

Office of the Board of Investment Announcement
No. Por. 4/2542
Consideration Regarding Operation Start-up Approval

With a view to enhancing appropriateness and clarity in approving operation start-up of promoted projects by taking into consideration the current situation,

By virtue of sections 13 and 16 of the Investment Promotion Act of B.E. 2520, the Office of the Board of Investment (OBOI), authorized by the Board of Investment, hereby announces as follows:

1. Procedures as regards the date of operation start-up

1.1 As regards operation start-up application (whether companies just started production or generating income, or have long been in operation), the OBOI shall deem the date of first income derived from a promoted activity the operation start-up date. Promoted persons shall submit an application for operation start-up along with other documents required by the OBOI.

1.2 In cases where promoted persons cannot commence operation within the time period prescribed in the first investment promotion certificate, and have applied for an extension of the deadlines for machinery importation and/or operation start-up, the OBOI shall consider granting approval for operation start-up as soon as an application is submitted, and the date of first income derived from the promoted activity shall be deemed the operation start-up date.

Promoted persons applying for an extension of the period for machinery importation, or raw material or essential material importation, or operation start-up, or sojourn of foreign experts and dependents are required to submit evidences indicating the generation of first income from a promoted activity. If such income has not been generated, confirmation must be given in writing.

2. For activities that require permission or consent from other agencies, the OBOI will grant approval for operation start-up only after such permission or consent has been obtained. The date of first income derived from the promoted activity shall be deemed the date of operation start-up.

3. Promoted persons can benefit from corporate income tax exemption only after an operation start-up permit has been acquired from the OBOI. The corporate income tax exemption period shall start from the date of first income derived from the promoted activity.

4. These criteria shall be applicable to every promoted person.

5. In cases where there are problems in applying the guidelines mentioned above, the decision of the Secretary-General shall be deemed final.

Effective from October 1, 1999 onwards,

Announced on September 10, 1999.

(Staporn Kavitanon)
Secretary-General
Board of Investment