

Thailand's Investment Policies Update



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2 Specific Investment Promotion Policy

3 BOI Services



THAILAND An Asian Hub, a World of Opportunity

BOI's Liberal Investment Regime & Attractive Investment Incentives







7-Year Investment Promotion Strategy (2015-2021)



To restructure the Thai economy for sustainable development

6 Major Points of Investment Promotion Policy

1

Promote investment that helps enhance national competitiveness by encouraging R&D, innovation, value creation in the agricultural, industrial and services sectors, SMEs, fair competition and inclusive growth

2

Promote activities that are environment-friendly, save energy or use alternative energy to drive balanced and sustainable growth

3

Promote clusters to create investment concentration in accordance with regional potential and strengthen value chains 4

Promote investment in border provinces in Southern Thailand to help develop the local economy, which will support efforts to enhance security in the area



Promote special economic zones,

especially in border areas, both inside and outside industrial estates, to create economic connectivity with neighboring countries and to prepare for entry into the ASEAN Economic Community (AEC)

6

Promote Thai overseas investment to enhance the competitiveness of Thai businesses and Thailand's role in the global economy



Main Thrusts of Current Tax Incentive Policies

- 1. Competitiveness Enhancement
 - Higher technologies
 - Human resource development
 - R&D activities
 - Design activities
 - Commercialization of local R&D results
- 2. Specific area development
 - Border special economic zones
 - Disadvantaged areas
- 3. Cluster development



How Investment Incentives are Granted





1 Activity-based Incentives





	Exemption of Corporate Income Tax	Exemption of Import Duty on Machinery	Exemption of import duty on raw material imported for use in production for export	Non-tax
A1	8 years (No Cap) + Merit	\checkmark	\checkmark	\checkmark
A2	8 years + Merit	\checkmark	\checkmark	\checkmark
A3	5 years + Merit	\checkmark	\checkmark	\checkmark
A4	3 years + Merit	\checkmark	\checkmark	✓
B1	0 year + Merit (for some activities)	✓	\checkmark	✓
B2	-	-	-	\checkmark

Activities under BOI Promotion





Example of Promoted Activities (1/2)

Group	Example Activities
A1 8-year CIT exemption with no ceiling	 Micro electronics design Embedded software/ embedded system design Data center Cloud service Software park Training center
A2 8-year CIT exemption	 Telecommunication devices Electronics control and measurement instruments Security control equipment Solid state drives Automation machinery High risked medical device Medical food Bio Plastics

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Examples of Promoted Activities (2/2)

Group	Example Activities
A3 5-year CIT exemption	 Enterprise software, digital content Electrical appliances with Internet of Things Other telecommunication devices HDD, Semiconductor, flat panel display, thin film Photonics devices
A4 3-year CIT exemption	 Audio visual, LED, PCBA Airlines, International distribution center Tourism related business Selected plastics product,
B 2 Non Tax	 E-commerce Printing products

Digital Content : Animation and computer-generated imagery, Web-based applications and interactive applications, Entertainment software for mobile platforms, online games or Windows-based games, Multimedia video conferencing applications, E-learning content via broadband or multimedia



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2 Merit-based Incentive (1/2)



Additional

Exemption

additional

Types of Eligible Investments/Expenditures	Additional Cap (% of Eligible Investments or Expenditures)	Additional CIT incentives will be granted depending on investment/expenditure ratio (%)		
1. Research, Technology Development and Innovation: In-house, outsourced in Thailand or joint R&D with overseas institutes	200%	Percentage of qualified Investment or	Additiona CIT Exemption	
2. Donations to technology and human resource development funds, educational institutes, specialized training centers, R&D institutes or governmental agencies in the S&T field in Thailand	100%	Expenditures to combined revenue of the first 3 years	(with additional cap)	
IP acquisition/licensing fees for commercializing 100% echnology developed in Thailand		1% or not less than 200 million baht	1 year	
 4. Advanced technology training 5. Development of local suppliers with at least 51% Thai shareholding in advanced technology training and 	100% 100%	2% or not less than 400 million baht	2 years	
technical assistance 6. Product & packaging design: In-house or outsourced in Thailand	100%	3% or not less than 600 million baht	3 years	

Merit-based Incentives (2/2)

'Merit on Decentralization'

The 20 Poorest Provinces

- 1. Kalasin
- 2. Chaiyaphum
- 3. Nakhon Phanom
- 4. Nan
- 5. Bueng Kan
- 6. Buri Ram
- 7. Phrae
- 8. Maha Sarakham
- 9. Mukdahan
- 10. Mae Hong Son

- 11. Yasothon
- 12. Roi Et
- 13. Si Sa Ket
- 14. Sakhon Nakhon
- 15. Sa Kaew
- 16. Sukhothai
- 17. Surin
- 18. Nong Bua Lamphu
- 19. Ubon Ratchatani
- 20. Amnatcharoen



'Merit on Industrial Area Development'

- Projects located in industrial estates or promoted industrial zones are granted **1** additional year of corporate income tax exemption.
- There are over 60 industrial estates/parks in Thailand.





Criteria for Project Approval (1/4)

- 1. Development of Competitiveness in Agricultural, Industrial and Service sectors
- Value-added not less than 20% of revenues <u>except for projects in</u> <u>agriculture and agricultural products, electronic products and parts and coil</u> <u>centers which must have value added of at least 10% of revenues</u>
- Modern production process must be used
- Projects that have investment capital of 10 million baht or more (excluding cost of land and working capital) must obtain <u>ISO 9000 or ISO 14000</u>
 <u>certification or similar international standard certification within 2 years</u>
 from the full operation startup date, otherwise corporate income tax
 exemption shall be reduced by one year
- For <u>concession project and the privatization of state enterprise project</u>, the criteria shall be based on Cabinet's decisions in 1998 and 2004

Criteria for Project Approval (2/4)

• Criteria for Granting Approval for Imported Used Machinery

	Types of Machinery	Allowed to be used in the project	Counted as investment capital for calculation of CIT exemption cap	Import Duty Exemption
1	New Machinery	All	\checkmark	\checkmark
Im	ported Used Machinery			
2	Not over 5 years old (from manufacturing year to importing year)	All	\checkmark	X
3	Used Machinery exceeding 5 years but not exceeding 10 years (Press Machine only)	Factory Relocation Project only	Investment cap shall be based on 50% of the machinery Value from the list of machinery	X
		Others, except relocation project	X	X
4	Used machines exceeding 10 years	Factory Relocation Project only	X	X
5	Sea and Air Transport Activities and Mold and Dies (approved as deemed appropriate)	Appropriate	\checkmark	✓

<u>Remarks</u>: Used Machinery have to have Machinery Performance Certificate refer to the a certificate issued by a trusted institute that grants a Machinery Performance Certificate and safety standards check and an energy consumption report must be compiled in accordance with the acceptable criteria.

2. Environmental Protection

- Adequate and efficient guidelines and measures to protect environmental quality and to reduce environmental impact must be installed. The Board will give special consideration to the location and pollution treatment of a project with potential environmental impact.
- Projects or activities with type and size that are required to submit environmental impact assessment reports <u>must comply</u> <u>with related environmental laws and regulations or Cabinet</u> <u>resolution.</u>
- Projects located in <u>Rayong</u> must comply with the Office of the Board of Investment Announcement No. Por 1/2554.

3. Minimum Capital Investment and Project Feasibility

- The minimum capital investment requirement of each project is <u>1 million baht</u> (excluding cost of land and working capital). As for <u>knowledge-based services</u> i.e. creative product design and development center, electronic design, software, R&D and engineering design, the minimum capital investment requirement is based on the minimum <u>salaries expense of personnel in the</u> <u>specified field of at least 1.5 million baht/year</u> according to conditions of each activity.
- For newly established projects, the debt-to-equity ratio must not exceed <u>3 to 1</u>. Expansion projects shall be considered on a case-by-case basis.
- Projects with investment value of over 750 million baht, (excluding cost of land and working capital) must submit <u>the</u> <u>project's feasibility study</u>.

Content



Investment Incentives

2 Specific Investment Promotion Policy

3 BOI Services







- 1. Tak
- 2. Sa Kaew
- 3. Trat
- 4. Mukdahan
- 5. Songkhla
- 6. Nong Khai
- 7. Narathiwat
- 8. Chiang Rai
- 9. Nakhon Phanom
- 10. Kanchanaburi

(10 provinces; 23 districts; 90 sub-districts)

Investment Promotion Policy for Investment in Special Economic Zones (1/2)

Incentives

- In case general activities are eligible for investment promotion (activities according to announcement No.2/2557),
 - Projects shall receive the following incentives:
 - 3 <u>additional</u> years of corporate income tax exemption
 - In cases where projects are already granted an 8-year CIT exemption, an additional 5-year 50% CIT reduction shall be granted instead
 - Double deductions from the costs of transportation, electricity and water supply for 10 years
 - Additional 25% deduction of the cost of installation or construction of facilities
 - Exemption of import duty on machinery
 - Exemption of import duty on raw materials used for export production
 - Other non-tax incentives
 - > Permission to use foreign unskilled workers

Investment Promotion Policy for Investment in Special Economic Zones (2/2)

Incentives

✤ In cases of 62 target activities for special economic zones specified by the policy committee on special economic zone development,

- Projects shall receive the following incentives:
 - 8-year corporate income tax exemption and additional 5-year 50% reduction of corporate income tax
 - Double deductions from the costs of transportation, electricity and water supply for 10 years
 - Additional 25% deduction of the cost of installation or construction of facilities
 - Exemption of import duty on machinery
 - Exemption of import duty on raw materials used for export production
 - Other non-tax incentives
- > Permission to use foreign unskilled workers

**** Applications must be submitted between**

January 1, 2015 and December 31, 2017 **

Targeted Activities in the SEZs

13 Industrial Sectors	Tak	Sa Kaeo	Trat	Mukdahan	Songklah
(62 sub-sectors)					
1. Agricultural, fishery and related industries	\checkmark	✓	\checkmark	✓	\checkmark
2. Ceramics products	\checkmark				
3. Textile, garment, and leather industries	\checkmark	✓			✓
4. Manufacture of furniture	✓	✓			✓
5. Gems and jewelry	✓	 ✓ 			
6. Medical equipment	✓	✓			
7. Automotive, machinery, and parts	✓	✓			
8. Electrical appliances and electronics	✓	 ✓ 		✓	
9. Plastics	✓	 ✓ 			
10. Medicine	✓	 ✓ 			
11. Logistics	✓	 ✓ 	\checkmark	✓	✓
12. Industrial estates/zones	\checkmark	 ✓ 	\checkmark	✓	✓
13. Tourism related industry	\checkmark	 ✓ 	\checkmark	✓	✓

Targeted Activities in the SEZs

13 Industrial Sectors (62 sub-sectors)	Nong Khai	Nakhon Phanom	Kanchanaburi	Nakhon Phanom	Narathiwat
1. Agricultural, fishery and related industries	✓	✓	✓	\checkmark	Eligible for
2. Ceramics products			✓	✓	Investment
3. Textile, garment, and leather industries	✓	✓	✓	\checkmark	Promotion
4. Manufacture of furniture		✓	✓	\checkmark	Policy for Industrial
5. Gems and jewelry		✓	✓	√	Development
6. Medical equipment		\checkmark	\checkmark	\checkmark	in
7. Automotive, machinery, and parts			✓	✓	Border Provinces in
8. Electrical appliances and electronics			\checkmark	\checkmark	Southern
9. Plastics		✓	✓	✓	Thailand
10. Medicine		✓	✓	✓	
11. Logistics	\checkmark	✓	✓	\checkmark	
12. Industrial estates/zones	✓	✓	✓	✓	
13. Tourism related industry	\checkmark	\checkmark	✓	\checkmark	

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Consists of 3 sub - measures :

1) Machinery upgrade to promote energy conservation, alternative energy utilization or reduction of environmental impact.

2)Machinery upgrade to improve production efficiency e.g. utilizing machinery automation in existing production lines.

3)Investment in R&D and advanced engineering design for efficiency improvement (Investment must not be less than 1 percent of the total revenue for the first 3 years or 0.5 percent for SMEs)

Conditions

• Existing projects, whether BOI or non-BOI promoted. In the case of non-BOI promoted projects the activity must be eligible for investment promotion by the Board of Investment.

(2/2)

- BOI promoted projects can also apply for this measure when the corporate income tax exemption or reduction period expires, or in case the respective project(s) does not receive a corporate income tax exemption.
- The minimum capital investment must not be less than 1 million Baht (excluding cost of land and working capital) except SMEs; the minimum capital investment must not be less than 5 million Baht (excluding cost of land and working capital).
- Project must complete implementation within three years from the date the promotion certificate is issued.

Incentives

- Exemption of import duty for machinery
- 3-year corporate income tax exemption on the revenue of an existing project, accounting for 50 percent of the investment under this measure (excluding cost of land and working capital)
- Corporate income tax exemption period shall start from the date of revenue derivation after promotion certificate is issued.



Investment Acceleration Measures

Investment Acceleration Measures



Eligibility Criteria

- (1) Applications submitted during Jan 1, 2014 to June 30, 2016
- (2) Revenue generated by end of 2017.
- (3) Applicable to BOI categories entitled to CIT exemption

Investment Acceleration Measures



Actual investment made representing % of	Additional CIT Exemption*		
total investment indicated in investment	Outside Border SEZs	Inside Border SEZs	
promotion certificates (excluding land cost			
and working capital)			
At least 70% by the end of June 2016	4 yrs. +	4 yrs. +	
	50% reduction for 5 yrs.	50% reduction for 5 yrs.	
<u>At least 50%</u> by the <u>end of June 2016</u>	3 yrs. +	3 yrs. +	
	50% reduction for 5 yrs.	50% reduction for 5 yrs.	
At least 50% by the end of December 2016	3 yrs. +	3 yrs. +	
	50% reduction for 5 yrs.	50% reduction for 5 yrs.	
Less than 50% by the end of December	1 yr.	2 yrs.	
<u>2016</u>			

Note: Every case shall be granted CIT exemption not over 8 years in total

Summary of investment promotion measures

	1 Acti				
	2 Add	itional Incentives			
1	Merit-	6 Activities including R&D, Fund Donation, IP Licensing Fee,			
	based	Advanced Technology Training, Local Suppliers Development, Product and Packaging Design.	Investment		
2	Area-	1. Promoted Industrial Estates/Zones	Acceleration		
	based	2. Science and Technology Parks	Measure		
	Duocu	 20 Provinces with lowest per capita income 4. 10 Special Economic Development Zones 	WEASULE		
		5. Clusters (Super cluster and other targeted clusters)			
		6. 4 Southern border provinces + 4 districts in Songkhla			
3	SMEs	Relaxation of criteria / additional incentives for 38 activities, in which Thai SMEs have high potential.			
	Measures to Promote Productivity				
	 Investment in machinery replacement for energy conservation, use of renewable energy, 				
	reduction of environmental impacts				
	 Investment in machinery replacement for improvement of production efficiency i.e. automation 				

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• Investment in R&D activities or Engineering Designs.

New Cluster Development Policy Existing and New S-Curve Industries –New Engines of Growth







Investment Promotion policy : Super Cluster

Super Cluster

- Automotive and Parts Cluster
- Electrical Appliances, Electronic and Telecommunication Cluster
- Digital Cluster
- Eco-Friendly Chemical and Plastics cluster
- Food Innopolis
- Aviation & Aerospace Cluster
- Automations and Robotics Cluster
- Medical Hub



Investment Incentives for Superclusters







Obligatory Conditions to Receive Cluster Incentives

2

Conditions For Cluster Incentives

Must cooperate with academic institutions / research institutions / the Center of Excellence in the cluster area to develop human resources and improve the level of technology e.g.

- Cooperate with the Talent Mobility / Work-integrated Learning / Co-operative Education / Dual systems
- Cooperate to develop human resources or technology as approved by the Board of Investment

Must apply for investment promotion within <u>2016</u> and commence operations within <u>2017</u> to accelerate investment. However, under certain conditions and necessities, i.e. large-scale projects, the BOI will give due consideration as deemed appropriate.



Automotive and Parts Super Cluster



7 Provinces : Ayuddhaya, Patumthani, Chon Buri,

Rayong, Chacheongsao, Prachinburi,

Nakorn Ratchasrima

Target Activities

Manufacture of Motorcycle with engine size > 248 CC. (only

for projects with forming of engine parts)

Manufacture of Automobile Engines

Manufacture of Important Parts that are not locally

produced or are few i.e.

- Parts using advance technology
- Safety and Energy Efficient System
- Equipment for Hybrid, EV, PHEV cars
- Fuel injection parts/ Transmission/ Engine System

Manufacture of Automobile Tires

Electrical Appliances, Electronic and Telecommunication Super Cluster



7 Provinces : Ayuddhaya, Patumthani, Chon Buri, Rayong, Chachoengsao, Prachinburi, Nakorn

Ratchasrima

Target Activities

Electronic Design

e.g. Microelectronics Design และ Embedded System Design

Electronic products and parts using advance technology

e.g. telecommunication equipment, electronic parts for medical devices / automotive / industrial works, Hard Disk Drive, Solid State Drive

Advanced Technology Electrical Appliances e.g. Internet of Things





Target Activities

Petrochemical or Specialty Chemical Products

Plastic or Bio-chemical products

Bio-plastic products

Manufacture of paper container coated with bio-plastic

Digital Industry Super Cluster



<u>2 provinces</u> : Chiang Mai and Phuket

Target Activities

Software (Embedded Software, Enterprise Software,

Digital Content)

Cloud Service

Data Center

Software Park

Movie Town

Thai Motion Picture Production and Motion Picture

Supporting Services
Aviation & Aerospace Cluster



<u>14 Provinces</u> : Bangkok, Samut Prakan, Nakhon Pathom, Pathum Thani, Chachoengsao, Chonburi, Rayong, Chiang rai, Phitsanulok, Nakhon Sawan, Lopburi, Nakhon Ratchasima, Surat Thani, Songkhla

Target Activities

Manufacture or MRO

- Airframe, Airframe parts
- Critical parts e.g. Engine and parts, Propeller
- Appliance e.g. Flight recorder, Radar
- Telecommunication/Electronic products
- Electronic Design
- Embedded Software, High Value Added Software

Manufacture of space devices

- Parts or equipment of Rocket, Space craft, Space vehicle, Propulsion unit part and Auxiliary equipment
- Search, Detection, Navigation, Guidance, Aeronautical, Nautical system and instrument

Training Center for pilot and technician

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Automation & Robotics Cluster

Target Activities

Manufacture or Assembly of Robots & Automation equipment and parts

- Machinery /Equipment with engineering design
- Machinery, Equipment & parts / Repair of Mould
- Assembling of Automation Machinery/Equipment, Robots & parts*

Service and Public Utilities

- Research & Development
- Engineering Design
- Scientific Laboratories
- Calibration Services
- Vocational Training Centers
- Innovation Incubation Centers*



Jrocess





Target Activities

Software Development and Systems Integration

- Systems Integration Design
- Electronic Design
- Installing automated or robotic systems
- Embedded Software, Big Data Analytics
 SW, Controlling and Commanding SW,
 Business Process management, IoT,





International Headquarters (IHQ): Scope of Activities





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Corporate Income Tax	Personal Income Tax	Specific Business Tax	Withholding Tax
 CIT exemption (only services provided to foreign branches or AE) 10% of CIT (only income derived from its branches or AE in Thailand) Tax exemption of NP from revenue from purchase and sale of goods to its foreign branches or AE and such goods are not 	Tax rate at the rate of 15% for expatriates in specialist or executive level working in IHQ.	Tax exemption onIoan taken out byIHQ to relend to itsbranches or AE in THand abroad.	Tax exemption on interest received from its branches or AE in TH and abroad for loans granted in accordance with BOI regulations
imported to TH (OUT-OUT)	Note: NP = Net profits, AE = associated enterprises		



International Trading Centers (ITC): Scope of Activities







Personal Income Tax

The tax rate of **15%** for expatriates in specialist or executive level working in ITC.



Examples of IHQ / ROH in Thailand





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Investment Incentives

2 Specific Investment Promotion Policy





BOI Offers Manifold Support Services

BOI Support Services



1-Stop for visas & work permits: work permits in 3 hours

Investment Matchmaking Program

Subcontracting Development Program by BUILD Unit

ASEAN Supporting Industry Database

Interaction with other govt. agencies on behalf of investors

Country desks

Overseas offices



One Start One-Stop Investment Center (OSOS)

Facilitate business negotiation

Easing & speeding procedures for new investors to start up a business



Consolidating staff from numerous investment-related agencies

OSOS

Visa & Work permit renewal across the hall



Assist investors with various applications

- Register a company
- Obtain investment promotion privileges
- Obtain a foreign business license
- Complete an EIA report
- Permission to use land for industrial operations
- Utilities, etc.



Service





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ΤΑΧ

ระบบอิเล็กทรอนิกส์สำหรับงานสิทธิ และประโยชน์ด้านเครื่องจักร (eMT Online) + เฟส 2

ระบบงานช่างฝีมือ (e-Expert System)

ระบบอิเล็กทรอนิกส์สำหรับงานสิทธิ และประโยชน์ด้านวัตถุดิบ (RMTS 2011)

ระบบสนับสนุนงานส่งเสริมการลงทุน (e-Invesment)

ระบบการขอใช้สิทธิประโยชน์ด้านภาษี ผ่านระบบอิเล็กทรอนิกส์ (e-Tax)

ระบบรายงานผลประกอบการ และรายงานความคืบหน้าโครงการ (e-Monitoring)



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