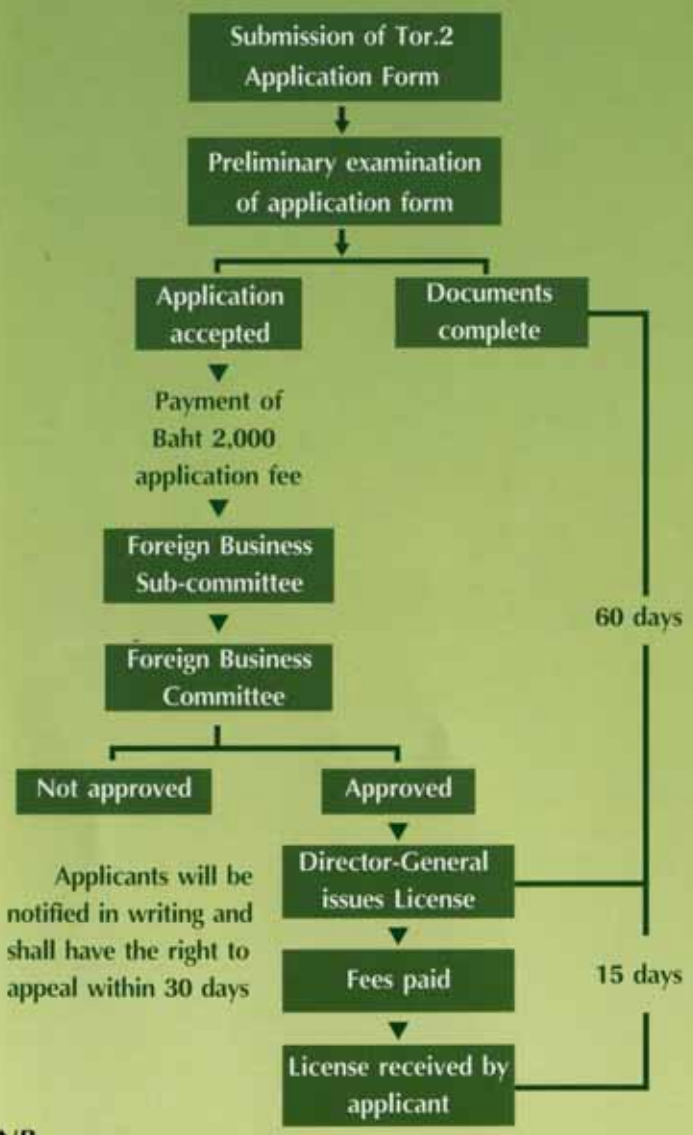


LICENSING PROCEDURE



NB.
The Foreign Business Sub-committee has the duty of deliberating the license application and submitting its opinion to the Foreign Business Committee.

ADVICE

Applying for a license to operate a business under section 17.



Bureau of foreign Business Administration
Department of Business Development,
Ministry of Commerce
Tel. 0 2547 4419-20, 0 2547 4425-26
Fax 0 2547 4428

website : www.dbd.go.th
e-mail : foreign@dbd.go.th

Application documents:

*1. A declaration of details of the type of business for which a license application is made.

2. A declaration by the applicant certifying that the applicant, directors, managers or appointed representative satisfy the qualifications and do not possess a prohibited characteristic under section 16 of the Foreign Business Act, B.E. 2542 (1999).

3. A map indicating the approximate location of the place of business operation in Thailand.

4. A power of attorney in the case where another person has been authorized to act on the applicant's behalf.

5. Other evidence or documents (if any), such as:
- a certificate of employment issued by the employer;
- a copy of the employment contract.

6. In the case of a juristic person not registered in Thailand, the following documents must also be submitted:

6.1 a copy of a certificate or evidence of juristic person status containing particulars of the name, capital, objects, place of business, list of directors and authorized signatories of the juristic person;

6.2 a letter of appointment of a representative issued by the authorized signatory as appointer of a representative in charge of the business operations in Thailand on behalf of the juristic person;

6.3 a copy of the appointed representative's passport, identification document for foreigners or identification card;

6.4 a copy of the appointed representative's house register, a certificate of residence in the Kingdom or evidence of permission to enter the Kingdom for a temporary stay under the law on immigration.

7. In the case of a juristic person registered in Thailand, the following documents must also be submitted:

7.1 a copy of a certificate or evidence of juristic person status containing particulars of the name, capital, objects, place of business, list of directors and authorized signatories of the juristic person;

7.2 a declaration of the proportion of shareholdings between Thai persons and foreigners and the number of shares and the class or kind of shares held by foreigners.

8. In the case of a natural person, the following documents must also be submitted:

8.1 a copy of a passport or identification document for foreigners;

8.2 a copy of the house register, a certificate of residence in the Kingdom or evidence of permission to enter the Kingdom for a temporary stay under the law on immigration.

*** The declaration stating details of the type of business for which the license application is made shall contain the following items:**

1. The type of business for which the application is made, including the stages of operations.

2. An estimate of the expenditure as regards the amount of funds which the applicant will expend in Thailand for the acquisition of fixed assets and for the operational expenses of the business in each year over a period of three years or over the actual period of business operation in the case where the business was operated for less than three years.

3. The size of workforce in Thailand employed by the applicant.

4. A plan for the import of foreign technology and the transfer of technology.

5. The overall benefit to the economy which Thailand is expected to receive from the business operation.



Mandatory conditions:

Licensee must comply with the 2 following conditions (Except in the case where licensee is the contractor of government agencies/state enterprises)

1. Loans from banks or other financial institutions which are incidental to a licensee's business operations can be made to an amount not exceeding the proportion of one part capital/remitted foreign currencies to seven parts loan.
2. At least one director/representative who is in charge of the operation of permitted business shall be domiciled in Thailand

Warning:

(1) The applicant must completely fill in the application form in print, which must also be signed by the applicant or by an appointee in the case where another person was authorized by a power of attorney to act on his/her behalf.

(2) In the case where a power of attorney was executed in a foreign country, such power of attorney must be notarized by an official or by a person who has been prescribed with the powers of notarization by the laws of such country, or by an authorized official of the Royal Thai Embassy or Royal Thai Consulate stationed in such country at time not exceeding six months prior to the date of submission of application.

(3) In the case where the power of attorney was executed in Thailand and the appointer does not have residence in Thailand, a copy or photocopy of the passport or certificate of temporary residence, or other evidence showing that at the time of the power of attorney such person had truly entered into Thailand, must be submitted.

(4) In the case where the evidence or documents in support of the application have been signed in a foreign country, the applicant must provide for the certification of such signatures as required in (2)

(5) If the evidence or documents submitted in support of the application are in a foreign language, their translations in Thai must be provided. The applicant and the translator must affix their signatures to certify the correctness of the translations.

(6) The applicant must certify the correctness of copies or photocopies of evidence or documents submitted in support of the application.

Place of application for a license:

1. In Bangkok, an application may be submitted at the Department of Business Development, Ministry of Commerce.

2. In other provinces, an application may be submitted at the Provincial Office of Business Development.

Fee Rates:

1. Application fee: 2,000 baht.
2. License: - natural person: 20,000 baht;
- juristic person: five baht for every thousand baht of the registered capital subject to a minimum fee of 20,000 baht and a maximum fee of 250,000 baht; the amount in excess of one thousand baht shall be deemed as equivalent to one thousand baht.
3. Application to inspect or make copies of documents: 200 baht per application.
4. Application for the registrar to make copies or photocopies of documents and affix a certification: 100 baht per page.
5. Application for a certification of the contents deposited by the registrar: 100 baht per item.

