

Section 7: Service and Public Utilities

Activities	Conditions	Incentives
<p>7.1 Public utilities and basic services</p> <p>7.1.1 Production of electricity or electricity and steam</p> <p>7.1.1.1 Production of electricity or electricity and steam from garbage or refuse derived fuel</p> <p>7.1.1.2 Production of electricity or electricity and steam from renewable energy, such as solar energy, wind energy, biomass or biogas, etc. except from garbage or refuse derived fuel</p>	<p>Must be approved by relevant government agencies.</p>	<p>A 1</p> <p>A 2</p>

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7.1.1.3 Production of electricity or electricity and steam from other energy sources	<ol style="list-style-type: none"> 1. In case of cogeneration. 2. If the project uses coal, it must only use clean coal technology. 	A 4 A 4
7.1.2 Production of tap water, industrial water or steam		A 3
7.1.3 Container yards or inland container depots		A 3
7.1.4 Loading/unloading facilities for cargo ship	Must use modern technology approved by the Board.	A 3
7.1.5 Commercial airports		A 2
7.2 Natural gas station		B 1
7.3 Mass transit systems and transportation of bulk goods 7.3.1 Rail transport 7.3.2 Pipeline transportation (except for water pipeline) 7.3.3 Maritime transportation services 7.3.4 Air transportation services	Must be approved by relevant government agencies. Planes in the project must be no more than 14 years old from their manufacturing date to BOI application submission date.	A 2 B 1 A 2 A 3
7.4 Logistics service centers 7.4.1 Distribution centers: DC 7.4.2 International distribution centers – IDC	<ol style="list-style-type: none"> 1. The paid-up registered capital must not be less than 10 million baht. 2. Must provide a goods storage facility that is controlled by a modern computerized system. 3. International distribution center projects will have additional conditions, as follows: <ol style="list-style-type: none"> 3.1 Must have a minimum investment (excluding cost of land and working capital) of at least 100 million baht. 3.2 The center must distribute goods to at least 5 countries. 4. Distribution Center (DC) projects are not eligible for merit-based privileges. 	B 1 A 3

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7.5 International headquarters – IHQ	<ol style="list-style-type: none"> 1. Paid-up registered capital must not be less than 10 million baht. 2. Must supervise associated enterprises in foreign countries or its foreign branches in at least one country. 3. Must have business plan and scope of business, as follows: <ol style="list-style-type: none"> 3.1 Organizational administration and management and business planning 3.2 Procurement of raw materials and parts 3.3 Research and development 3.4 Technical support 3.5 Marketing and sales promotion 3.6 Human resources and training and development 3.7 Business advisory services, e.g. financial management, marketing, accounting system, etc. 3.8 Economic and investment analysis and research 3.9 Credit management and control 3.10 Treasury center 3.11 Other services as approved by the Board 4. IHQ projects are not eligible for merit-based privileges. 	B 1 (Only machinery for R&D and training activities)
7.6 International trading centers: ITC	<ol style="list-style-type: none"> 1. The paid-up registered capital must not be less than 10 million baht. 2. ITC projects are not eligible for merit-based privileges. 	B 1
7.7 Trade and investment support offices: TISO	<ol style="list-style-type: none"> 1. Annual selling and administrative expenses must be at least 10 million baht. 2. Must have a business plan and scope of business approved by the Board, as follows: <ol style="list-style-type: none"> 2.1 Monitoring and/or servicing associated enterprises including providing or letting office or factory building to company's associated enterprises. 2.2 Advisory services on business operations, except those engaged in buying and selling securities and foreign currency exchange. Accounting, legal, 	B 2

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	<p>advertising, architecture and civil engineering businesses must obtain business licenses from the Department of Business Development or related government agencies prior to submitting the investment promotion application.</p> <p>2.3 Information services on goods sourcing.</p> <p>2.4 Engineering and technical services, except those related to architecture and civil engineering services.</p> <p>2.5 Business activities related to machinery, engines, tools and equipment, such as:</p> <ol style="list-style-type: none"> (1) Importing for wholesaling (2) Training services (3) Installation, maintenance and repair (4) Calibration <p>2.6 Wholesaling products manufactured in Thailand.</p> <p>2.7 International business process outsourcing whose services are provided through telecommunication networks, such as administrative services, finance & accounting services, human resource services, sales & marketing services, customer services, data processing, etc.</p> <p>3. Trade and investment support office projects are not eligible for merit-based privileges.</p>	
7.8 Energy Service Company (ESCO)	Must be approved by Ministry of Energy before submitting an investment promotion application.	A 1
<p>7.9 Real estate development for industrial use</p> <p>7.9.1 Industrial zones or industrial estates</p> <p>7.9.1.1 Industrial zones or industrial estates</p>	<ol style="list-style-type: none"> 1. Projects in Bangkok and Samut Prakarn are not eligible for promotion. 2. Total land area of the project must not be less than 500 rai. 3. Factory-designated area must not be less than 60 percent and not more 	B 1

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	<p>than 75 percent of the total area, except projects with a total area of over 1,000 rai, whose factory-designated area must be approved by the Board of Investment.</p> <p>4. Other conditions as specified by the Board are as follows:</p> <p>4.1 The main road</p> <p>(1) If the total area is over 1,000 rai, the road must have four lanes of not less than 30 meters wide, including road surface of not less than 14 meters wide, traffic island and pavement of not less than 2 meters wide each side and road shoulder or surface wide enough for an emergency stop.</p> <p>(2) If the total area is over 500 and up to 1,000 rai, the road must have two lanes with road not less than 20 meters wide, including road surface of not less than 7 meters wide and pavement of not less than 2 meters wide each side and a road shoulder or surface wide enough for an emergency stop.</p> <p>4.2 The minor road must have a surface of not less than 8.5 meters wide and a shoulder of not less than 2 meters wide each side.</p> <p>4.3 Wastewater treatment must be suitable for wastewater characteristics and according to legal effluent standards. Projects must have a post-treatment effluent pool.</p> <p>4.4 Wastewater discharge system must be completely separate from rainwater discharge system.</p> <p>4.5 Projects must have an approved system of collection and elimination of garbage, as approved by the Board.</p>	

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	<p>4.6 Factories located in industrial zones must be according to target industries, and not on the list of forbidden industries, specified in the environmental impact assessment report approved by the Expert Review Committee of the Office of Natural Resources and Environmental Policy and Planning (ONEP).</p> <p>4.7 The zone must provide factories located in the zone with sufficient public utilities, electricity, water, telephone service and post office.</p> <p>4.8 The zone must develop about 25 percent of its total land area, or as approved by the Board, for public utility services within two years from the date of investment promotion certificate issuance.</p>	
7.9.1.2 Gem and jewelry industrial zones	<ol style="list-style-type: none"> 1. The total area must not be less than 100 rai. 2. Area for operations related to gems or jewelry must not be less than 40 percent of the total area. 3. Projects must have a sales area for gems and jewelry. 4. Projects must provide appropriate security systems. 5. Projects must have meeting rooms, exhibition halls and business centers. 	A 3
7.9.1.3 Logistics Park	<ol style="list-style-type: none"> 1. The total area must not be less than 200 rai and the project must invest in establishing a warehouse for lease or sale with a total area of not less than 50,000 square meters. 2. Must be located either within 50 kilometers of a port, an airport, a customs checkpoint and an inland container depot (ICD) or in a Free Zone. 3. Projects must designate some or the entirety of its area as a Free Zone. 	A 3

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<p>7.9.1.4 Industrial zone for motion picture production (Movie Town)</p> <p>7.9.1.5 Industrial estate or industrial zone for environmental protection</p> <p>7.9.1.6 Rubber industrial zones (Rubber City)</p>	<p>4. Projects must have a station to load and unload containers, or a truck terminal and a container depot that can handle at least 50 containers.</p> <p>5. Projects must install main telecommunication infrastructure that provides hi-speed communications that link the logistics park to domestic and international communication hubs.</p> <p>6. Thai nationals must hold not less than 51 percent of the total registered capital.</p> <p>7. Projects must be approved by relevant government agencies.</p> <p>Must provide the following facilities:</p> <ol style="list-style-type: none"> 1. Indoor studio and outdoor studio 2. Post production services, i.e. film developing and duplicating, special effects, computer animation, sound lab <p>Must be approved by the Ministry of Industry before submitting the investment promotion application.</p> <p>As specified by the Board.</p>	<p>A 3</p> <p>A 3</p> <p>A3</p>
<p>7.9.2 Industrial zones or technology industrial zones</p> <p>7.9.2.1 Science and Technology Parks</p> <p>7.9.2.2 Software Parks</p>	<ol style="list-style-type: none"> 1. Must have an incubation center. 2. Must have a modern system for both domestic and international communications and telecommunications. 3. Must have a continuous electricity backup system. 4. Must have other facilities, as approved by the Board. <ol style="list-style-type: none"> 1. Projects must have high-speed fiber-optic main communications systems throughout the area. 2. The main telecommunications system must have a high-speed cable from the software park to domestic and international telecommunication centers. 	<p>A 1</p> <p>A 1</p>

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7.9.2.3 Data center	<ol style="list-style-type: none"> 3. Continuous back-up of electricity supply must be installed. 4. The total area must not be less than 5,000 square meters. 1. Must provide complementary services for customers located in project, e.g. server co-location, managed service, customer's server backup service, disaster recovery services (DRS), etc. 2. Area of data center must not be less than 3,000 square meters. 3. Must have a main hi-speed telecommunications system linking the data center with domestic and international telecommunication centers for at least 4 systems. The domestic telecommunication system must have a speed of at least 10 Gbps each, for at least 3 systems, and the total speed of the whole system must be at least 60 Gbps. 4. Must be able to service clients during maintenance or during equipment replacement in the system. (concurrently maintainable). 5. Must have a "Continuous Rating" generator, which is capable of supporting the entire electricity needs of the Data Center, with a backup generator that can support the need for electricity when one of the generators doesn't function properly. 6. Must have equipment or backup system for UPS IT Cooling and UPS Cooling. This system or equipment needs to be able to function immediately after a main system fails to function properly and this must ensure the failure in the main system does not affect service. 7. Must have backup independent distribution paths in electricity distribution system. 8. Must have a failure prevention system to prevent risks from damage or any malfunction in any equipment. 9. Must have a highly efficient air conditioning system, with backup system. 10. Must have fire prevention system for the entire area. 	A 1

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	11. Must have a 24-hour security system. 12. Must be certified with ISO/IEC 27001 (data center).	
7.10 Cloud Service	1. Must be located in at least 2 data centers in Thailand that are certified with ISO/IEC 27001 (data center). 2. Must have connections among all related data centers with speed of at least 10 Gbps for each connection, with backup connections at the same speed. 3. Must be certified with ISO/IEC 27001 (cloud security) and ISO/IEC 20000-1 (cloud service).	A 1
7.11 Research and development	1. Must have scope of business, as follows: 1.1 Basic research refers to theoretical or operational activities that are conducted to explore new knowledge from basic natural phenomena and factual observation, without initially considering the application. 1.2 Applied Research refers to research that applies basic knowledge to solve or develop a concept for commercial purpose, with the objective to obtain a new product or process. Applied research includes related activities such as formula development, product design, and production process design for use at an industrial or commercial level. 1.3 Pilot development refers to activities performed to magnify a production scale from basic research and applied research. Pilot development is the development of a prototype and/or production process testing at a semi-industrial level to test the market and/or collect information on suitable conditions for a production process to use a product design at an industrial level.	A 1

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	<ol style="list-style-type: none"> 1.4 Demonstration development refers to research and development that further develops results from a pilot development in order to test a production process at an industrial level to verify a technology and production process and to demonstrate the level of integrity of such process and viability on a commercial scale production in both quality control and cost estimation. 2. Must provide the Board with the details and scope of such research and development projects, information on projects' researchers, including number of researchers, academic profiles and work experiences. 3. Revenues derived from sale of the provision of services that are directly related to a promoted business or which are from downstream production for commercial purposes, either carried by the promoted company or sub-contractor, shall be regarded as revenue of the promoted business. 4. Projects located in a promoted science and technology park or one that is approved by the Board will receive an additional 50 per cent reduction in corporate income tax for 5 years after the end of its corporate tax exemption period. 5. Must have expenses for salaries of research and development personnel of at least 1,500,000 baht per year. 	
<p>7.12 Biotechnology</p> <p>7.12.1 Research and development (R&D) activity and/or manufacturing of seed industry, improvement of plants, animals or microorganisms using biotechnology.</p>	<ol style="list-style-type: none"> 1. Projects must use modern biotechnology approved by the National Science and Technology Development Agency (NSTDA) or the Thailand Centre of Excellence for Life Sciences (TCELS). 2. Projects located in a science and technology park promoted by BOI or one that is approved by the Board will 	A 1

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7.12.2 R&D activity and/or manufacturing of biopharmaceutical agents using biotechnology	receive an additional 50 per cent reduction in corporate income tax for 5 years after the end of its corporate tax exemption period.	A 1
7.12.3 R&D and/or manufacturing of diagnostic kits for health, agriculture, food and environment		A 1
7.12.4 R&D and/or manufacturing of bio-molecules and bioactive substances using microorganisms, plant cells and animal cells		A 1
7.12.5 Manufacture of raw materials and/or essential materials for molecular biological research and development, experiment, testing or quality control services and/or production of biological substances		A 1
7.12.6 Biological substance analysis and/or synthesis services and/or quality control services and/or product validation services		A 1
7.13 Engineering design	<ol style="list-style-type: none"> 1. Projects located in a promoted science and technology park or one that is approved by the Board will receive an additional 50 percent corporate income tax reduction from net profits for 5 years after the end of its corporate income tax exemption period. 2. Must have expenses for salaries of engineering personnel of at least 1,500,000 baht per year. 	A 1
7.14 Scientific laboratories	Projects located in a promoted science and technology park or one that is approved by the Board will receive an additional 50 percent corporate income tax reduction from net profits for 5 years after the end of its corporate income tax exemption period.	A 1

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7.15 Calibration services	Projects located in a promoted science and technology park or one that is approved by the Board will receive an additional 50 percent corporate income tax reduction from net profits for 5 years after the end of its corporate income tax exemption period.	A 1
7.16 Product sterilization services		A 2
7.17 Recycling and reuse of unwanted materials	<ol style="list-style-type: none"> 1. Must be approved by relevant government agencies. 2. Must be located in an industrial estate or promoted industrial zone. Exceptions to this requirement may be granted by the Board on a case-by-case basis. 3. Unwanted materials in the project must be generated from domestic sources only. 4. Must have separation or processing of unwanted materials using modern technology, as approved by the Board. 5. Promoted projects will receive rights and privileges, as follows: <ul style="list-style-type: none"> - Sorting/separation - Sorting/separation with additional processing of recycling or recovery of valuable substances. 	<p>A 3</p> <p>A 2</p>
7.18 Waste treatment or disposal	Projects must be approved by relevant government agencies.	A 2
7.19 Vocational training centers	<ol style="list-style-type: none"> 1. Must teach or train technical courses in specific fields, including design training center, as approved by the Board. 2. Must have necessary equipment, vocational training lab, and others. 3. Projects located in a promoted science and technology park or one that is approved by the Board will receive an additional 50 percent corporate income tax reduction from net profits for 5 years after the end of corporate income tax exemption period. 	A 1

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7.20 Thai motion picture production	<ol style="list-style-type: none"> 1. Thai motion picture production shall include production of movies, documentaries or television programs, but does not include production of an advertisement. 2. Revenue exempt from tax shall include: <ol style="list-style-type: none"> 2.1 Revenue obtained from the sale of copyright, including sale of motion pictures in other forms such as CD, video CD, DVD, etc. 2.2 Revenue obtained from a revenue sharing scheme from movie theaters and motion picture distributor. 	A 3
7.21 Motion picture support services	<p>Motion picture support services shall include documentaries, television programs, animation and commercials, which have a scope of business, as follows:</p> <ol style="list-style-type: none"> 1. Rental services of movie production equipment and/or movie production props must have main equipment machinery, such as camera, grip equipment, light set, etc. 2. Film development and duplication services must have main equipment/machinery, such as film development machine, film duplication machine, digital film duplication machine, etc. 3. Sound recording services must have main equipment/machinery, such as digital sound recorder, digital sound editing machine, digital sound mixing machine, etc. 4. Picture technical services must have machines and equipment capable of creating special pictures that are not possible with cameras. The service providers must have main equipment and machinery, such as standard definition/high definition digital recorders, editing suites, digital compositing and special effect creation, etc. 	A 3

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	<ol style="list-style-type: none"> 5. Coordination services for foreign movie production in Thailand must include coordinating with related government agencies for permits, location scouting and sourcing of staff and movie equipment. 6. Studio rental services for movie and television program production. 	
<p>7.22 Tourism promotion services</p> <p>7.22.1 Ferry services or tour boat services or tour boat renting</p> <p>7.22.2 Tour boat port services</p> <p>7.22.3 Amusement parks</p> <p>7.22.4 Cultural centers or arts and crafts centers</p> <p>7.22.5 Open zoos</p> <p>7.22.6 Aquariums</p>	<p>Must be approved by relevant government agencies</p> <p>Must have facilitating equipment, such as boat lifting equipment, inland boat deck, or boat garage for maintenance purpose.</p> <ol style="list-style-type: none"> 1. Must have a minimum investment (excluding cost of land and working capital) of not less than 500 million baht. 2. The project details must be approved by the Board. <p>Must have a minimum investment (excluding cost of land and working capital) of not less than 30 million baht.</p> <ol style="list-style-type: none"> 1. Must have a minimum investment (excluding cost of land and working capital) of not less than 500 million baht, with a total area of not less than 500 rai. 2. Project details must be approved by the Board. 3. Fifteen percent of the total area must be allocated as green area and another fifteen percent as car park. <ol style="list-style-type: none"> 1. Projects must have a minimum investment (excluding cost of land and working capital) of not less than 100 million baht. 2. An environmental impact assessment report must be submitted within 12 months after the issuance of its investment promotion certificate. 	<p>B 1</p> <p>B 1</p> <p>A 3</p> <p>A 3</p> <p>A 3</p> <p>A 3</p>

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7.22.7 Race tracks	<ol style="list-style-type: none"> 1. Projects must be approved by relevant government agencies. 2. Projects must obtain a standard certificate from FIA (Federation Internationale de L' Automobile) or FIM (Federation Internationale de Motocyclisme). 3. Projects must have appropriate preventive and controlling measures against environmental damage or against danger or trouble to neighbors. 4. An environmental impact assessment report must be submitted within 12 months from the date of issuance of its investment promotion certificate. 	A 3
7.22.8 Cable cars	Projects must be approved by relevant government agencies.	A 3
7.23 Activities to support tourism 7.23.1 Hotels	<ol style="list-style-type: none"> 1. Each hotel must have at least 100 rooms or a minimum investment (excluding cost of land and working capital) of not less than 500 million baht. 2. A promoted hotel will receive its rights and benefits, as follows: <ul style="list-style-type: none"> - Promoted hotels located in one of the 20 special investment promotion provinces. - Hotels in other provinces are not eligible for merit-based incentives. 	A 4 B 2
7.23.2 Convention halls	<ol style="list-style-type: none"> 1. Total convention area must not be less than 4,000 square meters. Total area of the largest hall must not be less than 3,000 square meters. 2. Must have suitable facilities and equipment. 3. Project's blueprints must be approved by the Board. 	A 3
7.23.3 International exhibition centers	<ol style="list-style-type: none"> 1. Indoor exhibition area must not be less than 25,000 square meters. 2. Every hall must have a business meeting room. 	A 3

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7.23.4 Health rehabilitation centers	<ol style="list-style-type: none"> 1. Must use medical technology for medical treatment and health rehabilitation. 2. Must have continuous rehabilitation programs, including overnight treatment. 3. Projects are not eligible for merit-based incentives. 	B 1