

“Think Thailand for your Business and Investment Expansion”

“HOW TO DO BUSINESS IN THAILAND”



Jose Herrera

H&P
HERRERA & PARTNERS

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Background of Herrera and Partners



H&P is a law firm established in Thailand with a team of Thai lawyers, Thai accountants and Spanish lawyers



With an office in Bangkok and a future office in Ho Chi Minh in 2024



Presentation of FTA Chile Thailand in 2015, represented Mexico in trade barrier disputes in 2019, advised on largest Latin American investment in Thailand in the sector of pharmaceutical in 2022

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Background of Herrera and Partners



We worked for Spanish banks such as BBVA and Santander Bank supporting Thai public listed companies with operations overseas, some of them in Spain.



H&P was recognized as a “Rising Star” by Asia Business Law Journal in 2020. Legal 500 listed H&P as a “Firm to Watch” in 2022



Our lawyers have been awarded by World Bank 2020, 2021 and 2022. Recognized by the Government of Norway and provided legal advice to the government of Hong Kong

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About Thailand for business



A market of almost 70 million people, unemployment rate of 1.05% in 2023. The 5th food exporter in the world and the 2nd largest economy in Southeast Asia and a GDP growth of around 3.4% expected in 2023



Thailand's electric vehicle industry in the first quarter of 2023 rose 77%.

In 2023 WHO ranked Thailand as the top six countries in Asia with high medical and healthcare service capabilities.



During 4 years Bangkok was the most visited city in the world (Mastercard). Forecast is the tourist industry can reach a revenue of 3 trillion-baht and 35 million foreign tourists in 2024 (TAT). Only one Spanish hotel company with presence in Thailand.

About Thailand for business



Thailand is the third world destination attracting digital nomads after the United States and Spain. The second most affordable place in the world to retire (International Living's Retirement Index)



In 2023, Thailand's Manufacturing Production Index increased by 3.36% to 97.9 points in September, thanks to export sectors and automotive. Energy Policy And Planning Office announced a solid bet for renewable energy due to surge of natural gas price



First quarter of 2023, main investments came in sectors of electronics, food and automotive from South Korea, Singapore, China and Japan. Investments from Spain very low but big potential

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Set up a company in Thailand



Amendment of Thai Civil Code of 8th of November 2022 and effective on February 2023.
Now only 2 shareholders, before 3 shareholders.



For some business is allowed 100% foreign control (Exports, FBL, BOI etc).
Most of foreigners still set up 51% Thai and 49% limited companies. Registration at DBD.



A company can be registered in 1 day.
Need at least 1 director.
VAT registration is not compulsory if revenue does not surpass 1,8 M THB per year (47,000 euro)
All companies should be audited once per year.

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Set up a company in Thailand



- Companies can have a registered capital at the beginning.
- Positive image of Thai people about Spain
- Banking in Thailand for foreign companies is excellent.
- Thailand is a base of expansion of Spanish companies in ASEAN
- Thailand is a Civil law jurisdiction like Spain
- Double Taxation Agreement signed between Spain and Thailand

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Set up a Rep Office in Thailand



ACTIVITIES

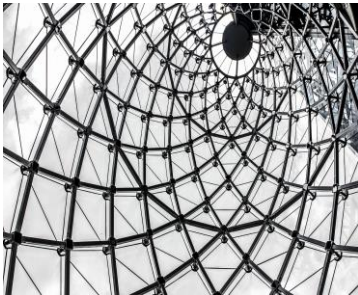
- 1) Sourcing of Goods and Services in Thailand for its head office
- 2) Checking and controlling the quality and quantity of goods purchased and services hired in Thailand by its head office
- 3) Advising Thai customers or agents regarding goods and services sold by its head office in Thailand
- 4) Informing customers regarding goods and services of its head office in Thailand
- 5) Reporting on business trends in Thailand to its head office

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Set up a Rep Office in Thailand



100% foreign controlled legal entity. Due to regulatory amendment it is a quite simple with a timeframe of 3 weeks instead of previous 4 (not require a Foreign Business License anymore).



Perhaps an excellent solution to look for business opportunities in Thailand.

It requires a 2 M THB paid up capital (approx. 50,000 Euro) brought into Thailand during first 3 years of operations but will be considered as a working capital.



Rep Office can have foreign employees, the quota is 1 Thai per 1 Foreigner registered in Social Security. This solution is very popular between Catalan companies.

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BOI in Thailand



Enhance your
business with
Thailand BOI

www.herrera-partners.com



BOI is the best option to do business in Thailand due to attractive Tax and Non Tax Incentives provided to business plan and activities.

Timeframe is 3 months from the submission of application



Tax Incentives

- 8 or 10 years Corporate Income Tax exemption
- Exception of duties to import machinery or raw materials structure



Non Tax Incentives

- 100% foreign shareholding structure
- Permit to bring foreign skilled workers
- Permit to own land.



Successful BOI Promotion Of Manufacturing Of Special Polymer Products at end of 2022

Our lawyers obtained BOI promotion in the business of Basic and Supporting Industries regarding to Manufacturing of Special Polymer Products which fall in the category 6.5.1.

Our client obtained Tax incentives under A2 category which means an exemption of the Corporate Income Tax for 8 years.

Now the client is building up the factory at Eastern Economic Corridor

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Opportunities for Spanish companies



- Food Industry
- Electric Vehicles
- Hospitality
- Energy
- Civil Construction
- Digital services
- Transportation
- Pharmaceutical

Thank you very much. Muchas gracias

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Legal information about Thailand
in Spanish:

www.abogadotailandia.com

