

**Guidelines of Consideration on the Permission
for
Business Operation of Foreigners
for certain categories of business**

in accordance with the Foreign Business Act B.E.2542

As the number of foreigners who are interested in doing various businesses in Thailand is increasing continuously, and where such types of business that are governed by the Foreign Business Act B.E.2542 consist of the prohibited businesses to foreigners under List One, businesses that require permission from the Minister with the approval of the Cabinet under List Two and businesses that require permission from the Director-General of the Department of Business Development, with the approval of the Foreign Business Committee under List Three. With regards to the consideration of approval, the Foreign Business Committee will consider the application for foreign business license by taking in account the advantages and disadvantages to Thailand in various aspects in accordance with Section 5 of the Foreign Business Act B.E.2542, such as, advantages and disadvantages to the economic and social development, the transfer of technology, etc.

The Ministry of Commerce has the policy on the steps for submission of application for the foreign business operation to be easy, comprehensible and transparent in order to create the confidence of foreign investors. Therefore, the Foreign Business Committee has provided the guideline for consideration on approval of the foreign business operation for certain categories of business under List Three and, hereby, publicized such guidelines to applicants, including investors, accordingly.

The person who intends to carry out the said business must apply for the Foreign Business License by completing the business operation application form in accordance with Section 17 (Form Tor.2) issued according to Notification of the Ministry of Commerce Re: Prescribing the application form and the form of license to operate a foreign business under Section 17. Thus, it is necessary that the information required under the Guidelines of Consideration on the Permission for Foreign Business Operation be provided in the Application Form under Section 17 (Form Tor. 2) and its attachments. Such information prescribed in the Application Form will not overlap the Guidelines as the Guidelines are the explanation for the acknowledgement and understanding of the applicant only.

In this regards, foreigners intend to carry out the business that has different characteristic and scope to the Guidelines that the Foreign Business Committee provided are still able to apply for the license, whereby the Foreign Business Committee will consider the application on a case-by-case basis.

In this connection, the determination of the Guidelines for consideration on approval of the business by the Foreign Business Committee shall be subject to notification for additional businesses and amendment, in accordance with the altered economy, commerce and investment of the country, which will be notified further.