

Rödl & Partner

INVESTMENT GUIDE THAILAND

Framework for investments

2025
2026

CAPTURING MARKETS



“Companies think outside of the box by way of bold ideas, demonstrating their willingness to grow and develop. In doing so, risks are to be minimized and opportunities to be identified at an early stage. We know from our own experience what is important when entering new markets. Together with our clients, we put ambitious plans into action.”

Rödl & Partner

INVESTMENT GUIDE
THAILAND

Framework for investments

2025

2026

CAPTURING MARKETS

Content

Introduction	6
Our services	8
Investment Framework	10
Investment and other business vehicles	10
Investment Promotion	18
Tax System	19
Corporate Income Tax	19
Personal Income Tax	19
Withholding Tax	20
Value Added Tax	20
Stamp Duty	21
Excise Tax	21
Employment	22
Work Rules	22
Minimum Wage	22
Work Hours and Holidays	22
Termination of Employment	23
Social Security	23
Foreign Employees	24

Real Estate Acquisition	25
Dispute Resolution	26
About us	27
Contact	29

Introduction

The Kingdom of Thailand with its' capital Bangkok is an interesting business destination at the crossroads of Asia, with easy access to the region's dynamic markets, including its own domestic market of approx. 71 million people.

Thailand is also attractive as a production base for international companies, which is underlined by various free trade agreements and its important role in the developing ASEAN Economic Community (AEC). Thailand was one of the founding members of the Association of South East Asian Nations (ASEAN), and played a significant role in the formation and development of the ASEAN Free Trade Area (AFTA). Besides the ASEAN trade, the country also offers convenient access to the markets of China and India. For example, Thailand is a member to the Regional Economic Partnership.

The Thai economy is mostly unaffected by the constant political unrest since 2006, and the Kingdom presents itself with solid growth, strong exports and an increasing domestic consumer market. The land surface of Thailand is roughly comparable to France with about 511,000 square kilometers. Good infrastructure, a variety of natural resources and a skilled and cost-effective work force further help to suit foreign investors with their business development in Thailand.



Our Services

LEGAL ADVISORY

- Corporate legal advice concerning structure, establishment and operations of subsidiaries, Joint Ventures and Representative Offices
- Legal Due Diligence and support of share and asset transactions (M&A)
- Restructuring and optimizing of distribution structures in Thailand
- Preparation of legal memorandums with regard to various aspects of Thai business law
- Dispute Resolution, Litigation Advisory and preparation of employment contracts and management contracts, support with employment related dispute resolution
- Distribution and Licensing Agreements
- Intellectual Property Rights
- Advisory on Thai visa regulations and support with related administrative proceedings

TAX ADVISORY

- National and international planning of tax structures
- Tax Due Diligence
- Delegation of employees
- Advisory on tax aspects of permanent establishments in Thailand
- Support with regard to tax audits, representation in fiscal administrative or judicial proceedings
- Advisory concerning tax declarations

AUDIT

- Audit of financial statements, interim financial statements and reporting packages under Thai law, under HGB as well as IFRS and U.S. GAAP
- Financial Due Diligence
- Support with investment controlling
- Internal Audit
- Company Evaluation

BUSINESS PROCESS OUTSOURCING

- Bookkeeping and financial accounting
- Payroll Accounting
- Reporting, Controlling
- Preparation of financial statements
- Cash Management
- Preparation of tax returns



Investment Framework

The key piece of legislation on foreign investment activities in Thailand is the Foreign Business Act 1999 (FBA). This law regulates the activities which companies designated as “foreigners” may engage in. The respective definition involves companies not registered in Thailand as well as registered companies with 50 per cent or more of foreign shareholding. While some activities are completely prohibited, some may be conducted with prior approval from a designated government agency, and some do not require any special approval at all.

The FBA provides three lists of activities with restricted or prohibited foreign participation. Activities stated in List 1 are designated as “businesses not permitted for foreigners to operate due to special reasons”. Foreign companies are completely restricted from engaging in the activities contained in List 1. Activities stated in List 2 are designated as “businesses related to national safety or security, or affecting arts and culture, traditional and folk handicraft, or natural resources and environment”. Foreign companies may only engage in these activities with prior Cabinet approval. Finally, activities stated in List 3 are designated as “businesses in which Thai nationals are not yet ready to compete with foreigners”. These activities require the foreign company to apply for and obtain a Foreign Business License or, in some cases, register a certain minimum capital prior to commencing the business with exemption from the FBA restrictions. US-Companies enjoy national treatment under the Treaty of Amity and Economic relations between Thailand and the USA.

INVESTMENT AND OTHER BUSINESS VEHICLES

There are different investment vehicles which appear of interest for foreigners planning business activities in Thailand, e.g.:

- Incorporated Companies
- Partnerships
- Representative Offices
- International Business Center
- Branches
- Commercial agents

It is quite common to establish Joint Venture structures with Thai partners in the light of the restrictions which the FBA imposes on a vast range of majority foreign invested business activities.

Incorporated Companies

Private Company Limited

The Private Company Limited which is governed by the Thai Civil and Commercial Code, being the corporate vehicle most commonly referred to by foreign investors in Thailand, has basic characteristics similar to the German GmbH. A Company Limited is established in a process which leads to the registration of a Memorandum of Association (Articles of Incorporation) and Articles of Association (By-laws), as its constitutive documents. The competent authority is the Department of Business Development under the Ministry of Commerce.

The organs of the Company Limited include the board of directors and the shareholders. The day-to-day business is managed by one or more directors who also represent the company externally. The shareholders enjoy limited liability in accordance with the par values of their shares. Directors generally have no special liability for the debts of the company in the case of bankruptcy or liquidation, unless they personally cause loss to the company or act out of the company's objectives framework or against the law. The Company Limited is managed by a board of directors or a sole director according to the company's charter and Articles of Association (By-laws).

The par value of a share may not be less than five Thai baht. All shares must be subscribed to, and at least 25 per cent of the subscribed shares must be paid up. The shareholder with partial share payment of 25 per cent, however, is still fully liable to the company's creditor until the share has been fully paid up. The Company Limited is prohibited to own its subscribed shares or take them in pledge. A statutory reserve of at least 5 per cent of annual net profit arising from the business must be appropriated by the company at each dividend distribution until such reserve reaches at least 10 per cent of the company's registered capital.

There are some differences to German law regarding the establishment of the company. The Company Limited has to be set up by at least two natural persons (the so called promoters) who have to own at least one share each. It is mandatory that, at any time, at least two persons hold shares in the company. Once the company has been established, a shareholder can also be a juristic person. Thus, a company with only one shareholder is, in contrast to German law, not permitted in Thailand.

In order to set up a Company Limited in Thailand, the promoters initially need to reserve the company name. The name to be reserved must not be the same or close to that of other companies. Certain names are not allowed and therefore the name reservation guidelines of the Business Development Office in the Ministry of Commerce ought to be observed. The approved corporate name is valid for 30 days. A Memorandum of Association to be filed with the Department of Business Development must include the name of the company that has been successfully reserved, the province where the company will be located, its business objectives, the capital to be registered, and the names of the two promoters. The capital information must include the number of shares and the par value.

At the formation step, the authorized capital, although partly paid, must all be issued. Although there is only a theoretical minimum capital requirement of 15 Thai baht, the amount of the capital should be respectable enough and adequate for the intended business operation. The amount of registered capital, share and par value needs to be clearly declared in the Memorandum of Association. Any later increase or decrease of such registered capital amount must be done by the special resolution of shareholders. Regarding the method of increase of registered capital, it is mandated by law that such increase can be done only by way of issuing new shares. Therefore, other ways of increasing the registered capital such as increase of the amount of par value of each share are not practicable.

Once the share structure has been defined, a statutory meeting is held not less than seven days after the convening letter has been sent to all shareholders. The articles of incorporation and By-laws

are approved in such meeting, the Board of Directors is elected, auditors are appointed and the type of share, i.e. ordinary share or preferential share, is defined. A minimum of 25 per cent of the par value of each subscribed share must be paid. Exceptions apply if higher paid-in capital is prescribed, e.g. for FBA exemption. Within three months from the date of the Statutory Meeting, the directors must submit the application and supporting documents to establish the company.

Public Limited Company (PLC)

Another incorporated company, the Public Limited Company (PLC), is designed to allow a public distribution of shares. It can be compared to the German “Aktiengesellschaft” and has its legal basis in the Thai Public Limited Companies Act. The PLC’s business is managed by the executive board, which consists of at least five natural persons. At least half of the members of the executive board need to permanently reside in Thailand. It is not relevant whether the executive board members are shareholders themselves. The board represents the PLC externally.

The PLC has to be set up by a minimum of 15 natural persons. At least half of these persons have to be permanent residents in the kingdom of Thailand, and they must subscribe a total of at least 5 per cent of the capital. The company’s legal existence commences with the completion of the registration process. In the following period, the number of shareholders always needs to be 15 or more. If the PLC matches the requirements imposed by law, it can go public on the stock market. Compared to the Company Limited, the PLC has increased obligations concerning accounting and financial statements.

Partnerships

Ordinary Partnership

In an ordinary partnership, at least two partners agree to conduct a certain business and to contribute payments, benefits in kind or services to promote this cause. All contributions are to be considered equivalent, as long as the partnership agreement does not

provide otherwise. All partners have to be natural persons. There are no registration obligations. The partnership is based on an agreement of which the content is determined by the partners. Such agreement can be deemed concluded by mere business commencement, no particular formal requirements exist.

From a tax perspective, the ordinary partnership is subject to the specific Personal Income Tax of its partners, but not to Corporate Income Tax, unless it is registered with the competent authority as a registered ordinary partnership which shall be subject to the Corporate Income Tax similar to the limited partnerships. The ordinary partnership can be compared to the German “Gesellschaft bürgerlichen Rechts” (GbR), and is considered as basic form of partnership; the partners being fully liable for all company’s debts and obligations.

Registered Ordinary Partnership

The registered ordinary partnership differs from its partners and is a legally independent entity which can therefore be contract partner or party in a legal dispute on its own. Basically, it corresponds to the German “Offene Handelsgesellschaft” (OHG). The registration has an effect on the liability for the company’s debts. Although the partners are still liable for all company’s debts with their private assets, this liability applies – in contrast to the ordinary partnership – only in case the company cannot serve the debts or obligations.

Limited Partnership

Eventually, the limited partnership is an independent legal entity which gains its legal status by registration. The partners’ personal liability is limited to their amount of capital; however, at least one partner needs to assume unlimited liability. This means, there are two groups of partners, having (i) personal and unlimited liability and (ii) limited liability. This structure is comparable to the concept of the German “Kommanditgesellschaft” (KG). The company’s management is conducted by the partners with unlimited liability. In case a partner with limited liability is involved in management tasks, he loses his status of limited liability and becomes a partner with unlimited liability.

Representative Office

In Thailand, a foreign entity is permitted to set up a Representative Office (RO) which may conduct limited non-revenue generating activities. The RO is not a separate legal entity from its head office, it is deemed part of the head office in Thailand. Thus, the RO has to be fully funded by its head office. Given that the RO cannot engage in income-generating activities, it is not subject to corporate income tax under the Thai Revenue Code.

A RO can engage in the following five business activities in Thailand:

- Procurement of supply source for goods or services in Thailand for the Head Office or affiliated / group companies;
- Inspection and control of the quality and volume of goods purchased or hired to be manufactured in Thailand by the Head Office or affiliated / group companies;
- Consultation on various aspects pertaining to the goods from the Head Office or affiliated / group companies distributed to distributing agents or end-users;
- Dissemination of various information pertaining to new goods or new services of the Head Office or affiliated / group companies;
- Reporting of business movements in Thailand to the Head Office or affiliated / group companies.

Note that any further activity may require a Foreign Business License. Furthermore, the activities have to be rendered with regard to Thailand. Regional activities can be done under a comparable vehicle, the Regional Office. To set-up a RO, the head office has to name a representative in Thailand and remit a certain amount of funds to Thailand.

International Business Center (IBC)

In 2018, the Board of Investment replaced the promotion schemes “International Headquarter” and “International Trading Center” by the “International Business Center” scheme. Under the IBC scheme, foreign investors may engage in wholesale activities (100 per cent foreign owned) of all kinds of goods in Thailand.

A promoted company has to be set-up with a minimum capital of THB 10 million and is – in general – required to have 10 qualified employees. It has to provide certain services to an affiliated company and has to engage in at least two of the following activities: Out-in transactions (sale of goods to Thailand), in-out transactions (sale of goods from Thailand), in-in transactions (sale of goods within Thailand), out-out transactions (sale of goods outside Thailand).

Various tax advantages can be granted, provided that the requirements for an IBC tax incentive are fulfilled, such as certain minimum business expenses in Thailand. Promoted companies may enjoy reduction of the corporate income tax rate to 8 per cent, 5 per cent or 3 per cent. Other tax incentives relating to dividends, specific business tax and personal income tax of employees can be granted.

Branch Office

A Branch Office is not deemed a juristic person registered by virtue of Thai laws. The Branch Office's legal status is not separated from the head office and it is operated using the same name as its parent company / head office. As it has the same legal status as its head office, the requirements applying to the Branch Office establishment permission in Thailand are mostly information / corporate documentation of the head office which have to be provided to the officer in charge. Besides, the Branch Office is considered as "Foreigner" under Section 4(2) of the FBA. If the business of the Branch Office is restricted under the FBA, the application of a Foreign Business License is required prior to the commencement of business. It is also subsequently subject to the respective Minimum Capital Regulation and remittance thereof.

Regarding the tax perspective, the Thai Revenue Code deems that the Branch Office has its independent tax entity status apart from its head office owing to the governmental advantage to levy tax of Branch Office business operated in Thailand. The Branch Office, therefore, is subject to the sole tax burden in line with the Thai Revenue Code.

Sales Agent

A sales agent or distribution partner can be an alternative to the establishment of a subsidiary in Thailand. The main advantage is, that establishment and operating costs of a subsidiary do not occur in this case. This might be of interest at an early stage, when orientation and market research have to be done and the future of the business activities is still uncertain. But besides the cost-advantage, there are some disadvantages that should well be noted. Engaging a sales agent requires a significant amount of trust. Many agents are working for more than one company; it needs to be secured that the sales agent is active with the necessary motivation for the client and that he does not distribute products of the client's competitors which could result in conflicting interests. Foreigners are – with a few exceptions in list 3 of the FBA – excluded from conducting agency business in Thailand.

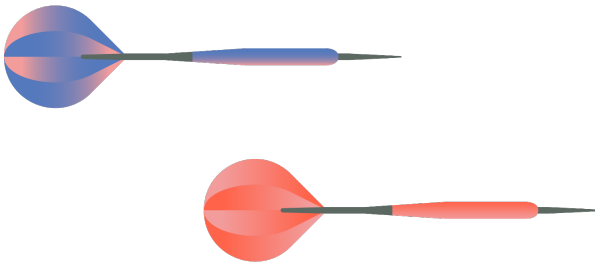
Bangkok



Investment Promotion

The Board of Investment (BOI) provides investment assistance in the form of admissions for land acquisition, tax incentives, reduction or exemption from import duties for raw materials or machinery required for production, or simplification of application proceedings for a work permit if the local company contributes to Thailand's progress, in particular if the company will provide new jobs and stimulate the local economy. Eligible activities for BOI tax and non-tax incentives are manufacturing and service sectors which are outlined in a comprehensive catalogue. Besides the eligible activities, the investment privileges may depend on the location in which the enterprise will start its business. Further investment promotion is possible if the company is established in an area administered by the Industrial Estate Authority of Thailand (IEAT).

Currently, investments in the Eastern Economic Corridor, a special investment zone between Bangkok and Rayong, are particularly interesting. Not only are investors eligible for special investment promotion, they may also utilize an increasingly well-developed infrastructure such as the deep-sea port in Laem Chabang.



Tax System

The Kingdom of Thailand has concluded Double Taxation Agreements (DTA) with currently 56 countries all around the world, including the Federal Republic of Germany. The following chapter outlines the most important types of Thai tax.

CORPORATE INCOME TAX

Corporations are liable to Corporate Income Tax if they are either incorporated under Thai law or conducting business in Thailand.

The Corporate Income Tax for Thai companies is imposed on their worldwide net profits. Permanent Establishments (PE) of foreign corporations are only taxed on their income generated in Thailand through such establishment. The standard rate has been reduced to 20 per cent for several years already. Small and medium-sized enterprises are eligible to further reduced rates under certain conditions.

Current and depreciation expenses are generally deductible from gross profits for Tax purposes, although some limitations apply. Net losses can be carried forward for up to five subsequent years; a carry back of losses is not possible.

Corporate Income Tax declarations have to be filed and paid bi-annually. Profit after tax has to be retained in a capital reserve of at least 5 per cent of such profits upon each profit distribution, until such reserve amounts to a total of 10 per cent of the registered capital. Only the remaining profits can be distributed as dividend payments. The Corporate Income Tax rate is not affected by the profit distribution. In case of distribution of profits, a withholding tax at a rate of 10 per cent is applied on dividend payments. A remittance tax of 10 per cent is imposed on the distribution of profits from a Thai branch to its foreign mother company.

PERSONAL INCOME TAX

Personal Income Tax is imposed on all natural persons residing in Thailand for 180 days or more per calendar year irrespective of their nationality. The tax liability is calculated by a progressive rate with a current maximum rate of 35 per cent based on the world in-

come. Income derived abroad which is not related to work or business carried out in Thailand can be taxed upon remittance of the income to Thailand.

Employers are required by law to withhold tax from an employee's salary and to transmit the amount due directly to the Thai Tax authorities each month. The calculation of an employee's tax liability allows for the deduction of several fixed allowances from the gross income depending on the type of income earned and the personal circumstances.

WITHHOLDING TAX

Withholding Tax is in itself not an additional type of tax but rather a special form of tax collection for Personal or Corporate Income Tax. The payer of income is required to withhold the appropriate tax amount from the salary or invoiced amount and remit it to the Thai Revenue Department within seven days from the end of the month. The taxpayer receives a Withholding Tax Certificate that can be used as credit against his tax liability when filing the year-end tax return.

The Withholding Tax rates generally amount to 10 per cent on dividends and 15 per cent on interest and licensing payments from Thailand to Germany. Payments on services are taxed with rates between 2 per cent and 15 per cent, with the highest rate for example being applied for technical services by non-residents. Local taxation laws pertaining to Withholding Tax are often in line with the Double Taxation Agreement; however some deviations need to be observed, such as for licensing fees for usage or right of use of intellectual property which are taxed at a maximum rate of 5 per cent under the DTA.

VALUE ADDED TAX

The Value Added Tax system in Thailand is comparable to the system imposed in most developed nations such as the German "Mehrwertsteuer". The tax is added on top of the sales price of goods or services to the customers and remitted by the seller to the Revenue Department. In case the seller himself has purchased

goods or services in the course of his business, such tax paid is deductible as input tax when filing the VAT declaration, so that effectively the tax burden is only carried by the end consumer.

The general rate of Value Added Tax in Thailand amounts to 10 per cent, but has been reduced to 7 per cent for many years now in order to stimulate economic growth. A raise or elimination of the reduced rate is being discussed politically on a regular basis, but so far has not been officially decided upon. Certain types of goods and services are exempt from VAT due to their significance to the public welfare. Enterprises with a revenue below 1.8 million Thai Baht are also exempt from compulsory VAT registration.

STAMP DUTY

Certain types of documents are subject to Stamp Duty which is either paid for via special stamps to be attached to the document, or via a payment to the local Revenue Office. If required in the special case, only documents exhibiting the proper stamps may unfold full authenticity, especially when dealing with authorities and courts. The tax is imposed on 28 different types of documents, but not on documents that are addressed to foreign recipients or which shall only be effective abroad.

EXCISE TAX

Excise Tax is imposed on certain luxury products and commodity items. The tax liability incurs at the time when the product leaves the factory or warehouse within Thailand, or upon import of such goods. Applicable rates range from 2 to 50 per cent of the customs value.

Employment

Thai labor law is relevant for any investment in Thailand, in particular the Thai Labor Protection Act (LPA). Employers not complying with the LPA may face fines or, in exceptional cases, even imprisonment of up to one year.

WORK RULES

An entity with ten or more employees needs to provide written work rules which cover the work performance and other items such as working days, holidays and disciplinary actions. The work rules must be in Thai and publicly displayed for all employees at the work place.

MINIMUM WAGE

Since January 2025, the minimum wage has been set to 370-400 Baht per day, depending on the province.

WORK HOURS AND HOLIDAYS

The maximum time for non-hazardous work is eight hours per day, or 48 hours per week, while working hours for hazardous work may not exceed seven hours per day or 42 hours per week. Employees are entitled to a minimum of six days of annual vacation after working consecutively for one full year, as well as to 13 national holidays per year. A female employee is entitled to maternity leave for a period of 90 days including holidays, but her respective paid leave shall not exceed 45 days. After having worked five consecutive hours all employees are entitled to a daily rest period of at least one hour. A weekly holiday of at least one day per week must be provided for the employee.

For work performed in excess of the maximum amount of working hours fixed either by law or by specific agreement (if the latter is lower), employees must be paid overtime compensation. The rates for overtime may vary and range from 1½ to 3 times the normal hourly wage for the actual overtime worked. The maximum number of overtime working hours is limited to not more than 36 hours a

week. Overtime on normal working days is compensated with factor 1.5 of the employee's salary, work on holidays is compensated with factor 2, and overtime work on holidays with factor 3.

TERMINATION OF EMPLOYMENT

Conditions for the termination of employment are stipulated in the LPA; further regulations governing unfair practices and unfair dismissals, which can often be the result of incorrect legal procedures. A specific Labor Court settles employment disputes. If an employment contract does not specify the duration, either party may terminate the contract by giving at least one month's notice at any time of salary payment with effect to the next payment.

The severance payment is calculated in accordance with the following table

Duration of Employment	Severance Payment
at least 120 days	30 days of latest salary amount
at least one year	90 days of latest salary amount
at least three years	180 days of latest salary amount
at least six years	240 days of latest salary amount
at least ten years	300 days of latest salary amount
at least twenty years	400 days of latest salary amount

In some cases the employee may be dismissed without notice period and severance pay requirement, e.g. if a crime has been committed against the employer or in case of intentionally or negligently caused damage.

SOCIAL SECURITY

The Social Security Act obliges employers to withhold social security contributions from each employee's monthly wage. The rate currently amounts to 5 per cent for the first 15,000 Thai baht of the salary. The employer is required to match the contribution from the employee and remit them to the Social Security Office in charge. The contribution is capped at an amount of 750 Thai baht. Employees with social security

registration may file claims for compensation in case of e.g. injury, illness or disability being not due to the performance of their work, as well as for child delivery, child welfare, old age pension and unemployment. Furthermore, the employer is required to establish a Workmen's Compensation Fund (pay-in between 0.2 and 1 per cent of the employee's annual income).

FOREIGN EMPLOYEES

Foreigners who intend to work in the Kingdom of Thailand have to deal with the Thai visa regulations and applicable work permit requirements. The relevant visa which needs to be presented upon entering the country for work purposes is generally the Non-Immigrant B visa. Other visa categories apply for the employee's family members. Some visa exceptions apply for specific groups, e.g. members of the diplomatic corps.

Generally, a foreigner working in Thailand must obtain a work permit before commencing work. Again, exceptions apply for some professional groups or for foreigners performing work of any urgent and essential nature for a period not exceeding 15 days. Further exemptions can apply to digital nomads. Work permits, which have been approved by the labor offices, may be issued as a one year work permit and extended over the period stipulated in the applicant's Non-Immigrant visa. The Labor Department will in principle grant an initial duration of one year for the work permit which is subject to subsequent renewal. Some types of work permits could be approved for the duration of two years such as a work permit for Representative offices, companies with registered capital exceeding 30 million Thai baht, as well as work permits for BOI-promoted companies.

The work permit regulations for foreign employees stipulate various issues to be considered for the work permit application. The registered capital is one important factor. A company having fully paid up a registered capital of 2 million Thai baht may apply for a work permit for one foreign employee. Each additional foreign employee requires a respective capital increase of 2 million Thai baht, while there is a limit of ten foreign employees permissible. Furthermore, it is generally required that the ratio of foreign to Thai employees must be 1:4.

Real Estate Acquisition

Land ownership in Thailand is governed by the Land Code, according to which foreigners are not permitted to own land. Foreigners may be registered as holder of certain rights such as lease, habitation, usufruct, mortgage or superficies. It should be noted that foreign land ownership restrictions in Thai laws refer to the land only, but not to the building on the land or a condominium registered under the Condominium Act. Therefore, the land and the structure erected on the land may be owned by separate persons. Foreigners buying a building in Thailand can do this through a land lease agreement with the house being owned as a separate personal property. Many foreigners who want to purchase a home opt to purchase a condominium in order to avoid conflicts with the Thai land regulations.

Land purchase is exceptionally possible for foreign companies with substantial investments that are beneficial to the Thai economy. Such companies may have special privileges and exemptions for land ownership granted under section 27 of the Investment Promotion Act. Accordingly, a promoted person may be permitted to own land in order to carry on the promoted activity to an extent deemed appropriate by the Board of Investment. It should be noted that in case a foreigner dissolves his promoted activity or transfers it to another person, he needs to dispose of the land that he has been permitted to own within one year of the date of dissolution or transfer. Otherwise, the Director General of the Land Department in charge has the power to dispose of it under the Land Code. No ownership of land is possible beyond the term of promoted activities.

Dispute Resolution

Thai laws do not specifically provide for the direct enforcement or recognition of a foreign judgment in Thailand. Moreover, Thailand is not a party to any treaty or agreement by which a foreign court judgment may be entitled to recognition and enforcement in Thailand. Consequently, a new trial based on the merits must be initiated in Thailand. However, foreign judgments and documentary evidence generated during a foreign litigation procedure, including settlement negotiations, may be admissible as evidence in Thailand, provided they are not offensive to Thai public policy and have been translated into the Thai language. In the light of these enforcement restrictions, many commercial disputes are referred to the Thai Central Intellectual Property and International Trade Court in practice.

Alternatively, arbitration proceedings are chosen for dispute resolution in many commercial contracts. As Thailand is a party to the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958, arbitral awards conducted outside Thailand and involving any party which is not a Thai national may be enforced by the Thai court pursuant to those Conventions. In practice, many parties opt for the Singapore International Arbitration Center (SIAC) as dispute resolution body.

About us

Rödl & Partner – The agile caring partner for Mittelstand shaped world market leaders

www.roedl.com/about-us





Contact



BANGKOK

PHILIP ENDE

Empire Tower 3, 25th Floor

1 South Sathorn Road

Yannawa, Sathorn

Bangkok 10120

T +66 2 0794 7119

philip.ende@roedl.com





COLOGNE

MARKUS SCHLUETER

Rödl & Partner

Krankenhaus 1

Im Zollhafen 18

50678 Cologne

T +49 221 9499 093 42

markus.schlueter@roedl.com



Visit us!

www.roedl.com/thailand