



## Legal Update Week 31 - 32 (27 July– 9 August 2020)

### Thailand legal news

#### Highlights:

- The selected groups of foreigners permitted to enter Thailand
- The new 3 types of the factory categorized with the new fee rate
- Extend the period for the notification of residence for foreigners as of 26 September 2020

- **28 July 2020:**
  - The interior ministry proposed 2 projects creating 30,000 job offers for stimulating local economies consisting of taking care of elderly persons, and data collection in the rural sub-districts around the country. Those projects are expected to start in August 2020.
- **1 August 2020:**
  - The interest rates on unpaid card balances was reduced from 18% to 16%, while the interest rate on the personal loan is down from 28% to 25% excluding the vehicle hire purchase (lease) under the Bank of Thailand (BOT)'s order.
- **4 August 2020:**
  - The Civil Aviation Authority of Thailand (CAAT) officially permitted the selected groups of foreigners to enter Thailand. Those groups are as follows:
    - Foreigners who have a certificate of residence, together with their spouses and children;
    - Foreigners who have work permits or permitted to work in Thailand legally, together with their spouses and children; and

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- Foreigners permitted to enter under the special arrangement between Thailand and specific partner countries.

However, those are required to follow the country's disease-control regulations, such as having a certificate of entry issued by a Thai embassy or consular office in their country, a health certificate as well as a health insurance policy.

- **6 August 2020**

- The board of EEC arranged the VDO conference call with the Thai ambassadors positioned in 21 countries in order to call the support from ambassadors to persuade foreign business investors to invest in EEC on the targeted industries such as logistic, medical and healthcare.

## New Cabinet resolutions

### 29 July 2020:

- **Approved principle:** 2 Draft notifications of the Ministry of Commerce re: the importation of products under Thailand-Australia Free Trade Agreement (TAFTA) and the importation of products under Thailand-New Zealand Closer Economic Partnership (TNZCEP).
  - Determine that potatoes under TAFTA and potato, onion, and onion seed under TNZCEP must be imported via the customs and a food and drug checkpoint.

### 4 August 2020:

- **Approved Draft:** 3 Draft Ministerial Regulations for implementing the Emergency Decree on the Foreigners' working management (issue no. 2) B.E. 2561 (2018)

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- Re: the application for the work permit, the issuance of work permit, and notification of foreigners B.E....
- Re: the determination of the qualifications and prohibited criteria of the applicants B.E...
- Re: the determination of the value of fee and the waiver of fee on the foreigners' working management B.E...
- **Approved Draft**: Draft loan agreement on COVID-19 Active Response and Expenditure Support Program of Asian Development Bank in the amount of THB 48,000 Million with the interest of 0.15 percent per year.

## Government Gazette Update:

Date	Part	Subject
29 July 2020	Phiset Ngor	<ul style="list-style-type: none"><li>• Notification of Ministry of Interior re: permission for certain groups of aliens to remain in the kingdom as a special case (issue no.3)</li><li>- Extended the period permitted for stay in the kingdom temporarily for foreigners under Section 35 Immigration Act B.E. 2522 as from 1 August 2020 to 26 September 2020</li><li>- Extend the period of time for the notification of residence under Section 37 (5) of the Immigration Act B.E. 2522 as from 1 August 2020 to 26 September 2020</li><li>- <u>Effective date</u>: 1 August 2020</li></ul> <p><a href="http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/172/T_0005.PDF">http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/172/T_0005.PDF</a></p>
30 July 2020	Phiset Ngor	<ul style="list-style-type: none"><li>• Notification of Revenue Department (issue no. 375) re: determination of criteria, procedures, and conditions of the deduction of corporate income tax for the business operating in the special economic development zones (SEZ)</li></ul>

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		<ul style="list-style-type: none"> <li>- Determine that the entitled juristic entity shall inform the tax incentive usage to RD department within 250 days since the first date of the fiscal year 2020.</li> <li>- <u>Effective date:</u> 1 January 2020</li> </ul> <p><a href="http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/D/058/T_0048.PDF">http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/D/058/T_0048.PDF</a></p>
	Phiset Ngor	<ul style="list-style-type: none"> <li>• Announcement: extension of the declaration of the state of emergency for all areas in the Kingdom of Thailand (4<sup>th</sup> time)</li> <li>- Extend the state of emergency, effective <b>1 – 31 August 2020</b></li> </ul> <p><a href="http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/173/T_0066.PDF">http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/173/T_0066.PDF</a></p>
	Phiset Ngor	<ul style="list-style-type: none"> <li>• Rule of Arbitration Institute re: the dispute settlement via online method B.E.2563</li> <li>- Prescribe the procedures of the dispute settlement via online including, mediation, conciliation, arbitration.</li> <li>- Prescribe the fee rate, the rule of confidentiality under the procedure.</li> <li>- <u>Effective date:</u> 1 August 2020</li> </ul> <p><a href="http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/173/T_0070.PDF">http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/173/T_0070.PDF</a></p>
31 July 2020	Kor	<ul style="list-style-type: none"> <li>• Min reg: determination of the assessed price of the condo units and the preparation of the assessed price account B.E.2563</li> <li>- Prescribe the procedures and criteria for the provincial board to determine the assessed price of the condo units</li> <li>- <u>Effective date:</u> 1 August 2020</li> </ul> <p><a href="http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/061/T_0001.PDF">http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/061/T_0001.PDF</a></p>
5 August 2020	Kor	<ul style="list-style-type: none"> <li>• Min reg. re: determination of type, category and size of the factory B.E. 2563</li> <li>-Amend the definition of factory under Section 5 and 7 of factory act B.E. 2535 amended (issue no.2) B.E. 2562</li> <li>- Prescribe and categorize 3 types of the factory which are in accordance with the controlling level including the prevention of burdens and annoyance, the prevention of damage, and the prevention of dangers arisen from the consequences to people or the environment.</li> <li>- <u>Effective date:</u> 6 August 2020</li> </ul>

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		<a href="http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/062/T_0013.PDF">http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/062/T_0013.PDF</a>
	Kor	<ul style="list-style-type: none"><li>• Min reg. re: determination of the annual fee rate for the business operator of the factory under category 2 and 3 B.E. 2563</li><li>- <u>Effective date:</u> 6 August 2020</li></ul> <a href="http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/062/T_0021.PDF">http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/062/T_0021.PDF</a>
	Kor	<ul style="list-style-type: none"><li>• Min reg. re: determination of the fee rate for the operation of factory and inspection or certify license B.E. 2563</li><li>- <u>Effective date:</u> 6 August 2020</li></ul> <a href="http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/062/T_0015.PDF">http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/062/T_0015.PDF</a>
	Kor	<ul style="list-style-type: none"><li>• Min reg. re: the opposition, removal, cessation, and revocation of mediators B.E.2563</li><li>- Determine the procedures of the revocations of the appointed mediators by any party under the disputes settlement process.</li><li>- <u>Effective date:</u> 6 August 2020</li></ul> <a href="http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/062/T_0008.PDF">http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/A/062/T_0008.PDF</a>