Deloitte.



Thailand | Tax & Legal | 19 September 2023



TAX Alert Personal Income Tax ("PIT") on foreign source incomes

On 15 September 2023 the Thai Revenue Department ("**TRD**") issued a Revenue Department Instruction No. Por.161/2566 ("**the Instruction**") as a guideline for tax officers with respect to tax inspections on and recommendations for Thai tax residents deriving incomes from a post or office held or business carried on abroad, or from property located abroad pursuant to paragraph 2 of Section 41 of the Thai Revenue Code ("**TRC**").

Under the Instruction, incomes derived by the income earner in the preceding tax year, under paragraph 2 of Section 41, shall be subject to Thai tax in the tax year such income is brought into Thailand (irrespective of the tax year such income is brought into Thailand). Such assessable income shall be required to be included as taxable income in the tax year of remittance into Thailand. Furthermore, the Instruction also supersedes any regulations, rules, instructions, letter of rulings, or practices that are contradictory with this

The Instruction is effective for the assessable income that is brought into Thailand as from 1 January 2024 onwards.

Contacts

Instruction.

Anthony Visate Loh

International Tax & Legal Tel: +66 (0) 2034 0000 ext 40112 Email: aloh@deloitte.com

Alisa Arechawapongsawat Transfer Pricing Tel: +66 (0) 2034 0000 ext 40171

Email: aarechawapongsawat@deloitte.com

Mark Kuratana

Global Employer Services Tel: +66 (0) 2034 0000 ext 40125 Email: mkuratana@deloitte.com

Nu To Van

Indirect Tax (Customs & VAT) Tel: +66 (0) 2034 0000 ext 40163 Email: ntovan@deloitte.com

Chairak Trakhulmontri Transfer Pricing Tel: +66 (0) 2034 0000 ext 40157 Email: ctrakhulmontri@deloitte.com

Darika Soponawat

Business Tax (Tax Compliance) Tel: +66 (0) 2034 0000 ext 40115 Email: dsoponawat@deloitte.com

Dr. Kancharat Thaidamri Transfer Pricing

Tel: +66 (0) 2034 0000 ext 40118 Email: kthaidamri@deloitte.com

Korneeka Koonachoak

Business Tax (Value Chain Alignment) Tel: +66 (0) 2034 0000 ext 40122 Email: kkoonachoak@deloitte.com

Patcharaporn Pootranon

Legal - Corporate Tel: +66 (0) 2034 0000 ext 40173 Email: ppootranon@deloitte.com

Pornpun Niyomthai

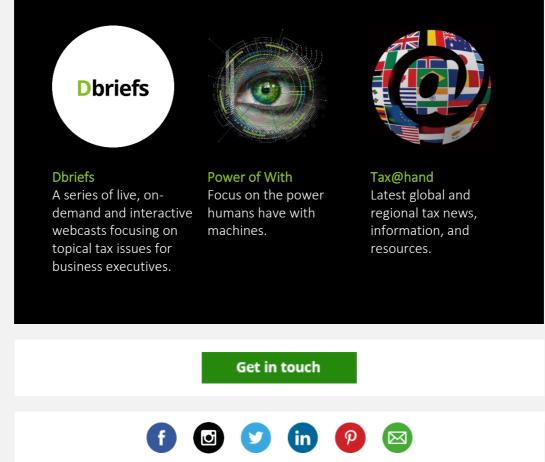
Global Employer Services – Immigration Tel: +66 (0) 2034 0000 ext 40175 Email: pniyomthai@deloitte.com

Stuart Simons

Transfer Pricing Tel: +66 (0) 2034 0000 ext 40135 Email: ssimons@deloitte.com

Wanna Suteerapornchai

Business Tax (M&A) Tel: +66 (0) 2034 0000 ext 40144 Email: wsuteerapornchai@deloitte.com



Deloitte Thailand | Add as safe sender

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited ("DTTL"), its global network of member firms, and their related entities (collectively, the "Deloitte organization"). DTTL (also referred to as "Deloitte Global") and each of its member firms and related entities are legally separate and independent entities, which cannot obligate or bind each other in respect of third parties. DTTL and each DTTL member firm and related entity is liable only for its own acts and omissions, and not those of each other. DTTL does not provide services to clients. Please see www.deloitte.com/about to learn more.

Deloitte Asia Pacific Limited is a company limited by guarantee and a member firm of DTTL. Members of Deloitte Asia Pacific Limited and their related entities, each of which is a separate and independent legal entity, provide services from more than 100 cities across the region, including Auckland, Bangkok, Beijing, Bengaluru, Hanoi, Hong Kong, Jakarta, Kuala Lumpur, Manila, Melbourne, Mumbai, New Delhi, Osaka, Seoul, Shanghai, Singapore, Sydney, Taipei and Tokyo.

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 DTTL, its global network of member firms or their related entities is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser.

No representations, warranties or undertakings (express or implied) are given as to the accuracy or completeness of the information in this communication, and none of DTTL, its member firms, related entities, employees or agents shall be liable or responsible for any loss or damage whatsoever arising directly or indirectly in connection with any person relying on this communication

© 2023 Deloitte Touche Tohmatsu Jaiyos Advisory Co., Ltd.