



BANKING & FINANCE

Thailand's First Virtual Bank Moves Forward — CLICX Receives Approval from the Ministry of Finance and the BOT

Thailand's digital banking landscape is entering a new phase following the approval granted to CLICX Bank Public Company Limited ("CLICX"), a joint venture among Krungthai Bank Public Company Limited (KTB), Advanced Info Service Public Company Limited (AIS/ADVANC), and PTT Oil and Retail Business Public Company Limited (OR), to operate as a branchless commercial bank, or Virtual Bank.

According to the announcement, on 14 May 2026, the Bank of Thailand notified CLICX that the Minister of Finance had granted approval for CLICX to operate a commercial banking business in the form of a virtual bank, together with permission to provide regulated payment services. CLICX is expected to commence operations in June 2026.

A virtual bank is a commercial bank that operates primarily through digital channels without physical branches. In practice, customers access banking services through mobile applications or online platforms. Unlike traditional banks, virtual banks are expected to rely more heavily on digital infrastructure, data analytics, artificial intelligence, and alternative data to provide financial services in a more accessible and personalized manner.

The CLICX model is introduced under the concept of "Bank in One CLICX", aiming to move beyond conventional digital banking toward "Beyond Banking" and Embedded Banking, where financial services are integrated into customers' daily lives. This may include savings, payments, financial management, and access to suitable credit products through digital channels.

The approval of CLICX is significant because it represents the practical implementation of Thailand's policy to modernize the financial sector and promote competition in banking services. Although virtual banks may operate without physical branches, they remain subject to the regulatory supervision of the Bank of Thailand, including requirements on financial stability, customer protection, risk management, cybersecurity, data governance, and responsible lending.

From a legal perspective, the virtual bank model also raises important compliance considerations, including:

1. A virtual bank must obtain approval to operate as a commercial bank and, where applicable, permission to provide regulated payment services. The approval granted to CLICX therefore reflects both banking and payment-service regulatory dimensions.
2. CLICX is expected to use alternative data and AI-driven analysis to assess customer behavior and

creditworthiness. This creates opportunities for broader financial inclusion, but also requires careful compliance with personal data protection, consent, transparency, data accuracy, automated decision-making controls, and cybersecurity standards.

3. Since virtual banks are expected to serve unserved and underserved customers, including freelancers, daily workers, online merchants, and small businesses, customer protection will be a key regulatory focus. Credit products must be suitable, transparent, and consistent with customers' repayment ability.
4. The model aligns with the Bank of Thailand's policy direction on the use of data for consumer empowerment. However, financial institutions must ensure that customer data is used lawfully, securely, and only within the scope permitted by applicable law and customer consent.

BOT Introduces New Standards for Hire Purchase and Leasing Businesses

The Bank of Thailand ("BOT") has issued Notification introducing new rules governing hire purchase and leasing businesses for automobiles and motorcycles, which will be effective on 1 June 2026. The regulation aims to strengthen financial consumer protection by promoting more responsible, transparent, and fair business practices across financial institutions and non-bank operators.

The notification establishes requirements concerning the disclosure and collection of interest, service fees, penalties, and other charges. Business operators must ensure that charges are reasonable, non-duplicative, and not unfair to customers, while key information must be disclosed in a complete, accurate, and clear manner to enable customers to understand financial obligations before entering into agreements.

The framework also addresses debt burden disclosure, early account closure and contract termination procedures, default interest calculations, debt repayment allocation, and fair customer treatment standards. In addition, the BOT places particular emphasis on customer communications and advertising practices to ensure that information provided does not mislead consumers.

Businesses in the hire purchase and leasing sector should proactively review their contractual documents, pricing structures, disclosure practices, and customer communication processes to prepare for compliance with the new regulatory requirements before the implementation date.

Thailand's Proposed Private Trust Framework: A Strategic Shift Toward Global Wealth Attraction

Thailand's proposed introduction of a private trust framework signals a potentially significant shift in the country's capital market strategy, reflecting growing ambitions to position Thailand as a regional wealth management and asset management hub. Inspired by Singapore's well-established

model, the initiative seeks to attract foreign capital, strengthen Thailand's financial ecosystem, and modernise its legal infrastructure for private wealth management.

At its core, the proposal contemplates creating a legal structure allowing assets to be separated from management through private trusts — a mechanism widely used internationally for wealth preservation, succession planning, cross-border investment, and asset protection. For Thailand, the initiative represents more than a new investment product; it raises important legal, tax, and regulatory considerations regarding how the country intends to compete for increasingly mobile global capital.

From a Thai legal perspective, the proposal could require substantial legislative and regulatory development. Thailand's existing legal framework does not currently provide a mature private trust regime comparable to jurisdictions such as Singapore. Successful implementation may therefore require reforms spanning trust law, taxation, securities regulation, wealth management regulation, and potentially immigration and investment promotion policy. The proposal's reported focus on tax incentives, long-term investment visas, and domestic investment requirements suggests an emerging "capital-for-substance" approach aimed at ensuring foreign capital produces tangible economic benefits within Thailand.

The initiative may also have broader implications for Thailand's financial regulatory landscape. A functioning private trust framework could stimulate growth in family offices, private wealth advisory

services, fund management, and cross-border investment activities, while increasing demand for sophisticated legal, tax, fiduciary, and compliance services. It may further support Thailand's strategic sectors, including healthcare, real estate, tourism, and infrastructure, particularly if linked to long-stay investors and foreign direct investment initiatives.

However, legal reform alone is unlikely to guarantee success. Singapore's experience demonstrates that attracting global wealth depends on an integrated ecosystem combining regulatory certainty, credible institutions, competitive tax treatment, deep capital markets, and commercially attractive investment opportunities. Thailand may face challenges in relation to regulatory execution, market depth, and regional competition from Singapore, Malaysia, Vietnam, and Indonesia.

Ultimately, Thailand's proposed private trust framework reflects a broader policy evolution from conventional capital market development toward international wealth attraction and financial ecosystem building. If supported by a credible legal framework, commercially viable tax policies, and strong implementation, the initiative could materially reshape Thailand's private wealth and investment landscape while strengthening the country's position within the regional financial market.

Public hearing on Reporting Standards for Suspicious Financial Transactions

The Bank of Thailand ("BOT") is currently holding a public hearing on the Draft Notification regarding the submission of

reports on suspicious transactions or behaviors by financial institutions to the Bank of Thailand (“Draft”). The public hearing period is open from 5th May 2026 to 5th June 2026.

The Draft aims to establish strict risk management guidelines concerning financial services, cash transactions, and electronic payment services. The primary objective is to prevent financial institutions and payment providers from being used as channels for financial crimes, thereby protecting consumers, boosting public confidence, and maintaining the overall stability of the economic and financial system. Additionally, it seeks to elevate and standardize the data infrastructure and management across the industry.

Under the proposed rules, applicable entities—which include commercial banks, specialized financial institutions (SFIs), and non-bank electronic payment service providers—will be required to submit monthly reports detailing suspicious behaviors and transactions, as well as the results of Enhanced Due Diligence (EDD). To align with digital transformation and streamline the process, the BOT requires these reports to be submitted electronically as CSV files through the Data Acquisition and Publication (DAP) system or via an Application Programming Interface (API). These reports must be submitted by the 15th of the following month, with the first reporting cycle expected to commence with June 2026 data (or September 2026 for foreign bank branches and subsidiaries).

CANNABIS / FOOD & DRUG

Cannabis in Thailand Now Subject to Stricter Medical-Oriented Licensing Controls

The Ministerial Regulation on the Permission for Study, Research, Export, Sale, or Processing of Controlled Herbs for Commercial Purposes (the “Ministerial Regulation”) strengthens the regulation of cannabis flower for medical purposes. It requires prior permission for the export, processing, or sale of cannabis flower, while cultivation for personal use is not an offence. Existing licenses remain valid until expiry, but renewals must comply with the new criteria.

The Ministerial Regulation introduces three key measures: stricter standards for medical cannabis dispensaries, enhanced inspection powers for competent officials, and the use of digital technology for regulatory supervision.

Operators permitted to sell cannabis flower must operate through a medical facility, a place for the production or sale of medicines or herbal products, or a certified traditional healer. They must also comply with storage, odour and smoke control, and staff training requirements.

Competent officials may inspect premises, examine documents, seize or attach items, and arrest sellers operating without permission.

The Department of Thai Traditional and Alternative Medicine has also introduced digital tools for reporting unlawful activities, verifying shop and cultivation locations, checking license expiry dates, and providing technical support.

Public Hearing on the Draft Regulation of the Office of the Prime Minister on International Economic Policy for Medical Herb Export

The public hearing proposed the issuance of legal framework for enhancing the export of Thai medical herbs which is built upon a draft regulation of the Office the Prime Minister which is legally grounded in the State Administration Act. . The public hearing states that this regulation is designed to resolve the current absence of cohesive international economic policy, a gap that has historically prevented these herbs from maturing into sustainable economic crops. The primary mechanism of this regulation is the establishment of a Committee on International Economic Policy for Promoting Medical Herb Exports (“Committee”) which is led by the Minister of Commerce and includes the heads of several critical departments such as Customs, Agriculture, and Thai Traditional and Alternative Medicine. To address specific complexities, the Committee is empowered to establish specialized subcommittees, such as the one dedicated specifically to the export of medical cannabis.

A vital legal mechanism within this framework is the direct reporting line to the Prime Minister, which serves as a pathway for dispute resolution and administrative efficiency. If the Committee encounters significant difficulties that cannot be resolved, they have the explicit authority to seek a decisive order directly from the Prime Minister to ensure the progress. This approach aims to unify the efforts of various state agencies involved in production, customs, and foreign affairs, thereby eliminating the redundant and directionless operation that

currently hinder the country’s long-term economic development. By harmonizing international standards and regulations, the framework seeks to provide Thai entrepreneurs with the necessary support to overcome current hurdles in the global market.

Financial and executive implementation strategies are also integrated into the policy to ensure it remains viable without immediate new budget allocations. The government intends to utilize the Thai Traditional Medicine and Herb Development Fund to finance activities related to export promotion. Furthermore, the framework relies on both existing and new Cabinet resolutions to compel various government units to align their work toward the same strategic goals. The failing to implement these integrated regulations would result in a significant loss of economic opportunity.

Steps to Import Food Products for sale from overseas to Thailand

To legally import food products for sale in Thailand must navigate a multi-step regulatory process and Ministerial Notification.

1. Import Licensing and Business Structure

Under Food Act, any entity wishing to import food for sale must obtain an import license (Form Or. 7). The application to grant Form Or. 7 can file via online system.

2. Products Registration (FDA Serial Numbers)

Once the general import license is secured, each individual product must be registered to receive a 13-digit FDA serial numbers. Registration is required for each specific product. For example, two different flavors of the same cookie brand require two separate FDA serial numbers. Importers may bring in small quantities of products (e.g., maximum 50g x 20 for ready-to-eat foods) as samples for laboratory testing to facilitate registration. However, the company must already hold an import license before importing these samples.

Upon receiving Form and FDA Serial Numbers for every imported products, the products from overseas can be imported.

3. Mandatory Labeling Requirements

Thai law specified mainly 3 groups of products that required labelling which includes the following:

Group 1 – “Specially Control Foods” requires the strictest oversight such as dietary supplement, or food for weight control etc.

Group 2- “Foods with Prescribed Quality or Standards” must strictly meet safety, purity, and nutritional benchmarks set by the Ministry of Public Health such as beverages, seasonings, and etc.

Group 3 – “Foods Required to Bear Labels” are the least restrictive category. The primary legal requirement is to ensure that the products display accurate standardized food labels to protect consumers.

The labels must be in Thai language. The content of labels must include the details of food products such as food name, Thai FDA

number, net quantity, etc. Some products may require additional Nutrition and Guideline Daily Amount (GDA) Labeling such as snack or bakery products which require to states the amount of energy, sugars, fat and sodium.

CAPITAL MARKETS & DIGITAL ASSETS

Thailand Advances Tokenised Funds under New SEC Rules

Thailand is moving closer to a digitalised capital market following the Securities and Exchange Commission’s new regulatory framework supporting tokenised funds. Under the new rules, mutual fund units may be issued and transacted in the form of digital tokens, allowing fund subscription and redemption to be conducted with greater speed, efficiency, and accessibility.

This development reflects a broader policy direction to modernise Thailand’s financial infrastructure and support the use of blockchain technology in asset management. Tokenisation may help unlock investment opportunities by converting rights in assets or income streams into tradable digital tokens, enabling fractional ownership and reducing transaction barriers for investors. Potential asset classes include bonds, real estate, infrastructure projects, and carbon credits.

From a legal and regulatory perspective, the new framework may create significant opportunities for asset management companies, financial institutions, project owners, and investors. However, the successful

implementation of tokenised funds will depend on careful structuring, regulatory compliance, investor protection, transparency of underlying assets, clear ownership rights, and effective dispute resolution mechanisms.

For businesses considering tokenisation as a fundraising or investment structure, early legal planning is essential. Key considerations include the regulatory classification of the tokenised product, licensing requirements, disclosure obligations, custody arrangements, investor eligibility, anti-money laundering compliance, data protection, and contractual rights attached to the tokens.

SET Recovery Signals Broader Capital Market Reform and Foreign Investment Push in Thailand

The recent recovery in the Stock Exchange of Thailand (SET), supported by improving geopolitical conditions and renewed foreign capital inflows, reflects more than short-term market optimism. It also highlights Thailand's broader strategy to strengthen capital market competitiveness, attract international investment, and position itself for long-term economic transformation.

Recent statements from the SET indicate a growing focus on enhancing Thailand's attractiveness to foreign investors through overseas capital-raising initiatives, regulatory reforms, and deeper regional market integration. Proposed revisions to listing rules aimed at attracting large foreign issuers and "new economy" companies, together with discussions on regional investment cooperation

and new exchange-traded fund structures, suggest that Thailand may be entering a new phase of capital market modernisation.

From a Thai legal and regulatory perspective, these developments could have important implications for securities regulation, listing governance, foreign investment policy, and capital market supervision. Any move to facilitate listings by foreign companies or technology-driven businesses may require adjustments to regulatory requirements concerning disclosure standards, corporate governance obligations, shareholder protection, cross-border compliance, and market supervision frameworks.

The emphasis on attracting international capital also reflects increasing competition among regional financial centres to secure global investment flows. Thailand's ongoing efforts to improve policy clarity, stimulate investment, and deepen market participation indicate a regulatory environment increasingly focused on balancing investor protection with market accessibility and innovation.

For businesses, listed companies, and institutional investors, the proposed reforms could create new opportunities relating to capital raising, cross-border listings, investment product innovation, and participation in emerging sectors such as technology, infrastructure, and industrial transformation. At the same time, regulatory changes may require market participants to reassess compliance strategies, governance structures, and disclosure practices in anticipation of evolving market rules.

Ultimately, the SET's recovery narrative underscores a wider policy direction: Thailand is not only seeking to restore investor confidence but also to reshape its capital market framework to compete for regional and global capital. If supported by sustained regulatory reform and policy execution, these initiatives could materially influence Thailand's investment landscape and future development as a regional financial market.

DATA PRIVACY / PDPA

PDPC Thailand Clarifies Binding Corporate Rules for Cross-Border Data Transfers

Following the PDPA's full enforcement in 2022, key subordinate regulations remained pending, including those on the examination and certification of Binding Corporate Rules ("BCRs"), creating uncertainty for multinational groups transferring personal data within their group companies. To address this gap, the PDPC issued the Regulation on the Examination and Certification of Binding Corporate Rules effective from 17 February 2026, clarifying Thailand's framework for intra-group cross-border personal data transfers. A company may transfer personal data from Thailand to another country within the same corporate group, even where the destination country may not have adequate data protection standards, if the group has put in place an internal personal data protection policy known as the BCRs, provided that these BCRs must set clear and enforceable rules to ensure that personal data transferred overseas will still be protected to a standard comparable

to the PDPA and are reviewed and certified by the PDPC Office in accordance with the applicable regulation (i.e., PDPC Office Regulation on BCRs).

Pursuant to the PDPC Office Regulation on the Examination and Certification of Binding Corporate Rules, an applicant seeking certification of draft BCRs must meet the following qualifications: (i) being part of a qualifying group of companies; (ii) being incorporated under Thai law; and (iii) having an establishment in Thailand. The application, draft BCRs, and all supporting documents must be submitted in Thai.

In reviewing the draft BCRs, the PDPC Office will consider whether the BCRs contain the required components and principles, including the following:

- (i) Legal effect and enforceability;
- (ii) Effective implementation and enforcement to ensure that the policy is duly and consistently complied with in practice;
- (iii) The obligation of all group members to cooperate with and comply with the orders and guidance of the PDPC Office;
- (iv) Provisions ensuring the protection of personal data, including the rights of data subjects and complaint mechanisms in relation to personal data transferred overseas within the same group of companies;
- (v) Personal data protection measures, which must include, at a minimum, the fundamental principles of personal data protection and appropriate security measures in accordance with the

minimum standards prescribed by law; and

- (vi) Accountability and other supporting mechanisms.

For BCRs that have already been approved under the legal framework of the EU, the UK, or other Whitelist Countries, the relevant business operator may be eligible for an accelerated review process in Thailand. In such case, the applicant may submit evidence of the existing BCR approval issued by the relevant supervisory authority, together with the approved BCR documentation and a Thai BCR addendum, in Thai, to the PDPC Office.

DIGITAL & TECHNOLOGY

Thailand's E-Commerce Fee Debate: Growing Regulatory Pressure on Digital Platforms

Thailand's digital economy may be approaching a new regulatory inflection point as merchants call for tighter oversight of major e-commerce platforms following repeated fee increases, opaque pricing structures, and alleged restrictions on logistics choices. The dispute reflects broader questions about how Thailand intends to regulate increasingly powerful digital marketplaces and balance platform innovation against fair competition and merchant protection.

At the centre of the debate are concerns over escalating platform costs, including commissions, advertising charges, infrastructure fees, mandatory programme participation, and logistics-related costs that,

according to industry groups, can consume a significant share of merchant revenue. Merchants argue that frequent fee revisions and limited bargaining power create substantial operational pressure, particularly for SMEs and sellers operating on narrow margins.

From a Thai legal perspective, the issue sits at the intersection of trade competition law, digital platform regulation, consumer protection, and electronic commerce governance. The recent introduction of the Trade Competition Commission of Thailand (TCCT) guidelines governing multi-sided digital platforms suggests growing regulatory recognition that platform conduct — including commission increases, mandatory service bundling, and potentially discriminatory business practices — may warrant closer scrutiny.

The complaints also test the evolving scope of Thailand's Digital Platform Services regulatory framework, which has generated a growing volume of disputes relating to fees, contractual changes, and platform transparency. Increasing complaints regarding automatic charges, sudden policy amendments, and mandatory logistics arrangements may intensify pressure on regulators to clarify acceptable platform conduct and strengthen enforcement mechanisms.

For businesses, the debate extends beyond disputes between merchants and platforms. Platform pricing models increasingly influence market access, profitability, logistics strategies, and ultimately consumer pricing. Smaller Thai merchants may face heightened competitive pressure from dominant international platforms and cross-border sellers

if regulatory safeguards fail to keep pace with market concentration and evolving fee structures.

The discussion surrounding an “Open Online Trade Platform” model and comparisons with regulatory approaches in jurisdictions such as China, Indonesia, and India also indicate that Thailand may be considering broader structural reforms to digital commerce governance.

Ultimately, the controversy signals a wider regulatory trend: Thailand’s digital platform ecosystem is moving from a growth-focused phase toward a more mature compliance and competition environment. Businesses operating in e-commerce, technology, retail, logistics, and digital services should closely monitor developments, as future reforms may materially affect platform governance, pricing practices, commercial contracting, and competition compliance obligations in Thailand’s digital marketplace.

Thailand Tightens Regulation of Online Advertising Platforms to Combat Digital Fraud

Thailand’s introduction of new electronic transaction regulation requiring social media platforms to verify the identities of advertisers marks a significant development in the country’s evolving digital governance and cybercrime prevention framework. The measure reflects growing regulatory efforts to address the increasing use of online advertising channels for fraudulent schemes, while imposing greater compliance responsibilities on digital platform operators.

The new regulation require platforms operating in Thailand to authenticate advertisers before advertisements are published. Verification measures include facial matching against government-issued identification documents, while platforms must also retain advertiser data for a specified period following advertisement expiry.

From a Thai legal perspective, the regulation signal a broader expansion of platform accountability within Thailand’s digital economy. Social media and digital advertising platforms are increasingly being treated not merely as passive intermediaries, but as entities expected to implement proactive compliance, monitoring, and risk management measures to prevent online harm and fraudulent activity.

The new framework also highlights the growing intersection between technology regulation, cybersecurity, electronic transactions law, data governance, and platform compliance obligations. To comply with the requirements, platforms may need to invest in biometric verification systems, AI-driven fraud detection tools, and enhanced data retention infrastructure. This may raise additional legal considerations relating to personal data protection, cybersecurity safeguards, and cross-border data management under Thailand’s broader digital regulatory regime.

At the same time, the regulation illustrates the practical limitations of unilateral national enforcement in a borderless digital environment. While stronger identity verification may reduce anonymous fraudulent advertising, enforcement challenges remain where advertisers operate outside Thailand but

target Thai users. This may increase pressure for future cross-border cooperation mechanisms and additional regulatory coordination involving digital platforms.

For businesses and advertisers, particularly SMEs relying heavily on online marketing, the reforms may introduce additional onboarding and verification requirements. Regulators may therefore face the challenge of balancing fraud prevention objectives against maintaining accessibility and operational flexibility for legitimate commercial users.

Ultimately, the regulation reflects Thailand's wider policy shift toward more interventionist digital platform governance. As online fraud, cybercrime, and platform accountability become increasingly important regulatory priorities, businesses operating in Thailand's digital ecosystem should expect heightened compliance expectations and closer scrutiny of digital advertising and online transaction practices.

Thailand's Proposed DGA Transfer: Toward a More Centralised Digital Governance Framework

Thailand's proposed transfer of the Digital Government Development Agency (DGA) back to the Ministry of Digital Economy and Society (DES) may signal an important structural shift in the country's digital governance framework. Although still subject to regulatory and cabinet approvals, the initiative reflects a broader policy push to consolidate Thailand's digital agenda under a single institutional and strategic direction.

The proposal is intended to address a longstanding governance challenge arising from fragmented oversight of Thailand's digital ecosystem. Currently, responsibility for digital policy, digital economy strategy, and digital government implementation is spread across multiple authorities. Reintegrating the DGA under the DES Ministry could strengthen policy coordination, reduce administrative duplication, and support a more unified approach to national digital transformation.

From a legal and regulatory perspective, the restructuring could have meaningful implications for Thailand's digital regulatory landscape. As the DGA plays a central role in digital government infrastructure, public sector digital services, and government technology systems, organisational consolidation may influence how Thailand develops and implements policies relating to digital governance, cybersecurity, data management, public digital services, and digital infrastructure regulation.

The move also aligns with the DES Ministry's broader "One Map" strategy and ongoing revision of Thailand's National Action Plan for Digital Economy and Society, suggesting a wider effort to centralise digital policymaking and strengthen national resilience against cyber risks, operational disruptions, and emerging technological challenges.

For businesses operating in Thailand, particularly technology companies, digital service providers, regulated industries, and organisations interacting with public digital systems, a more centralised governance model could eventually lead to clearer policy direction and potentially more coordinated

regulatory implementation. However, institutional restructuring may also bring transitional adjustments affecting digital compliance frameworks, public sector technology procurement, interoperability standards, and government digital initiatives.

Ultimately, the proposed DGA transfer represents more than an administrative reorganisation. It reflects Thailand's continuing evolution toward a more integrated digital governance model, with potential implications for the country's digital economy strategy, regulatory coordination, and long-term approach to technology governance. If implemented effectively, the reform could strengthen Thailand's institutional capacity to drive digital transformation and deliver a more cohesive legal and policy framework for the digital economy.

ENERGY & INFRASTRUCTURE

the draft amendment to Metropolitan Electricity Authority ("MEA") Act

MEA is conducting a public hearing on the draft amendment to the MEA Act aims to modernize legal framework that has been in place since B.E. 2501, ensuring it aligns with current economic structures and the evolving energy industry.

1. Significant Expansion of Operational Scope

The major shift of draft proposes in MEA's legal mandate is expanding its core objectives to include electricity production, rather than

just distributing it. Currently its role under MEA Act B.E. 2501 is more restricted, but the amendment allows the MEA to utilize its existing technology, assets, and personnel to create added value and participate in national development. The MEA's authority will no longer be strictly domestic but it will have authority to invest and operate energy businesses in foreign countries.

2. Reform of Dispute Resolution for Land Use

Regarding the possession and use of real estate, the amendment proposes abolishing the use of arbitration to resolve disputes over compensation amounts when an agreement cannot be reached with a property owner. Instead, the law will define specific timelines for failing and deciding petitions to ensure the process remains consistent with other related modern laws.

3. Updated Financial and Auditing Standards

The amendment seeks to overhaul the financial oversight of the MEA to match the current Ministry of Finance standards.

4. Maintenance of Criminal Sanctions

The draft retains criminal penalties. Anyone who obstructs the MEA or its employees in the performance of their duties, specifically regarding the construction or maintenance of power distribution systems, remains liable for up to six months in prison, a fine of up to 10,000 THB or both. The legal justification for this is that such obstruction poses a serious threat to public order and the collective well-being of the population.

5. Clarification of Jurisdiction

The amendment provides a clearer legal definition of the “service areas” and the location of the MEA headquarters, ensuring the law reflects current geographical and administrative realities rather than those in the current act. It also revises the specific types of actions that require prior Cabinet approval to increase operational flexibility.

Thailand’s Rooftop Solar Push: Expanding Green Finance and Reforming Clean Energy Access

Thailand’s efforts to expand its rooftop solar buyback scheme may signal an important evolution in the country’s clean energy and climate policy framework, particularly as authorities seek to address financing barriers that have historically constrained household participation. The proposal to improve access to green loans reflects a broader policy objective: accelerating decentralised renewable energy adoption while aligning with Thailand’s long-term net-zero commitments.

Under the current scheme, households can install on-grid rooftop solar systems and sell electricity back to the government at a fixed rate, with authorities significantly increasing the purchase quota from 90MW to 500MW. However, the government’s ability to meet this target appears increasingly tied not to technological readiness, but to financial accessibility and regulatory implementation.

From a Thai legal and regulatory perspective, the initiative highlights the growing

intersection between energy regulation, sustainable finance, and climate policy. Discussions between the Provincial Electricity Authority and financial institutions regarding dedicated green lending products suggest a potential shift toward more policy-driven financing models supporting renewable energy deployment. Loan design, collateral requirements, interest structures, and financial accessibility may therefore become increasingly important regulatory and commercial considerations within Thailand’s energy transition framework.

The initiative also reflects a broader effort to streamline Thailand’s regulatory processes surrounding distributed energy generation. The move toward a one-stop permitting model by electricity authorities addresses longstanding administrative obstacles involving multi-agency approvals, permitting delays, and fragmented regulatory oversight — challenges that have historically slowed rooftop solar deployment despite favourable policy intentions.

For businesses, financial institutions, and energy sector stakeholders, the development may create opportunities across renewable energy services, green finance products, technology deployment, and infrastructure support. Banks may face increasing demand for sustainability-linked lending products, while energy service providers, installers, and technology companies could benefit from expanding consumer adoption.

More broadly, Thailand’s rooftop solar initiative demonstrates how climate targets increasingly translate into legal, regulatory, and financial reforms. The government’s net-

zero ambitions will likely require not only renewable energy incentives but also practical changes to financing structures, administrative procedures, and market accessibility. If successfully implemented, expanded green financing and simplified regulatory pathways could materially strengthen Thailand's clean energy ecosystem and accelerate the transition toward a more decentralised and sustainable energy system.

Thailand's Energy Security Strategy Under Pressure as Middle East Risks Persist

Thailand's growing concern over potential oil supply disruptions linked to instability in the Middle East highlights the increasing importance of energy security, supply diversification, and strategic resource planning within the country's regulatory and economic framework. Although Thailand currently maintains oil reserves sufficient for approximately 117 days of consumption, policymakers are signalling the need to reduce dependence on traditional supply sources amid continuing geopolitical uncertainty.

The issue underscores Thailand's structural vulnerability as a major energy-importing economy with significant exposure to global commodity markets and maritime trade routes. Concerns surrounding the Strait of Hormuz, a critical global energy transit corridor, demonstrate how overseas geopolitical developments can rapidly translate into domestic economic and regulatory challenges affecting fuel prices, inflation, industrial costs, and broader economic stability.

From a Thai legal and policy perspective, the development reinforces the strategic role of energy regulation, reserve management, and national energy planning. Thailand's reserve system — comprising legal reserves, commercial stockpiles, oil in transit, and secured procurement arrangements — forms an important component of the country's energy risk management framework. Continued efforts to diversify procurement toward regions outside the Middle East may also influence future policy discussions relating to energy sourcing, import resilience, and long-term supply security.

The situation may further accelerate Thailand's broader energy transition agenda. Volatile global oil markets and supply uncertainty often strengthen policy support for renewable energy deployment, domestic energy diversification, and reduced fossil fuel dependence, areas already connected to Thailand's longer-term climate and energy policy objectives.

For businesses, particularly those operating in manufacturing, logistics, transport, aviation, petrochemicals, and energy-intensive industries, prolonged instability in global oil markets could translate into increased operational costs, supply chain pressures, and pricing volatility. Companies may face growing pressure to strengthen energy risk management, procurement strategies, and cost resilience planning.

Ultimately, Thailand's response to ongoing geopolitical energy risks reflects a broader policy challenge: balancing short-term supply security against long-term structural transformation of the energy sector. While current reserve levels provide a degree of

protection, sustained global uncertainty may place greater emphasis on diversified sourcing, resilient regulatory planning, and accelerated investment in Thailand's future energy security framework.

Thailand's Orbital Slot Challenge: Satellite Delays Raise Regulatory and Spectrum Rights Questions

Thailand's effort to secure an extension from the International Telecommunication Union (ITU) for suspension of frequency usage at the 119.5° East orbital slot highlights the growing legal and strategic importance of satellite regulation, spectrum governance, and space infrastructure continuity. The issue arises from delays in deploying a replacement satellite for Thaicom 4, creating concerns that Thailand could face risks to its associated spectrum rights if regulatory timelines are not met.

The matter extends beyond a routine licensing issue. Orbital slots and related spectrum rights are scarce international resources governed under complex technical and regulatory frameworks. Failure to maintain operational use or comply with deployment conditions may affect not only commercial satellite operations but also a country's long-term strategic position in global telecommunications infrastructure.

From a Thai legal perspective, the case raises important questions regarding the interaction between domestic licensing obligations, international telecommunications regulation, contractual risk allocation, and administrative enforcement. A key issue under discussion is

whether production failures encountered by the satellite manufacturer constitute force majeure under Thai law and applicable international regulatory standards. The distinction is significant, as manufacturing disruptions may be interpreted either as unforeseen circumstances beyond operational control or as commercial risks falling within contractual responsibility.

The dispute also highlights broader regulatory issues relating to licence compliance and enforcement. Under the existing orbital slot licence conditions, replacement satellites must be deployed within prescribed timelines supported by financial guarantees. As regulators consider possible extensions, questions concerning forfeiture of guarantees, enforcement discretion, and continuity obligations for government and commercial users may become increasingly important.

For satellite operators, telecommunications providers, and government stakeholders, the development underscores the growing complexity of managing cross-border infrastructure projects dependent on international manufacturing chains, specialised suppliers, and multi-layered regulatory approvals. The reported legal proceedings concerning protection of launch guarantees further illustrate how commercial disputes in advanced technology sectors can quickly evolve into regulatory and administrative law challenges.

Ultimately, the case reflects a broader reality for Thailand's digital and telecommunications ecosystem: maintaining national competitiveness in satellite communications requires not only technological capability, but

also robust regulatory coordination, contractual resilience, and effective alignment between domestic licensing frameworks and international spectrum governance rules.

ENVIRONMENTAL

Thailand's Clean Air Bill Moves Forward: Potential Turning Point for Environmental Regulation and Corporate Compliance

Thailand's proposed Clean Air Bill appears to be moving closer to legislative consideration following cabinet approval for resubmission to parliament, marking a potentially important development in Thailand's environmental regulatory landscape. Although the Bill remains subject to further parliamentary deliberation, its progression signals growing policy momentum toward establishing a more comprehensive legal framework for air pollution management.

The proposed legislation reflects increasing public, political, and regulatory attention on chronic air quality issues, particularly PM2.5 pollution, which has become a recurring economic, environmental, and public health concern in Thailand. If enacted, the Clean Air Act could represent a meaningful shift from Thailand's traditionally fragmented pollution control framework toward a more integrated regulatory approach focused specifically on clean air governance.

From a legal perspective, the Bill may introduce new compliance obligations, enforcement mechanisms, and financial

regulatory tools affecting both public and private sector stakeholders. Reported discussions surrounding clean air fees, the establishment of a clean air fund, and comparatively stringent criminal penalties suggest lawmakers are considering stronger economic and enforcement levers than those currently found within Thailand's existing environmental regime.

The proposal also raises important legal and policy questions. Regulatory agencies have reportedly expressed concerns regarding potential overlap between proposed clean air fees and existing statutory funding mechanisms, governance issues surrounding the proposed fund, and the proportionality of criminal sanctions. These issues may materially influence the Bill's final structure and could affect how enforcement responsibilities, financial obligations, and liability exposure are allocated.

For businesses operating in Thailand, particularly in manufacturing, energy, transport, agriculture, construction, and other emission-intensive sectors, the Bill may have significant implications for environmental compliance strategies and operational risk management. Companies may face heightened scrutiny regarding emissions, monitoring, reporting, supply chain practices, and environmental governance standards. The development may also reinforce broader ESG and sustainability expectations increasingly shaping financing, procurement, and investor decision-making.

Ultimately, the Clean Air Bill reflects Thailand's broader regulatory trajectory toward stronger environmental governance and

accountability. While its final provisions remain uncertain, businesses and investors should monitor developments closely, as the legislation could materially reshape Thailand's environmental compliance framework and influence future regulatory standards relating to pollution control, public health protection, and corporate environmental responsibility.

Sustainability as a Business Imperative: Growing Legal and Commercial Implications for Thailand

Recent remarks by Thai Union's chief executive underscore a growing reality for businesses operating in Thailand: sustainability is no longer a voluntary corporate initiative but an increasingly important commercial and regulatory expectation. Against a backdrop of global economic uncertainty, shifting consumer behaviour, and rapid technological transformation, sustainability is emerging as a key factor influencing competitiveness, market access, and long-term business resilience.

From a Thai legal and regulatory perspective, the development reflects broader global trends that are increasingly shaping Thailand's corporate governance, ESG, and financial regulatory landscape. Businesses face rising pressure not only from customers and investors, but also from financial institutions, supply chains, and evolving regulatory expectations regarding environmental and responsible business practices.

Although Thailand does not yet have a comprehensive mandatory ESG regime equivalent to certain overseas frameworks,

regulatory momentum is evident. Sustainability considerations are becoming increasingly relevant across areas such as listed company disclosure obligations, sustainable finance initiatives, environmental compliance, corporate governance standards, and supply chain due diligence. Companies that fail to adapt may face reduced commercial opportunities, financing limitations, or exclusion from international supply chains and sustainability-driven procurement requirements.

The comments also highlight the growing convergence between sustainability and operational strategy. The use of AI, data analytics, workforce optimisation, and lean operating models demonstrates that sustainability is becoming closely linked with efficiency, profitability, and risk management rather than merely reputational positioning. For Thai businesses, particularly SMEs, this may require reassessing operational models, resource consumption, governance practices, and long-term compliance readiness.

Importantly, sustainability may increasingly influence access to capital in Thailand. Financial institutions are expanding sustainability-linked lending and investment frameworks, meaning businesses with stronger ESG positioning may enjoy greater financing flexibility and improved investor appeal.

Ultimately, the message for Thailand's business community is increasingly clear: sustainability is evolving from a competitive differentiator into a market expectation. As regulatory frameworks, investor demands, and global supply chain standards continue to develop, businesses that proactively embed

sustainability into their operations may be better positioned to maintain competitiveness, attract capital, and navigate Thailand's evolving legal and commercial environment.

Proposed Amendments to the Ministerial Regulation on Fees for Issuance of Licenses, Certificates of Notification, and Provision of Services for Sewage or Solid Waste Management

A public hearing is currently being held on the Draft Ministerial Regulation on Fees for Issuance of Licenses, Certificates of Notification, and Provision of Services for Sewage or Solid Waste Management (No. 3) ("Draft").

In 2016, the Ministry of Public Health ("MOPH") issued a ministerial regulation that established fees related to the management of general sewage and solid waste. This regulation defined the costs for issuing licenses and providing services for the collection, transportation, and disposal of sewage and general solid waste.

Subsequently, the Ministry of Interior ("MOI") issued its own regulations in 2024, with a subsequent amendment in 2025, detailing rates and exemptions for sewage and solid waste management. These updated MOI regulations adjusted the fee structures to accurately reflect current operational costs.

Because the MOI's updated regulations cover the same fee scopes as the 2016 MOPH's regulation, this has caused legal overlap and a lack of clarity for local administrative

organizations attempting to issue local ordinances and collect fees. To prevent this redundancy, create clarity in legal enforcement, and support local government agencies in administering their duties more efficiently and flexibly, it is necessary to update the 2016 regulation by repealing the overlapping fee provisions.

The Draft proposes two primary amendments to the 2016 regulation as follows:

1. **Repeal of Business Licensing Fees:** The draft cancels Clause 2 (1) (a) and (b), which previously set the fees for licenses to operate businesses that collect, transport, and dispose of sewage or general solid waste.
2. **Repeal of Local Government Service Fees:** The draft cancels Clause 4 (1), (2), (4), and (5), removing the regulations that previously governed the service fees local government agencies (or their authorized third parties) could charge for the collection, transportation, and disposal of sewage and general solid waste.

FOREIGN INVESTMENT

Thailand Moves to Ease Foreign Business Restrictions for 8 Business Categories

On 12 May 2026, the Thai Cabinet approved in principle two draft subordinate regulations under the Foreign Business Act B.E. 2542 (1999) ("FBA"), with the objective of modernising Thailand's foreign business regulatory framework and facilitating foreign

investment in certain targeted business sectors. The approved drafts consist of: (i) a draft Royal Decree amending the business categories under the schedules annexed to the FBA; and (ii) a draft Ministerial Regulation prescribing certain businesses which foreign nationals may operate without obtaining a Foreign Business Licence (“FBL”).

The proposed regulations would allow foreigners to engage in certain businesses currently falling under List Three of the FBA without having to obtain an FBL from the Ministry of Commerce. In particular, the draft Ministerial Regulation proposes to exempt 8 categories of businesses, including:

1. telecommunication services;
2. treasury centre business;
3. administrative, human resources, and information technology management services;
4. domestic debt guarantee services;
5. leasing of certain spaces for installation of electronic machines used for financial services and vending/service machines for company employees;
6. petroleum drilling services;
7. certain businesses under the laws on securities and exchange; and
8. services as agent, trader, adviser, or fund manager in respect of futures contracts where the underlying goods or variables are not subject to the Derivatives Act B.E. 2546 (2003).

If enacted, the proposed exemptions would reduce regulatory burdens for foreign investors in the relevant sectors, as they would no longer be required to obtain an FBL solely under the FBA for the exempted business activities. This

may be particularly relevant to regional treasury centres, shared service centres, technology support businesses, petroleum-related service providers, and certain financial and capital market operators.

However, this development should not be understood as a complete liberalisation of all regulatory requirements. The Thai Government has clarified that the exempted businesses may still remain subject to sector-specific laws and licences. For example, telecommunication services may still require licensing or approval from the National Broadcasting and Telecommunications Commission (NBTC), notwithstanding the proposed exemption from the FBL requirement under the FBA

Thailand Intensifies Crackdown on Nominee Structures: Implications for Foreign Investment and Corporate Compliance

Thailand’s enhanced cooperation between the Department of Business Development (DBD) and the Department of Special Investigation (DSI) to investigate suspected nominee businesses signals increasing regulatory scrutiny of foreign investment structures, particularly in tourism-driven provinces such as Koh Samui and Koh Phangan. The initiative reflects a broader policy effort to strengthen enforcement against arrangements that may circumvent Thailand’s foreign ownership restrictions.

Under Thai law, the use of nominee shareholders to enable foreign control over

businesses reserved for Thai nationals is generally prohibited. Regulatory concerns centre on situations where Thai shareholders formally hold equity interests but lack genuine investment participation, economic ownership, or management control, effectively allowing foreign parties to operate restricted businesses through indirect means.

The latest enforcement push suggests a potentially more proactive and data-driven regulatory approach. Beyond targeted investigations, authorities are reportedly considering tighter pre-registration screening measures, including collaboration with the banking sector to review sources of shareholder funding before company registrations are approved. If implemented, this could materially reshape corporate onboarding and beneficial ownership verification practices in Thailand.

From a legal and compliance perspective, the development is particularly relevant for businesses operating in sectors commonly associated with foreign participation, including tourism, hospitality, real estate, lifestyle services, and property-related ventures. Increased scrutiny may extend beyond formal shareholding structures to encompass funding sources, governance arrangements, voting rights, operational control, and the substance of Thai shareholder participation.

The initiative also reflects Thailand's broader challenge of balancing two competing policy objectives: maintaining an attractive environment for legitimate foreign investment while preventing circumvention of foreign ownership laws that may disadvantage Thai businesses and distort market competition.

For foreign investors, joint ventures, advisors, and corporate service providers, the message is increasingly clear: regulatory authorities appear prepared to intensify enforcement and enhance due diligence expectations. Businesses operating in Thailand should therefore reassess shareholder arrangements, governance frameworks, funding documentation, and overall compliance with foreign investment rules, particularly in high-risk sectors and jurisdictions attracting heightened regulatory attention.

Ultimately, Thailand's renewed focus on nominee businesses signals not only an enforcement campaign but a potentially broader evolution in corporate regulatory oversight, with increased emphasis on ownership transparency, investment substance, and the integrity of foreign participation structures within the Thai economy.

Thailand's OECD Accession Ambition: Implications for Legal Reform, Governance and Regulatory Modernisation

Thailand's target of joining the Organisation for Economic Co-operation and Development (OECD) by 2028 represents more than a foreign policy milestone; it signals a potentially significant programme of legal, regulatory, and institutional reform across multiple areas of the Thai governance framework. The government's establishment of a national steering committee to oversee accession underscores the strategic importance being attached to the process.

OECD membership is not merely symbolic. The accession process requires candidate countries to undergo detailed technical assessments evaluating the compatibility of domestic laws, policies, and institutional practices with OECD standards. For Thailand, this could translate into a broad review of frameworks governing investment, corporate governance, competition, taxation, public sector administration, environmental policy, innovation, anti-corruption measures, and regulatory governance.

From a Thai legal perspective, the initiative may act as a catalyst for accelerated legal modernisation and policy harmonisation with international best practices. The accession process typically involves identifying legislative gaps, strengthening institutional effectiveness, and enhancing transparency, accountability, and regulatory predictability. As Thailand progresses through technical assessments, policymakers may face increasing pressure to align domestic legal standards with internationally recognised governance benchmarks.

The move may also carry important implications for Thailand's investment environment. OECD accession is often associated with stronger regulatory credibility, improved policy certainty, and enhanced investor confidence. For businesses, this could eventually influence areas such as foreign investment policy, corporate compliance expectations, ESG-related regulation, competition law enforcement, public procurement governance, and dispute resolution frameworks.

At the same time, accession is likely to be legally and administratively demanding. Achieving alignment with OECD standards may require cross-agency coordination, legislative amendments, institutional reforms, and sustained policy commitment across sectors with varying levels of regulatory maturity.

Ultimately, Thailand's OECD ambition reflects a broader policy direction toward deeper integration with international economic and governance standards. If successfully pursued, accession could become a major driver of legal and regulatory transformation, reshaping Thailand's business environment and strengthening the country's long-term competitiveness within the global economy.

INTERNATIONAL TRADE

Thailand–US Reciprocal Trade Talks: Potential Implications for Trade Policy, Supply Chains and Regulatory Strategy

Thailand's ongoing negotiations with the United States on a proposed Agreement on Reciprocal Trade (ART) may represent an important development in Thailand's international trade strategy, particularly as the government seeks to mitigate tariff exposure, strengthen investment confidence, and reinforce Thailand's position within global supply chains. Recent discussions between Thai officials and the Office of the US Trade Representative (USTR) suggest growing momentum toward a more structured bilateral trade framework focused on practical

implementation and commercially viable outcomes.

From a Thai legal and regulatory perspective, the negotiations highlight increasing pressure on Thailand to adapt to a rapidly evolving global trade environment characterised by supply chain realignment, trade security concerns, and more assertive use of trade enforcement measures. The reference to potential US tariff measures and ongoing Section 301-related inquiries underscores the broader geopolitical and compliance context in which Thailand–US trade relations now operate.

The proposed agreement may have implications across several legal and policy areas, including international trade regulation, customs and tariff policy, investment promotion, industrial policy, and supply chain governance. Thailand’s reported willingness to increase imports in sectors where domestic production capacity is limited suggests a pragmatic negotiation strategy aimed at balancing trade relations while preserving domestic economic interests.

The negotiations also point toward deeper bilateral collaboration in strategically important sectors such as clean energy, carbon reduction technologies, advanced food industries, healthcare, and energy innovation. If translated into policy or investment initiatives, these areas could influence Thailand’s regulatory priorities, foreign investment landscape, and sector-specific compliance frameworks.

For Thai businesses, the negotiations may create both opportunities and risks. Export-

oriented industries, manufacturers, agricultural processors, and businesses integrated into US-linked supply chains should closely monitor developments, as tariff treatment, rules of origin expectations, raw material sourcing requirements, and market access conditions may become increasingly important. The US emphasis on expanding the use of American-origin inputs also reflects broader global trends toward supply chain localisation and strategic sourcing requirements.

Thailand’s ART discussions reflect more than a conventional tariff negotiation. They signal Thailand’s broader effort to preserve market access, strengthen trade resilience, and position itself within shifting geopolitical and commercial dynamics. As negotiations progress, businesses should expect closer interaction between trade policy, regulatory compliance, and strategic investment planning in Thailand’s international economic framework.

Proposed Amendment to the Reporting Standards for Metallurgy Operations

The Department of Primary Industries and Mines (“DPIM”) is currently holding a public hearing on the Draft of the Notification regarding the rules, procedures, and conditions for metallurgy operations reporting (“Draft”).

The Draft aims to modernize the existing rules, procedures, and conditions for metallurgy operations reporting, which were originally established under the DPIM Notification B.E. 2562 (2019).

Currently, metallurgy licensees are required to submit hard-copy monthly reports (Form Por

Ror. 601) by the 10th of the following month, and annual reports (Form Por Ror. 602) by April of the following year. To align with the Ministry of Industry's digital transformation and ease the burden on operators, the DPIM proposes shifting entirely to an online reporting framework.

The Draft introduces three major regulatory changes designed to streamline compliance:

1. **Extension of the Monthly Reporting Deadline:** The Draft provides businesses with more time to compile their operational data by extending the deadline for monthly reports from the 10th to the 15th of the following month.
2. **Mandatory Electronic Reporting:** The traditional paper-based reporting method will be completely phased out. Under the Draft, all metallurgy operations reporting must be conducted electronically via the Ministry of Industry's central data reporting system as the single designated channel.
3. **Exemption to Eliminate Redundant Reporting:** In a significant move to reduce administrative duplication, any metallurgy facility that also holds a factory operation license under the Factory Act will be exempted from reporting under this Draft, provided they have already submitted their monthly or annual factory operation reports through the Ministry of Industry's central reporting system.

The DPIM is open to receiving feedback from stakeholders, business operators, and the general public. The public hearing period is scheduled from 20 April 2026 to 19 May 2026.

IMMIGRATION & TOURISM

Thailand Revises Visa Exemption Regime: Balancing Immigration Control, Investment Facilitation and Tourism Competitiveness

Thailand's proposed revision of its visa exemption framework, including the reduction of visa-free stays from 60 days to shorter durations and tighter restrictions on repeated entries, signals an important policy recalibration at the intersection of immigration control, tourism policy, foreign investment regulation, and economic governance.

The reforms appear driven by growing concerns over the misuse of visa exemptions for activities extending beyond short-term tourism, including illegal employment, scams, nominee business arrangements, and repeated "visa run" practices. By limiting repeated use of visa-free privileges and narrowing eligibility rules, the government is seeking to strengthen immigration enforcement while preserving Thailand's attractiveness as a tourism destination.

From a Thai legal and regulatory perspective, the proposal reflects a broader trend toward closer integration between immigration policy, business regulation, and economic enforcement objectives. Immigration measures are increasingly being used not only to regulate visitor flows but also to address concerns relating to foreign business compliance, informal economic activity, and regulatory circumvention.

At the same time, the proposed changes highlight a recurring policy challenge:

balancing stricter enforcement with maintaining accessibility for legitimate investors, expatriates, and long-stay visitors. Industry stakeholders have pointed to persistent practical difficulties faced by foreigners seeking to establish businesses or invest legally in Thailand, including fragmented procedures, regulatory complexity, and limited administrative guidance. These frictions may inadvertently encourage informal arrangements or increased reliance on high-risk structures such as nominee businesses.

The discussion surrounding alternative pathways, including long-stay and destination-focused visa categories, also suggest that Thailand's immigration framework may increasingly evolve toward a more segmented model differentiating between tourists, investors, digital workers, long-term residents, and business operators.

For businesses operating in tourism, hospitality, real estate, foreign investment, and expatriate-focused sectors, the reforms could affect travel patterns, investor onboarding, workforce mobility, and compliance planning. The eventual implementation details — particularly permitted stay durations, entry limitations, and accessibility of alternative visa routes — may significantly influence Thailand's competitiveness relative to neighbouring jurisdictions.

Ultimately, Thailand's revised visa approach reflects a broader policy shift from liberalised visitor access toward more targeted immigration management. While enhanced controls may support enforcement objectives and address visa misuse concerns, long-term effectiveness will likely depend on whether

Thailand can simultaneously strengthen legal pathways for legitimate investors, businesses, and international visitors seeking sustainable engagement with the Thai economy.

Implications of Thailand's Proposed Outbound Travel Fee

The Thai government's proposal to implement an exit fee of THB 1,000 for Thai nationals traveling abroad represents a significant regulatory move to stimulate the domestic economy and create a sustainable funding model for tourism. Legally, the proposal is currently situated the public consultation stage which is a mandatory administrative step before can be finalized or enacted into law. The Ministry of Tourism and Sports has confirmed that the specific target is outbound travelers for tourism purposes which will necessitate a clear framework to distinguish tourists from those traveling for business, education, or other non-leisure reasons to ensure the fee is applied accurately. The proposal includes provisions for exempting specific visa categories such as diplomatic visas and work permits. These exemptions are expected to be handled on a case-by-case basis.

Thailand's Tourism Fee Debate: Growing Pressure for Transparency, Competitiveness and Regulatory Accountability

Thailand's renewed discussions on tourism-related taxes and service charges — including increases in airport passenger fees, a possible

departure tax for Thai travellers, and the proposed tourism levy on international arrivals — highlight broader legal and policy questions surrounding public financing, tourism competitiveness, and regulatory transparency.

The debate comes at a sensitive time for Thailand's tourism sector, which continues to face global economic uncertainty and intensifying regional competition. While industry stakeholders do not necessarily oppose tourism-related levies in principle, concerns centre on the absence of a clearly articulated framework explaining how the revenue would be allocated and whether the proposed charges would generate measurable improvements to Thailand's tourism infrastructure and competitiveness.

From a Thai legal and regulatory perspective, the issue extends beyond pricing policy. The proposed measures touch upon the broader governance of public fees, quasi-fiscal charges, state enterprise accountability, and tourism policy administration. Questions raised regarding the planned increase in international passenger service charges by Airports of Thailand (AoT), alongside discussions on departure taxes and inbound tourism fees, may intensify scrutiny over regulatory justification, transparency of revenue use, and stakeholder participation in policymaking.

The discussion also highlights the unique position of infrastructure operators and public authorities within Thailand's tourism ecosystem. Where service providers possess significant market concentration or operate strategic national infrastructure, fee adjustments may increasingly attract expectations regarding disclosure,

accountability, and demonstrable service enhancement. Industry calls for clearer performance benchmarks, infrastructure development plans, and stronger international competitiveness underscore this trend.

For businesses operating in tourism, aviation, hospitality, travel services, and MICE-related sectors, the cumulative impact of higher travel-related charges may affect travel demand, cost structures, pricing strategies, and Thailand's attractiveness relative to competing regional hubs such as Singapore, Hong Kong, and South Korea.

Ultimately, Thailand's tourism fee debate reflects a broader regulatory challenge: balancing revenue generation and infrastructure funding with competitiveness, transparency, and stakeholder confidence. As policymakers continue to evaluate these measures, businesses should closely monitor developments, as future decisions may influence Thailand's tourism policy framework, travel costs, and the country's long-term positioning as a leading regional tourism destination.

TAXATION

Revenue Department Tightens Workload Control for Tax Auditors

The Revenue Department has issued a new order to strengthen the ethical requirements applicable to tax auditors who conduct audit and certification work under the Revenue Code. The key focus of the order is to control the workload of tax auditors and ensure that

audit and certification work is carried out with sufficient professional capacity and support.

Under the revised requirement, a tax auditor must not audit and certify accounts for more than 300 cases per year. In addition, where a tax auditor audits and certifies more than 30 cases per year, the auditor must have qualified audit assistants holding at least a bachelor's degree in accounting. Each audit assistant may support a maximum of 15 cases.

This development reflects the Revenue Department's intention to enhance the quality and reliability of tax audit and certification work. By setting a maximum annual workload and requiring qualified audit support, the new rule seeks to reduce the risk of excessive workload, insufficient review, and improper certification.

For taxpayers, particularly companies and juristic partnerships that are required to submit audited and certified accounts for tax purposes, this change may affect the availability and engagement capacity of tax auditors. Businesses should therefore coordinate with their tax auditors in advance, especially during peak filing periods, to ensure that the appointed auditor remains within the permitted workload limit and has sufficient qualified support where required.

Although the order generally takes effect from **25 February 2026**, the revised workload and assistant requirements will apply to audit and certification work from **1 January 2027 onwards**. Tax auditors and accounting firms should therefore review their client acceptance procedures, staffing structure, and engagement

records before the new requirement becomes fully applicable.

New Excise Regulation Strengthens Enforcement of Overdue Excise Taxes and Asset Forfeiture Procedure

The Excise Department has issued the Excise Department Regulation on the Enforcement of Overdue Excise Taxes by Seizure, Attachment and Auction of Assets (No. 2). The Regulation amends the existing enforcement framework under the previous Excise Department Regulation issued in 2017, with the objective of improving the procedures for collecting overdue excise taxes, particularly in cases involving tax assessments related to imported goods and customs-related tax matters.

This amendment is significant because it provides clearer authority for the Excise Department to enforce overdue tax liabilities arising from assessment notices, including those connected with the importation of goods, where excise officials are involved in the tax assessment or collection process.

The amended Regulation also states the procedure for enforcing overdue excise taxes. Where a taxpayer fails to fully pay the assessed tax within the prescribed period stated in the assessment notice, the relevant Excise Office must report the matter to the supervising Regional Excise Office or Area Excise Office. The competent authority may then issue a written demand requiring payment of the overdue tax.

If the taxpayer still fails to pay within the prescribed period, the Excise Department may proceed with enforcement measures, including seizure or attachment of assets or claims, and the auction of assets, in order to recover the outstanding tax liability. The Regulation also allows competent officials to gather information and evidence concerning the taxpayer's assets, rights, claims, bank accounts, or other relevant documents from the taxpayer or relevant third parties.

The Regulation further provides mechanisms for coordination between different Excise Offices. If the taxpayer's assets are located outside the jurisdiction of the responsible Excise Office, the relevant office may coordinate with the Excise Office having territorial jurisdiction over the location of such assets in order to proceed with seizure, attachment, or auction.

This is intended to ensure that enforcement action can be carried out effectively even where the taxpayer's assets are located in a different province or administrative area from the office responsible for the tax assessment.

Should you have any question, please do not hesitate to contact us via info@bglballaw.com

