talk with our newly appointed Ambassador in Thailand, and the Annual General Meeting slated for Thursday, 26th March, which will also include elections for

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## THE PRESIDENT'S MESSAGE

another 2-year term of the Board of Directors. Despite the oftentimes discouraging business and political news, let's move into the new year with a healthy dose of optimism and hope for a good year. As Pablo Neruda once said: "You can cut all the flowers, but you cannot keep Spring from coming".

With this in mind, I wish you a blissful and prosperous 2020. Thank you for your continued support of the STCC.

*With my best wishes*

**Bruno G. Odermatt-Maag**  
President

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## SERVICE

*More details for above events please wait for the invitation-mail or get it from [www.swissthai.com](http://www.swissthai.com), click on "events".*

## MEMBER DETAIL UPDATES

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THE PRESIDENT'S MESSAGE

## DECEMBER BOARD OF DIRECTORS' MEETING



with the best wishes for 2020 and best of success for her duties in 2020. The Swiss Embassy has been a great supporter of the STCC and the directors were pleased to see that this tradition will continue under the new leadership of H.E.

**Bruno G. Odermatt,**  
**President STCC**

H.E. Helene Budliger Artieda attended her first STCC Board Meeting on her capacity as Honorary President in December 2019. The directors were delighted to officially welcome H.E to the

Board of Directors and H.E. provided the Board with an update on current affairs in Thailand. At that occasion, a delegation of directors led by President Bruno Odermatt presented H.E.

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## ECONOMY SPECIAL REPORT BY DEUTSCHE BANK

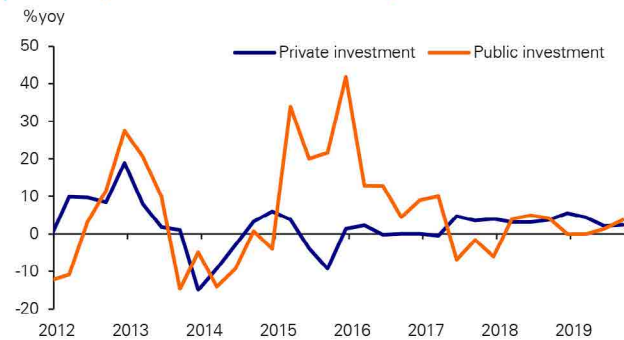
# THAILAND

*Unless political headwinds rise against public investments, Thailand is likely to see its growth rebound to 3% in 2020, while the recent regulatory easing to facilitate capital outflows poses risks to our expectation of a relatively stable baht.*

Thailand continued to underperform against expectations, reporting modest GDP growth of 2.4% in Q3 vs. the consensus forecast of 2.7%, amid sustained weakness in public spending. The latter contributed 0.6ppts to growth in Q3, against 0.4ppts on average in the last four quarters. Meanwhile, private demand contributed 2.7ppts vs. 3ppts in the last four quarters. **Assuming no further delays in implementation of the government's investment plans, we expect Thailand's growth to rebound to 3% in 2020.** Note also that the 2020 budget, which has been delayed due to the formation of a new government, is set to rise by 6.7%. Public investment is expected to have a crowding-in effect on private investment, supported by a rebound in exports, while housing construction remains under pressure. There are, however, political risks to our constructive view on public spending.

In response to weak growth, the Bank of Thailand (BoT) delivered another 25bp rate cut in November, as expected, as inflation remains below its target of 1-4% – and it is likely to average 0.7% in 2019 and hover around 1% in 2020. For Thailand, food price

Limited public investment recovery thus far



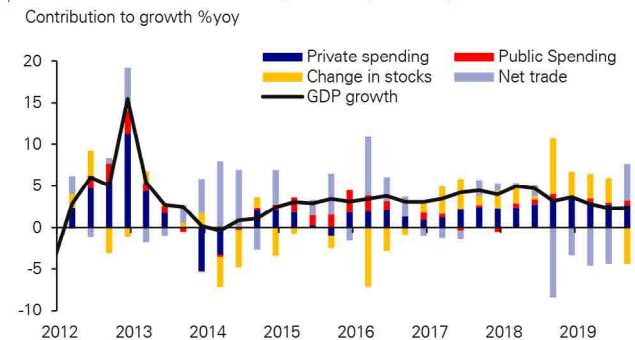
Source: CEIC, Deutsche Bank Research

shocks pose a larger threat to the country's price stability than oil. On our estimates, a 10% positive shock in food prices would add 0.8ppts to Thailand's headline CPI inflation, while an equivalent shock in oil prices would add 0.4ppts. A similar shock to the baht (NEER) would subtract 0.1ppts from the headline rate.

The BoT's response went beyond a simple rate cut in November. Assessing that "continued exchange rate appreciation affected exports and the overall economy", the BoT relaxed regulations "to facilitate capital outflows and help promote balanced cross-border flows, which could lessen pressure on the baht as well as facilitate foreign exchange risk of the private sector." In particular, the authorities relaxed rules on repatriation of export proceeds, investment in foreign securities and outward transfers, while allowing gold trading in foreign currency. This is consistent with our earlier warning that the Thai authorities are likely to seek means to recycle Thailand's CA surpluses.

Despite Thailand's weak export performance this year, the baht stood out as the best performing currency under coverage, appreciating 7% against the US dollar since end-2018, with its reer soaring to heights not observed before the Asian Financial Crisis. Thailand's CA surplus has averaged over 6%

Weak contribution from public spending



Source: CEIC, Deutsche Bank Research



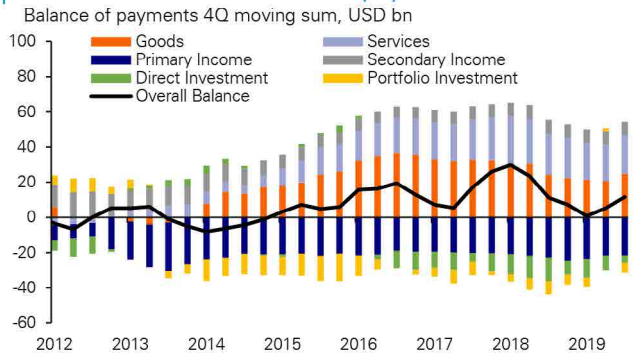
## ECONOMY SPECIAL REPORT BY DEUTSCHE BANK

of GDP over the last four quarters. The goods trade balance stood at USD12.7bn over the last four quarters, only to be trumped by a travel balance of USD45.6bn. With Thailand unable to recycle a significant share of its CA surplus, its FX reserves rose relatively rapidly to USD222.9bn as of October of this year, up USD17.1bn since end-2018. Although Thailand has not been added to the US Treasury's monitoring list in its latest FX policy review of major trading partners, it reported that Thailand's trade surplus with the US stood just shy of the USD20bn threshold at USD19bn, raising concerns over greater US Treasury scrutiny ahead.

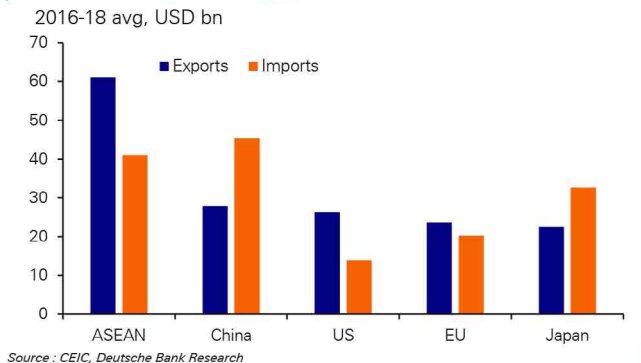
Thailand's foreign assets were largely in FDI, at USD145.5bn as of June of this year, while portfolio investment assets stood at only about one-third, at USD56.5bn, in sharp contrast to the latter's dominance in South Korea and Taiwan's foreign asset holdings. Given its relatively limited experience in foreign securities investments thus far, we believe that the relaxed regulations on portfolio investments would not be a game changer for the baht in the near term. On the other hand, with about half of the country's export proceeds no longer subject to repatriation rules, Thailand exporters may drive the baht's significantly weaker, by keeping their proceeds offshore or in foreign currency onshore.

**As far as the BoT policy rate is concerned, we believe that the likelihood of another rate cut is less than 50%.** Two MPC members opposed the November rate cut decision. There are two main risks to our

### Details of Thailand's Balance of payment details



### Thailand's major trading partners



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rates view, however – on the external front, an unexpected negative turn in the US-China negotiations and, on the domestic front, an unexpected delay in public spending. **Meanwhile, although we expect the baht to appreciate modestly against the US dollar, by about 2%, through end- 2020, it is likely to depreciate meaningfully against its other major trading partner currencies, like the euro, yen and yuan.** Note that our colleagues expect them to appreciate 8.3%, 8% and 9.5%, respectively, against the US dollar through end- 2020. We also do not rule out the baht's greater weakness, given the relaxed rules on capital outflows.



**Juliana Lee,**  
**Chief Economist, +852 2203 8312**

### Thailand

	2018	2019F	2020F	2021F
<b>National Income</b>				
Nominal GDP (USDbn)	505.1	539.9	582.7	614.5
Population (mn)	66.4	66.6	66.8	67.0
GDP per capita (USD)	7,361	8,023	8,720	9,174
<b>Real GDP (YoY%)</b>				
Private consumption	4.6	4.3	3.6	3.6
Government consumption	1.8	1.8	2.7	3.0
Gross fixed investment	3.8	2.8	4.1	3.8
Exports	4.2	-3.8	4.3	2.9
Imports	8.6	-3.5	2.2	3.7
<b>Prices, Money and Banking</b>				
CPI (yoy %) eop	0.4	1.2	0.8	1.6
CPI (yoy %) ann avg	1.1	0.7	1.2	1.0
Core CPI (yoy %) ann avg	0.7	0.5	0.6	0.7
Broad money	5.1	4.3	5.0	5.4
Bank credit <sup>1</sup> (yoy %)	5.9	2.4	4.0	4.6
<b>Fiscal Accounts (% of GDP)<sup>1</sup></b>				
Central government surplus	-0.4	-0.9	-1.5	-1.5
Government revenue	17.5	17.8	17.4	17.2
Government expenditure	18.0	18.7	18.9	18.7
Primary surplus	0.9	0.2	-0.3	-0.3
<b>External Accounts (USD bn)</b>				
Merchandise exports	251.1	244.4	251.0	263.8
Merchandise imports	228.7	217.0	224.7	241.9
Trade balance	22.4	27.4	26.3	21.8
% of GDP	4.4	5.1	4.5	3.6
Current account balance	28.5	33.9	32.7	27.1
% of GDP	5.6	6.3	5.6	4.4
FDI (net)	-8.0	-7.0	-10.4	-10.5
FX reserves (eop)	205.6	221.4	243.9	258.4
FX rate (eop) USD/THB	32.5	30.3	29.8	29.7
<b>Debt Indicators (% of GDP)</b>				
Government debt <sup>1</sup>	38.5	39.7	40.9	42.0
Domestic	38.0	39.3	40.5	41.7
External	3.0	3.3	3.2	3.3
Total external debt	32.1	32.0	31.5	31.6
in USDbn	162.4	172.9	183.3	194.3
Short-term (% of total)	59.4	59.2	59.4	59.3
<b>General</b>				
Industrial production (YoY%)	3.7	-2.6	2.5	2.8
Unemployment (%)	1.1	1.1	1.1	1.1
<b>Financial Markets (eop)</b>				
	Current	20Q1F	20Q2F	20Q4F
BoT o/n repo rate	1.25	1.25	1.25	1.25
3-month Bior	1.37	1.38	1.38	1.38
10-year yield (%)	1.61	1.90	1.75	1.75
USD/THB	30.3	30.3	30.2	29.8

Sources: CEIC, Deutsche Bank Research, National Sources  
Note: (1) Excludes extra budgetary items.



## BANGKOK TO CANADA

# CANADA THAILAND CONTRIBUTION STCC JAN 2020

It is a Monday in December 2019. We have an appointment at 6pm, Huntsman pub Sukumvit, Landmark hotel. I am ten minutes late, Thomas sits near the entrance door to make sure he can catch me when I enter the watering hole. Bruno arrives five minutes later. We hug each other. Long time no see. It is indeed a nice reunion, especially with Thomas whom I have not seen for thirty months. We are here to catchup on the good old times when the big Mango, Bangkok, the Venice of the orient, was our home for more than twenty years. A few days earlier when I arrived at Suvarnabumi airport it felt like we never left. I am homesick to this ugly, beautiful, stinky, good smelling town. 'How is Canada? Fine, great, nice country, clean air, just bought a lovely dog, life is great over there'. Yes indeed I went the other way. The common case is for burnt out ferangs to seek their last life adventure at places where the average temperature is above 25 and living cost are still affordable. I love Thailand and why would I ever want to swap for one of the coldest places on earth, Waterloo, Ontario, Canada. Bruno and Thomas have asked to write about our Canada adventure many times. I pro-

mised but never followed up. After all, you all have moved heavily in your lifetimes and business careers. Everyone has unique and interesting stories, especially those arriving here in Bangkok. The STCC newsletter needs articles. Few want to contribute. It took an order of chicken satay, a plate of spring rolls, a basket of french fries and four glasses of red wine to bribe me into writing this, although, I have to admit, there is an emotional attachment to the STCC newsletter. From 2014 to early 2017 I was the editor in chief of this international business magazine with focus on Thailand, running around to interview interesting members, talking friends like Friedrich



*Remembering good old times at STCC*

Kuster into publishing insurance jokes. Sadly, they were dropped when I left the big Mango in 2017. Luckily history is still preserved at the [newsletter archive](#).

For foreigners, bringing up kids in Thailand is a challenge. The Thai education system offers little and most expat families send their children to international schools. The [Swiss School Bangkok](#) and [Bangkok Patana School](#) are good examples. After graduation at the age of eighteen, most children will leave the country to pursue further studies in Europe or North America. Our oldest son made up his mind early and wanted to go to Canada. My wife sent him off to Toronto (a typical Thai treat) and when she came back to Bangkok she started to rave about Canada. How nice this place was, how friendly their people and Asian food is everywhere. This was in fall 2016. We had two more kids in the graduation pipeline, and we started to think about our options more seriously. This was especially true when the first bills from the university of Toronto started to make a significant impact on our family budget. Moving to Canada seemed viable. The local fees are a quarter of those for international students and





## BANGKOK TO CANADA

the quality of education is what one would expect from a developed country. While we were thinking, a news headline dropped on my computer screen. **Waterloo-led groundbreaking research receives Fed funding.** Wait a minute.... I know that guy with the long hair.... this is my professor from way back in the 1990s. A few e-mails later he invited my wife and I to Waterloo to see his laboratory. The new job in Waterloo, Canada was slated to start in April 2017. I am absolutely not religious but when things like this happen it is hard not to believe of some higher power.

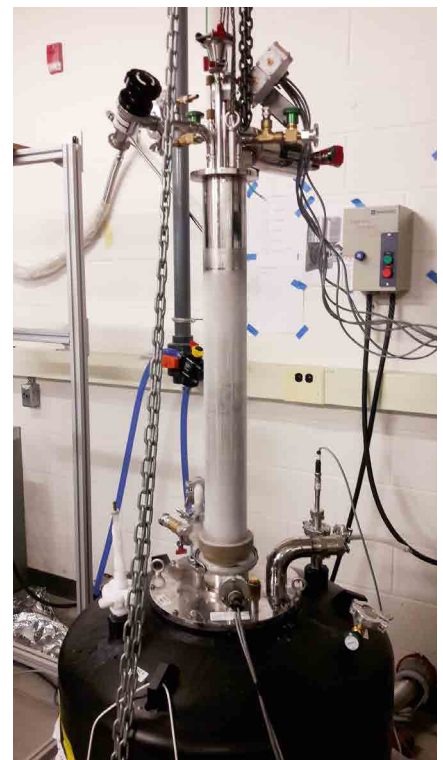
Immigration procedures are a nightmare everywhere, but in comparison with Thai immigration, the Canadians seem to embrace the 21st century. Still forms to complete but all online. After a few hundred clicks and a few weeks of waiting, I received enough documentation for our family to immigrate to Canada on a temporary work permit. Upon arrival at Toronto's Pearson airport we had to see the immigration officer who issued the permits and welcomed us to Canada. For the first two weeks we booked an apartment with Airbnb in Waterloo. We all enjoyed some good family time watching the Toronto Blue Jays (baseball) losing and the Raptors (basketball) winning. The kids were thrilled to see games in real stadiums. However the

honeymoon period was over soon and my wife and two of the three kids returned to Bangkok for the next three months. Our middle son wanted to finish his high school education in Bangkok since he only had one year left to graduate. Our daughter needed to finish her secondary degree to be ready to start Canadian high school in fall. So I was left alone to organize our future in Canada.

The 'Silicon Valley' got its name from the material computers are made of and everybody knows, it is in California. The 'Quantum Valley' got its name from quantum physics and few know what and where it is. What do these two valleys have in common and why would we care? Modern computer chips are made out of billions of small silicon based transistors. For example the iPhone 11 chip has 8.5 billion transistors on an area of approx. 100 mm<sup>2</sup>. To achieve these kind of densities the manufacturing process requires spatial precision in the order of a few nano meters or about ten thousand times smaller than the diameter of a human hair or approx. the size of hundred silicon atoms. The first commercially available computer chip, the Intel 4004, introduced in 1971, had 2250 transistors on 12 mm<sup>2</sup>. Since then the transistor density has doubled approx. every two years. Can this development continue? The answer

is no. We are reaching the end of the transistor based innovation cycle i.e. computer performance, as we know it, will stagnate in the next few years. We might be tempted to think that today's computers are already fast and small enough but our market based economy needs innovation and improvement to sustain. Nobody buys an iPhone 11 a second time. Why can't we just go smaller than a few nano meters? Going smaller means to reach the domain of single atoms, molecules or any other particles.

The laws of physics change fundamentally. Physics is now governed by probability and uncertainty. There is a chan-



*A Quantum Computer runs at very low temperatures, colder than outer space*



## BANGKOK TO CANADA

ce that the transistor switch is ,on' or ,off'. When a few hundred atoms are involved the probabilities become classical reality i.e. a certain ,on' or ,off'. Quantum mechanics is a set of rules to deal with these probability waves. Therefore a new innovation cycle in computer technology will be based on the laws of quantum mechanics. Tell your kids to become quantum engineers, it is the future. Mankind needs a Quantum Valley as much as it needs a Silicon Valley. These two valleys can co-exist since the approach to computing is very different. A quantum computer will never replace a ,classical' computer. It may enhance computing power with particular solutions to hard problems but never replace our desk- and laptops.

Although the Greater Toronto Area (GTA) is flat and few real



Spin based Quantum Sensor

valleys exist, ,Quantum Valley' has been introduced by Mike Lazaridis, the founder of Research in Motion (RIM), the company that manufactured the Blackberry smart phone. Remember, US president Obama used it because of the crispy keyboard clicks. In addition, it is the safest phone on the planet. The university of Waterloo is the center of the Quantum Valley with many startup and university spin-off companies, trying to commercialize the beauty of quantum physics.

It is the university where Mr. Lazaridis studied as an engineer in the 1980s. His story is inspiring. The child of Greek immigrants, smart, curious, adventurous with a few quants of luck became a successful entrepreneur but never lost the enthusiasm and appreciation for basic physics even when he became filthy rich. Part of his success can probably be attributed to Canada's immigration system which until today is not afraid of foreign influx. One has to search hard to find similar stories in Europe. Most immigrants feel welcomed and when their children graduate from local universities they feel as if they are real Canadians contributing to society and economy. The welcoming attitude of the Canadians is second to none. Not one minute in the last thirty months have I ever felt as a foreigner. To be fair, many countries do

not have such a vast area of land. Canada is huge, approx. ten million square kilometers which is about the size of Europe or 240 Switzerlands. Forty million people live here compared with 750 million in Europe. For sure a place with great potential. Waterloo's neighboring town of Kitchener (former name Berlin) has become a high-tech hub on its own. Companies like Google have replaced traditional automotive manufacturers. Their old buildings have been renovated and taken over by high tech enterprises. House prices have been rising steadily over the years, a sign of a thriving economy. In early 2017 the government started to introduce a 15 percent non-residential speculation tax (NRST) to curb inflation of house prices. This did little and house prices are still increasing with an annual rate of ten percent.

The preparation of our family reunion in July 2017 were in full speed.



On the island near Kingston, ON July 2017



# Swiss Thai



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## BANGKOK TO CANADA

Choosing the right school for our daughter, finding an apartment in the nearby area. Back in Bangkok parents taxi their kids to school every morning contributing a great deal to air pollution and traffic jams. Now here in Canada we have the opportunity to start from scratch i.e. with smart choices we do not need a car. Public transportation is good and a short daily walk to school for our daughter keeps the doctor away. The idea of challenging the system by not owning a car was exciting. Even in Canada boys talk still centers around cars and the connected display of status. As already mentioned, the housing market is on fire in the GTA and I was happy to finally find an apartment in a newly built apartment complex, twenty minutes walk to **Cameron Heights**, the only high school with an IB (International Baccalaureate) type program in the GTA. I star-

ted to enjoy the concept of four seasons compared with the ,hot, hotter, hottest' ruedus in Thailand. Spring in the GTA is beautiful. My new boss gave me one of his old mountain bikes, and I was on to explore the area on two wheels. Even in densely populated Southern Ontario, distances spread out and feelings of freedom start to enter the mind.

Most of my professional life as an engineer has been in the field of Nuclear Magnetic Resonance or **NMR** for short. Every organic chemist needs these instruments to analyze molecular structures. For example, tropical South East Asia (SEA) is a huge resource of natural products, mainly plants. There are still many chemical compounds which are unknown and might be potential candidates for therapeutic drugs. NMR is the most important tool to find and verify these new structures. Over

the last twenty years the number of instruments in SEA has grown from a few to more than 150. Considering the average instrument price of approx. half a Million US dollars, this is a considerable business. My contribution in SEA was to bring these instruments into universities and research labs and make sure they are properly used and maintained. The thought that these machines could be used as quantum computers was very remote. While working in SEA I have heard that my former professor has been successful applying NMR principles to problems in Quantum Information Processing (**QIP**). **This application** is so different from our daily work with scientists in SEA that I never paid close attention. Never would I have thought that one day it would change our lives.

Work in Waterloo is very different compared to work in SEA. I had to re-invent myself and go



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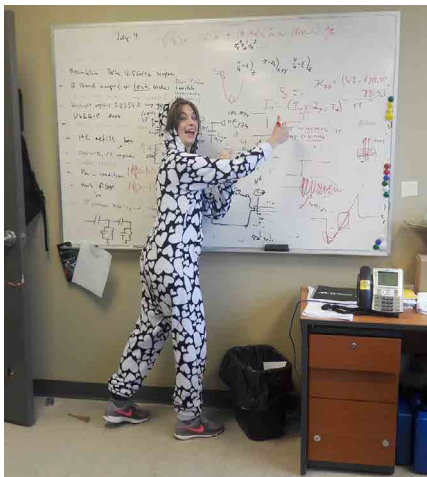
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## BANGKOK TO CANADA

back to the books refreshing basic physics. No discussions about profit margins and business optimization, here we talk about interaction between particles and optimization of quantum gates. When doing business in SEA, money is always the major issue and the guiding light for decisions. Now good ideas determine the next step of a project, thanks to the support of the Canadian government. The real highlight is the work with students in the laboratory. Discussing and brainstorming with bright young people is a rewarding experience.



*Physics with Students*

Once a year the **Undergraduate School on Experimental Quantum Information Processing (USEQIP)** is held at our laboratory. This offers a great opportunity for students all over the world to get an idea of the field of quantum science. Everyone, worldwide, can apply. The only requirement is enthusiasm for science and a bit of luck to get selected.



*USEQIP 2017*

In the fall of 2017 our daughter started her two year high school program. Meanwhile we furnished our apartment and it starts slowly to feel like home. But it is just an apartment, no garden, a very small balcony to sniff a bit of fresh air. Compared with the lush garden we enjoyed in Bangkok, this feels like a step back. Buying a house seems a bit early, we do not know what the future brings and whether the two year contract would be extended. All these doubts and worries disappeared when one day my wife suggested visit-

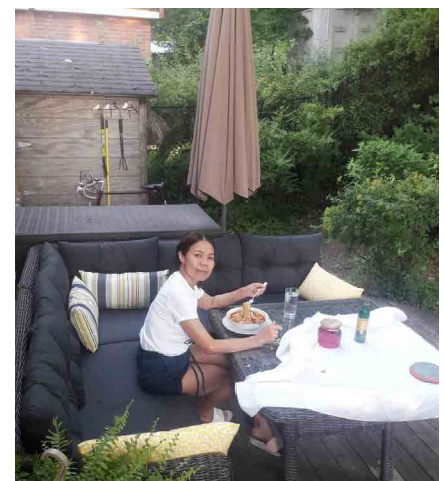


*Lovely little house in Kitchener, ON*

ing the open house session of a house for sale. An old, lovely, little house. Same street, different number, 19 instead of 8.

First step into this house, and we both fell in love and logic was switched off. We moved our furniture on October 1st, hundred meters southwards. Now we have a garden, although not as lush as in Bangkok, yellow and red leaves are falling from the few large trees as we move in.

My wife loves gardening and it seems we have found our little paradise. A small place, perfect for an aging couple with an adolescent daughter who soon will fly out to university.



*Lovely little house in Kitchener, ON*

The last, life changing event in our new Canadian lives so far was the birth of our new baby son on April 18, 2018. His name is Obi. Never have we thought we could love a dog, but this guy has invaded our hearts. Only dog owners/lovers can un-



## BANGKOK TO CANADA

derstand this. Obi is now the center of attention. The happiness of this dog when he chases a wooden stick in the Canadian snow is inspiring and has enlightened our family life. Would Obi be happy in Thailand?

My new contract will end in 2022, and we do not know what is next. Too early to worry and Thailand is still a nice place, except the high PM2.5 levels in downtown Bangkok.

As Einstein said it best: „Life is like riding a bicycle. To keep your balance you must keep moving“ *tum Tamers*



First love in Canada



A Canada first for Khon Isaan

I wish you all an enjoyable, peaceful and successful 2020 and hopefully we meet soon in the big Mango.

**December 2019**

**Peter Sprenger**  
[peter.sprenger@uwaterloo.ca](mailto:peter.sprenger@uwaterloo.ca)

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## LEGAL

# THAILAND TO INCREASE MINIMUM WAGE ACROSS ALL PROVINCES

### Contribution by Tilleke & Gibbins

The National Wage Committee of Thailand’s Ministry of Labour has announced a new minimum daily wage, which will take effect on January 1, 2020. The announcement increases the minimum wage by THB 6 per day for workers in nine provinces—Bangkok,

Chon Buri, Nakhon Pathom, Nonthaburi, Pathum Thani, Phuket, Prachin Buri, Samut Prakan, and Samut Sakhon—and by THB 5 in all other provinces.

With these changes, the sliding scale for the minimum daily wage in 2020 will range from THB 313 to THB 336, as detailed in the table below.

Minimum daily wage rate for 2020 (THB)	Exempted Value
336	Chon Buri, Phuket
335	Rayong
331	Bangkok, Nakhon Pathom, Nonthaburi, Pathum Thani, Samut Prakan, Samut Sakhon
330	Chachoengsao
325	Ayutthaya, Chiang Mai, Khon Kaen, Lop Buri, Nakhon Ratchasima, Nong Khai, Phang Nga, Saraburi, Songkhla, Suphan Buri, Surat Thani, Trat, Ubon Ratchathani
324	Prachin Buri
323	Chanthaburi, Kalasin, Mukdahan, Nakhon Nayok, Sakon Nakhon, Samut Songkhram
320	Ang Thong, Bueng Kan, Buri Ram, Chainat, Kanchanaburi, Loei, Nakhon Phanom, Nakhon Sawan, Nan, Phattalung, Phayao, Phetchaburi, Phetchabun, Phitsanulok, Prachuap Khiri Khan, Roi Et, Sa Kaeo, Surin, Udon Thani, Uttaradit, Yasothon
315	Amnat Charoen, Chaiyaphum, Chiang Rai, Chumphon, Kamphaeng Phet, Lampang, Lamphun, Mae Hong Son, Maha Sarakham, Nakhon Si Thammarat, Nong Bua Lamphu, Phichit, Phrae, Ranong, Ratchaburi, Satun, Sing Buri, Si Sa Ket, Sukhothai, Tak, Trang, Uthai Thani
313	Narathiwat, Pattani, Yala

If you have any questions about this change, or any other aspect of labor and employment in Thailand, please contact Pimvimol (June) Vipamaneerut at [june.v@tilleke.com](mailto:june.v@tilleke.com) or at +66 2056 5588.





## LEGAL

# THAILAND: NEW CONTRACT CONTROLS FOR RESIDENTIAL PROPERTY LEASING BUSINESSES

### Contribution by Tilleke & Gibbins

The Contract Committee of the Consumer Protection Board has announced a number of new controls and lessee protections regarding residential property rental contracts executed from January 29, 2020, onward. These were detailed in the Notification of the Contract Committee Re: The Stipulation of Residential Property Leasing as a Contract-Controlled Business B.E. 2562 (2019), which was published in the Government Gazette on October 31, 2019.

This new notification replaces a similarly named notification issued by the Contract Committee in 2018, which designated residential property leasing as a contract-controlled business and governed any residential lease agreement executed from May 1, 2018, onward.

Any residential lease agreement entered into under the 2018 notification and currently in effect will continue to be in force until the expiration of the agreement, whereas any residential lease agreement executed from January 29, 2020, on-

ward must comply with the Contract Committee's new notification.

Like the 2018 notification, the new notification defines a "residential property leasing business" as a business that leases (or subleases) five units of property or more to individual lessees, for residential purposes, in exchange for a fee collected by the business operator, regardless of whether the units are in the same building. This includes all types of residential property that is leased for residential purposes, except for dormitories and hotels, which are regulated under a separate regime.

The new notification includes two lists: required terms and prohibited terms. Any business operator who fails to meet the notification requirements may be subject to imprisonment for up to one year, a fine of up to THB 100,000, or both.

### Required Terms and Conditions

The following terms must be included in the residential lease. If any residential lease agreement

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does not contain them, it will be interpreted as including them as implied terms:

- Residential lease agreements must include a version in Thai, wherein the size of the letters must not be less than 2 millimeters, and have no more than 11 letters within 1 inch and must contain the following details:

1. Name and address of the business operator and its authorized person;
2. Name and address of the lessee;
3. Name and location of the property;
4. Details of the property's physical condition, including any items and equipment in the property;
5. Term of the lease, specifying its commencement date and expiration date;
6. Rental fee rates and due dates for payment;
7. Public utility fee rates (e.g., electricity, water supply, telephone) and the due dates for payments and their calculation method;
8. Service fee rates (i.e., services that are the business operator's expenses, relating to the facilities and securities provided for the lease of property, which are not costs relating to the residential lease business), which must be reasonable and at the actual cost paid for the services, and which provide the due dates for payment along with their calculation method; and
9. Security deposit and advance rental fee rates.

- Invoices for the fees in items 1.6–1.8 above must be sent to the lessee at least three days before their due dates, and the lessee will have

the right to check the information relating to the payments that are shown in the invoices.

- Details of the physical condition of the property and equipment (if any), which have been inspected and acknowledged by the lessee, must be attached to the lease agreement, and a duplicate must be delivered to the lessee.

- The security deposit must be immediately returned to the lessee at the end of the agreement, unless the business operator has to investigate any damage in order to ascertain whether or not it is the responsibility of the lessee. If the lessee is found not to have caused any damage, the security deposit must be returned within seven days from the end of the agreement, and the business operator will re-take possession of the property. The business operator is responsible for any expenses incurred in returning the security deposit to the lessee.

- If the agreement has a prescription period, the lessee has the right to terminate the agreement before expiration, provided the lessee has leased the property for no less than half of the period specified in the agreement. The lessee must provide at least 30 days' advance written notice to the business operator, and must not be in default in respect to paying the rental fee or other expenses.

- The business operator's right to terminate the agreement must be written in red or black letters, or in bold or italics, and underlined, or emphasized in other ways that make such terms more pronounced than the other content of the agreement.

- For termination of the agreement according to number 6 above, the business operator must provide at least 30 days' advance written notice to the lessee. However, only 7 days' advance



## LEGAL

notice is required if the cause of termination results from actions of the lessee that directly affect the normal livelihood of the other lessees. No advance notice is required if the lessee does not comply with the law and the regulations relating to public order and good morals.

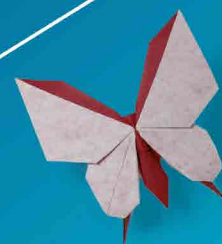
### Prohibited Terms and Conditions

If any of the prohibited terms listed below are included in a residential lease agreement, that agreement will be interpreted as not including them. These include the following:

- Any waiver or limitation of the business operator's liability from its breach of the agreement or wrongful acts, in respect to the material part, with no sufficient reason provided;
- Any requirement placing the total amount of the advance rental fee and the security deposit above the equivalent of three months' rent;
- Any term that allows the business operator to change the rental fees, public utilities fees, service fees, or any other expenses before the end of the agreement;
- Any term that allows the business operator to confiscate the security deposit or the advance rental fee without any fault on the part of the lessee;
- Any term that allows the business operator, or its representative, to inspect the building or property without prior notice, unless it is an emergency circumstance that may create damage or have an impact on the business operator or the other lessees if the business operator does not conduct such emergency inspection;
- Any stipulation of electricity and water supply fees that exceed the rates specified by the relevant authorities;
- Any term that allows the business operator to prevent or obstruct the lessee's access to the property to seize or remove the lessee's belongings, without exercising the right to terminate the agreement legally;
- Any term that allows the business operator to request any fee or expense for renewing the lease;
- Any term that allows the business operator to terminate the agreement without any

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material breach of the lease agreement by the lessee; consumers from being unreasonably disadvantaged by unfair contract terms.

- Any term that makes the lessee liable for damages incurred due to ordinary wear and tear from the usage of the property's contents and equipment; For more information on this or any notification of the Contract Committee or the Consumer Protection Board, or on any aspect of property leasing businesses in Thailand,

- Any term that makes the lessee liable for damage to the property, contents, and equipment that was not the lessee's fault, and which occurred during force majeure situations; and ***please contact Tilleke & Gibbins at [bangkok@tilleke.com](mailto:bangkok@tilleke.com).***

- Any term that makes the lessee liable for defects to the property, contents, and equipment which were incurred due to ordinary wear and tear through usage.

## Legal Basis

Through this notification, the Contract Committee of the Consumer Protection Board is exercising its power—granted by section 35 bis of the Consumer Protection Act B.E. 2522 (1979)—to ensure that written contracts between certain businesses and their consumers contain the necessary terms and conditions, thus preventing



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NEW MEMBERS

## INDIVIDUAL MEMBERS JANUARY 2020:

### Mr. Loretz Adrian

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## GIOVANE ÉLBER VISITS THE RIS SWISS SECTION – DEUTSCHSPRACHIGE SCHULE BANGKOK



The German speaking community came together at the RIS Swiss Section – Deutschsprachige Schule Bangkok in order to welcome football star Giovane Élber on Friday November 29th, 2019.

Giovane Élber is a Brazilian professional footballer who played in Switzerland and Germany for clubs such as the Grasshoppers Zurich, VfB Stuttgart and most notably FC Bayern Munich.

On his trip to Asia as brand ambassador for the FC Bayern Munich, he made a visit at our school on Friday morning. Giovane Élber was introduced to the school community and answered questions from students. He meant to a question of a student that it is very important not just as a professional footballer but in any other profession as well to keep one's focus on the future.

Afterwards, the football star participated in a penalty wall shoot-out with some talented football players of our school. The students and guests were excited by the visit of the football star, which the school community certainly will remember for a long time.





RIS SWISS SECTION DEUTSCHSPRACHIGE SCHULE BANGKOK

## RIS SWISS SECTION NURSERY "THE LERNZWERGE"



The Nursery the „Lernzwerge“ of the RIS Swiss Section – Deutschsprachige Schule Bangkok offers an optimal preparation for children aged 2 to 3 for Kindergarten.

On 5 days a week, our youngest learners enjoy a playful approach to the German language and culture while socially experiencing their immediate surroundings and benefitting from high-quality native German teachers and a comprehensive curriculum.

## FLEA MARKET



Our very popular flea market took once again place at the RIS Swiss Section – Deutschsprachige Schule Bangkok. All members of the school community were invited to sell their merchan-

dise in the lovely courtyard of our school. Students, parents and staff strolled through the colorful market, everyone looking for a bargain.





RIS SWISS SECTION DEUTSCHSPRACHIGE SCHULE BANGKOK

## CHRISTMAS MARKET AND CELEBRATION AT RIS SWISS SECTION – DEUTSCHSPRACHIGE SCHULE BANGKOK



On December 18th, 2019, RIS Swiss Section – Deutschsprachige Schule Bangkok invited all friends of the school to its Christmas market and celebration – traditionally a very popular event. Once again many guests enjoyed the festive atmosphere.

Parents organized a Christmas market, which, alongside crafts, was a place to sample international deli-

cacies, such as homemade cookies, and take part in different festive activities. Also, Santa Claus made an appearance and our young guests were happy.

The school was very glad to count the Ambassador of Switzerland H. E. Helene Budliger Artieda and the Ambassador of Germany H. E. Georg Schmidt to its guests at this celebration. It was very nice to see that





## RIS SWISS SECTION DEUTSCHSPRACHIGE SCHULE BANGKOK



numerous alumni, such as Niti Meyer, who is the son of the founder of the school, joined this marvelous event as well.

Afterwards, guests were greeted on the sports field by Simon Dörig, the Principal of RIS Swiss Section - Deutschsprachige Schule Bangkok. It was a fitting occasion to bid farewell to all students leaving RIS Swiss Section - Deutschsprachige Schule Bangkok at the end of the year. Later, everyone enjoyed the fabulous Christmas performances presented by the students, Kindergarten, Lernzwerge and school band. Thian Kaewmongkhol and Arch Yiamwanichnan from Grade 6 moderated the festive program. Later visitors were entertained with live music and dance performances by the students and parents and a Christmas Raffle.



The official event began at 2pm with Christmas workshops organized by students with many activities, food and crafts, both in front of and inside the various classrooms.



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## Important events in the first semester of the school year 2019-20:

25.01.2020	Thai.Ger - Football Tournament
04.03.2020	Open House Day (07:30 - 14:40)
20. – 24.05.2020	Cultural Festival
23.05.2020	Open House Info Session (13:00 - 15:00)
11.06.2020	Flea Market for Primary School (11:00 - 12:00)
12.06.2020	Graduation Ceremony (10:00)
13.06.2020	Matura Ball

*Please visit our website - [www.ris-swiss-section.org](http://www.ris-swiss-section.org) - and get more information about our upcoming events.*



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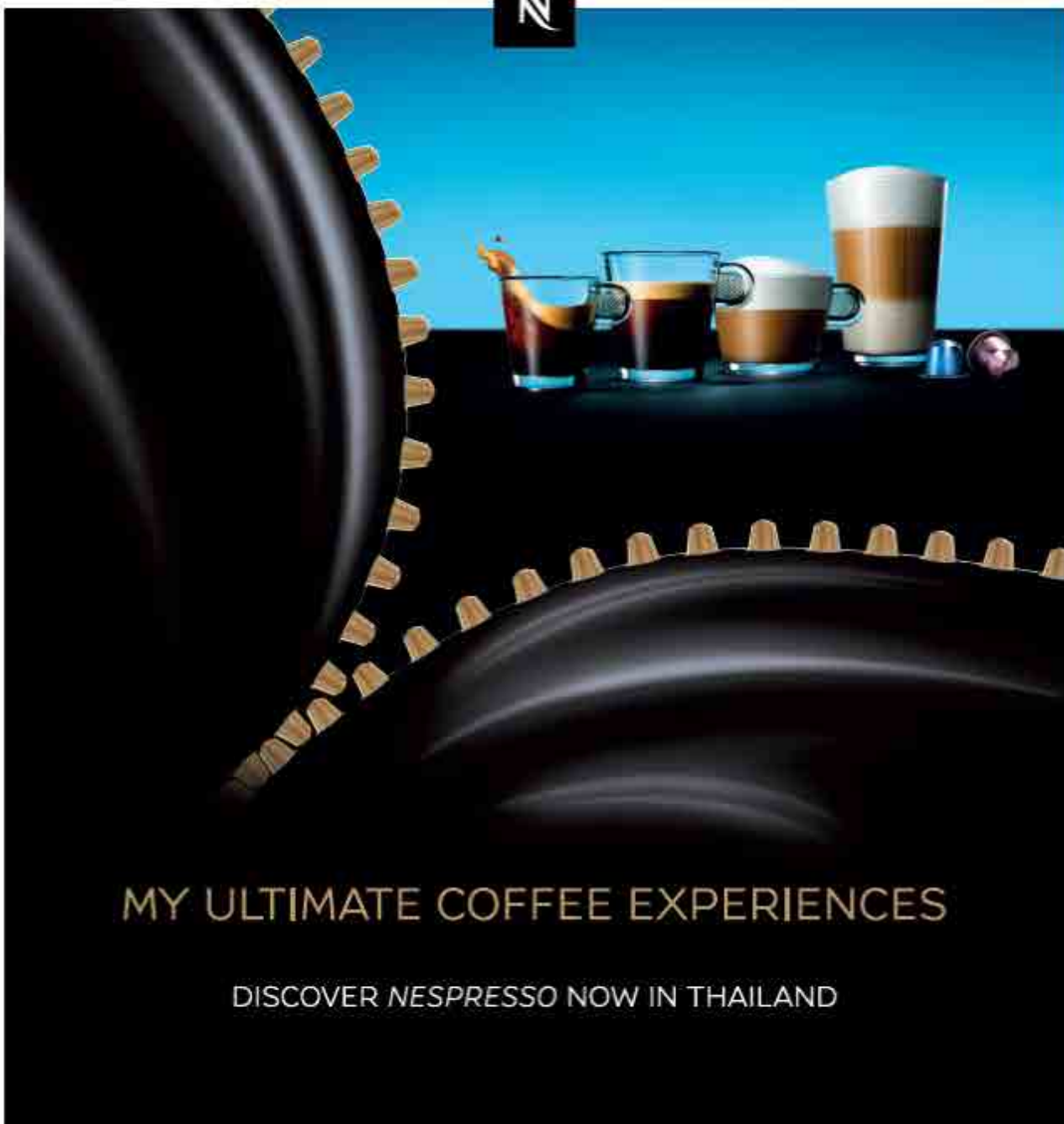
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