



Legal News Deloitte Legal – Representing tomorrow

Inside this issue :

December 2017

- Board of Investment issues an Announcement to amend the eligible activities in accordance with the Announcement of the Board of Investment No. 2/2557
- Notification of the Competent Officer on the Rules and Practices regarding Currency Exchange (No. 26)

Board of Investment issues an Announcement to amend the eligible activities in accordance with the Announcement of the Board of Investment No. 2/2557

On 28 October 2017, the Board of Investment (“BOI”) issued the BOI Announcement No. Sor 3/2560 RE: Additional Amendments of Eligible Activities for Investment Promotion in accordance with the BOI Announcement No. 2/2557 (“Announcement”). The main amendments are summarized as follows:

1. Section 1: Agriculture and Agricultural Products

Adding the eligible activity No. 1.23 Manufacture or provide services regarding modern agricultural systems such as monitoring systems or monitoring conditions systems, resources controlling system e.g. water, fertilizers, pharmaceuticals, and intelligent house systems.

The promoted company will be entitled to receive a 5-year corporate income tax (“CIT”) exemption incentive (without a cap on the amount of the exemption).

2. Section 2: Service and Public Utilities

Amending the eligible activity No. 7.19 Vocational Training Centers as follows:

- Eligible activity No. 7.19.1: Vocational Training Centers
- Eligible activity No. 7.19.2: Education Institutions or Higher Education Institutions

The promoted company will be entitled to receive a 8-year CIT exemption incentive (without cap on the amount of the exemption).

Both of these eligible activities must comply with the conditions as prescribed by the BOI under each eligible activity. This Announcement came into effect on 15 September 2017.

Notification of the Competent Officer on the Rules and Practices regarding Currency Exchange (No. 26)

On 4 October 2017, the Bank of Thailand announced the Notification of the Competent Officer on the Rules and Practices regarding Currency Exchange (No. 26) (the "**Notification**") to relax the foreign currency transactions procedure for the private sector. The main issues are summarized below:

1. To amend the purpose in which the authorized juristic person requires evidence for the purpose of purchasing or exchanging foreign currency by adding the purpose of payment for imported gold and deleting certain purposes such as the transfer of investment of mutual fund in case of a capital decrease of the mutual fund and payment of service for example;
2. In case of purchase or exchange of foreign currency with the authorized juristic person in an amount less than USD 50,000 or its equivalent, such person need only to inform the purpose of transaction without providing evidence for the purchase or exchange of foreign currency. Specific cases will still require evidence to be presented on the purchase or exchange;
3. To cancel the Foreign Transaction Form and the authorized juristic person must proceed as follows instead of filling in Foreign Transaction Form which shall apply to all cases without a minimum amount for the transaction involved:
 - to have the customer provide details of the foreign currency transaction to the authorized juristic person such as providing personal information of the client and the purpose of transaction; and
 - after accepting the transaction, the authorized juristic person must issue evidence for the foreign currency transaction which must specify information such as the personal information of the person doing transaction, amount of money, exchange rate, date, month and year of transaction and the purpose of transaction. The authorized juristic person must allow the customer to check the information of foreign currency transaction.
4. To cancel the requirement of the authorized juristic person to affix its seal on the document presenting the obligation for foreign currency transaction of the customer.

This Notification came into effect 18 October 2017.

Contact
Poljun Divari

Director, Deloitte Legal
Bangkok, Thailand

Tel: +66 (0) 2034 0000 ext 11231

Email: pdivari@deloitte.com

Pornpun Niyomthai

Director, Deloitte Legal
Bangkok, Thailand

Tel: +66 (0) 2034 0000 ext 10404

Email: pniyomthai@deloitte.com

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee ("DTTL"), its network of member firms, and their related entities. DTTL and each of its member firms are legally separate and independent entities. DTTL (also referred to as "Deloitte Global") does not provide services to clients. Please see www.deloitte.com/th/about for a more detailed description of DTTL and its member firms.

Deloitte provides audit, consulting, financial advisory, risk advisory, tax and related services to public and private clients spanning multiple industries. Deloitte serves four out of five Fortune Global 500® companies through a globally connected network of member firms in more than 150 countries and territories bringing world-class capabilities, insights, and high-quality service to address clients' most complex business challenges. To learn more about how Deloitte's approximately 245,000 professionals make an impact that matters, please connect with us on [Facebook](#), [LinkedIn](#), or [Twitter](#).

About Deloitte Southeast Asia

Deloitte Southeast Asia Ltd – a member firm of Deloitte Touche Tohmatsu Limited comprising Deloitte practices operating in Brunei, Cambodia, Guam, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam – was established to deliver measurable value to the particular demands of increasingly intra-regional and fast growing companies and enterprises.

Comprising 290 partners and over 7,400 professionals in 25 office locations, the subsidiaries and affiliates of Deloitte Southeast Asia Ltd combine their technical expertise and deep industry knowledge to deliver consistent high quality services to companies in the region.

All services are provided through the individual country practices, their subsidiaries and affiliates which are separate and independent legal entities.

About Deloitte Thailand

In Thailand, services are provided by Deloitte Touche Tohmatsu Jaiyos Co., Ltd. and its subsidiaries and affiliates.

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited, its member firms, or their related entities (collectively, the "Deloitte network") is, by means of this communication, rendering professional advice or services. No entity in the Deloitte network shall be responsible for any loss whatsoever sustained by any person who relies on this communication.

© 2017 Deloitte Touche Tohmatsu Jaiyos Advisory Co., Ltd.