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Thai Pilots Association Challenges Legality of Wet Lease Agreements for Foreign Pilots

The Thai aviation sector faces renewed scrutiny over the legality of employing foreign pilots through wet lease agreements on domestic routes, as the Administrative Court deliberates on a petition filed by the Thai Pilots Association (TPA).

In March 2025, the TPA initiated legal proceedings against the Ministry of Labour, seeking a temporary injunction to prohibit foreign pilots from operating domestic flights under wet lease contracts. A wet lease arrangement typically includes the provision of aircraft, pilots, crew, maintenance, and insurance, bundled as a single package.

The dispute arises from the 2024 high tourism season, when two aircrafts are operated under a wet lease arrangement on the Bangkok–Phuket route. This operation was made possible by a Cabinet resolution in December 2023, which temporarily waived restrictions on the employment of foreign pilots for domestic services. The resolution, introduced upon the Ministry of Labour's proposal, aimed to support tourism recovery and reduce passenger airfares.

During a hearing on 4 August 2025, the Administrative Court requested the Labour Ministry to clarify its legal authority to approve such arrangements.. The Labour Ministry maintained that its approval was legally valid, notwithstanding the absence of prior precedent.

However, the TPA raised concerns regarding the lack of clarity in the Cabinet resolution, particularly the absence of a definitive deadline. Although the resolution generally restricts wet lease agreements to six months, with a possible extension for another six months, it does not expressly bar further renewals. The TPA fears that this ambiguity may permit airlines to repeatedly rely on foreign pilots during peak travel seasons, undermining the position of Thai pilots.

The TPA also highlighted broader industry implications, warning that domestic pilots could eventually be removed from the list of restricted occupations under Thai labour law. Such a shift, it argues, would significantly impact the competitiveness and employment prospects of Thai pilots.

The TPA urged the CAAT to establish a transparent and inclusive employment framework for the aviation industry. He called for greater disclosure of data on pilot employment, airline fleet expansion, and aviation market trends, to assist future pilots in making informed career decisions.

Furthermore, the TPA has called upon the government to prohibit “pay-to-fly” schemes, which require pilots to make substantial payments in exchange for employment. Three to four Thai airlines have adopted such practices, which he argues undermine fair employment standards. Instead, the TPA advocates that Thailand follow global best practices by offering scholarships to attract and retain top pilot talent.

As the Administrative Court continues to examine the case, the ruling is expected to have significant implications for the interpretation of labour protections, aviation policy, and the balance between supporting tourism growth and safeguarding domestic employment in Thailand’s aviation sector.

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