



## Legal News

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#### **Notification of the Ministry of Industry Re: Exemption of Permission to Bring Non-Hazardous Waste and Scrap out of the Factory B.E.2561 (A.D. 2018) issued 3 May 2018**

Factory operator who has non-hazardous waste and scrap is exempted to request for the permission to bring non-hazardous waste and scrap out of the factory. The non-hazardous waste and scrap shall not be contaminated or mixed with hazardous waste and scrap or hazardous substances that has caused them to be considered as hazardous waste and scrap.

**Regulation of the Joint Standing Committee according to the Law regarding Foreign Worker Management Re: Criteria, Procedure, and Condition for Fines of Foreign Workers Who Work without Work Permit or Work beyond the Scopes as Prescribed in the Work Permit B.E. 2561 (A.D 2018) issued 15 June 2018**

This Regulation came into force on 1 July 2018 and onwards. The detail of the Regulation is as follows: -

- 1) If the foreigner commits the offense again after two years from the date of his/her previous offense, the foreigner shall be subject to a fine of 20,000 Baht.
- 2) If the foreigner commits the offense again within two years from the date of his/her previous offense, the foreigner shall be subject to a fine of 30,000 Baht.
- 3) If the foreigner has committed the offense under 1. or 2. and has committed a 3rd offense, the foreigner shall be subject to an additional fine of 10,000 Baht for each additional offense from the fine under 1. and 2., as the case may be, but the total amount of fine shall not exceeding 50,000 Baht.
- 4) If the Inspector found that the accused foreigner has the intention, or acts in a way that would cause damage to the country, or works as same as Thai or an occupation that allow only Thai person to do, or do any work that is not allowed for foreigners, the foreigner will be subject to a fine of 30,000 Baht.
- 5) Once the foreigner has paid the fine, the Immigration Bureau shall deport such foreigner out of the Kingdom of Thailand.

**Ministry of Commerce: Rulings on Business Operations of Foreign Companies in Thailand under the Foreign Business Act**

If a foreign company registered outside Thailand operated the businesses of selling, leasing, hire purchasing and factoring to the customers in Thailand: -

- Selling of the products from overseas to the customers in Thailand with no inbound activity in Thailand, such foreign company shall not be required to obtain a Foreign Business License ("FBL");
- Leasing of goods to the customers in Thailand a foreign company must obtain a FBL;
- Hire purchasing business from overseas to the customers based in Thailand the foreign company must obtain a FBL;
- Factoring business occurring in Thailand a foreign company must obtain a FBL.

The leasing, hire purchasing and factoring activities are considered as service businesses under 3(21), therefore the FBL is required.

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