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泰国 BOI 快讯

泰国投资委员会 (BOI) 发布：文件伪造处罚制度和说明

引言

2024 年 11 月 11 日，泰国投资促进委员会 (“BOI”) 发布了一则关于签证与工作许可单一窗口系统 (“Single Window for Visa and Work Permit”) 的快讯，介绍了通过该系统向 BOI 提交申请时涉及文件伪造的相关指南和处罚措施的最新内容。

主要内容

如果 BOI 发现申请者所提交的任何申请材料中存在伪造行为，BOI 将采取以下步骤：

1. 外籍人士服务部将向相应的申请公司的总经理发送正式通知函，告知其违规行为及后续的步骤，其中包括：

针对公司的处罚说明：

第一次违规	发出警告，并要求公司签署《保证书》，确认如果再次发生相关的违规行为则将受到对应的处罚。
第二次违规	暂停系统访问权 365 天。在此期间，仍然可以通过单一窗口系统，进行签证和工作许可延期申请（职位延期）以及签证和工作许可取消申请。 但这意味着该公司无法通过 BOI 渠道聘用新的外籍员工。
第三次违规	暂停系统访问权，直至 BOI 另行通知。在此期间，仅可以通过单一窗口系统办理的业务为：签证和工作许可证取消申请。 这意味着该公司不能通过 BOI 渠道雇用新的外籍人士，并且通过 BOI 渠道聘请的外籍员工将不能延长签证和工作许可。

针对外籍员工的处罚说明：

第一次违规	在系统中无法提交任何申请请求，期限为 180 天，包括针对外国公民的法律行动报告。
多次违规	失去资格使用 BOI 福利和优惠。

2. 公司最高级别的管理人员，例如董事总经理、首席执行官或副董事总经理，必须在收到通知后的 15 天内当面向外籍人员服务部门进行陈述或报告。

如果公司高管未能在规定的时间内到外籍服务部门与相关的官员进行面对面解释，外籍服务部门有权力限制违规公司在“BOI 单一窗口系统”的访问和使用权限，直至问题得到澄清。

3. 外籍人士服务部门将就违规公司的案例提报给警方。

德勤观察

泰国投资委员会 (BOI) 近期宣布对上交伪造文件处罚的准则和说明, 强调了对于违规操作的公司和外籍人士造成的严重影响。上述处罚措施包括限制系统访问权限和暂停 BOI 权益, 这表明 BOI 对维护签证和工作许可流程完整性的严格要求。

对于企业来说, 了解 BOI 对于伪造申请附件的处罚及其对于提交材料的标准至关重要。本次 BOI 发布的准则, 不仅有助于保护中资企业的运营, 也有助于企业顺利通过 BOI 渠道雇用外籍员工。对于外籍人士来说, 了解并遵守这些准则, 对于其可以在泰国合法居留的状态至关重要。

德勤将持续关注类似的重要进展事态并发布更新。

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