

(Unofficial Translation)

Announcement of the Office of the Board of Investment

No.Por.8/ 2568

**Criteria for Approval of Positions for Foreign Nationals, Placement of Foreign Nationals in Approved Positions,
and Extension of Position Terms and Personnel under Section 25 and Section 26**

To ensure that investment-promoted projects employ an appropriate proportion of Thai personnel, thereby supporting balanced investment promotion, contributing to economic growth, job creation, and the development of Thai human resources;

By Virtue of Section 11, Section 13, Section 25, and Section 26 of the Investment Promotion Act B.E. 2520 (1977), and by the resolution of the Board of Investment No. 4/2568 dated May 19, 2025, the criteria for the consideration and approval of foreign personnel positions, the employment of foreign personnel in approved positions, and the extension of position terms and personnel under Sections 25 and 26 are hereby revised as follows:

1. The Announcement of the Board of Investment No. Por 3/2567, dated August 9, 2024, regarding Criteria for Approval of Positions for Foreign Nationals, Placement of Foreign Nationals in Approved Positions, and Extension of Position Terms and Personnel under Section 25 and Section 26, is canceled.

2. In this announcement:

“foreign nationals” refers to skilled workers and experts of foreign nationality who are employed on a full-time basis in a juristic person engaged in an investment-promoted activity and who have been granted permission to work in the Kingdom by Sections 25 and 26 of the Investment Promotion Act B.E. 2520 (1977).

“Thai personnel” refers to full-time Thai national employees who are duly registered and for whom social security contributions are paid by a juristic person engaged in an investment-promoted activity.

“total employment of the juristic person” refers to the total number of Thai and foreign personnel employed by a juristic person engaged in an investment-promoted activity.

“systems” refers to the single window system of the Visa and Work Permit Center.

“executive-level position” refers to an executive-level position such as Chairman, President, CEO, CFO, COO, CTO, Vice Chairman, Vice President, Executive Director, Managing Director, General Manager, etc.

“management-level position” refers to a managerial or assistant executive-level position such as Production Manager, Marketing Advisor, Factory Manager, Assistant Managing Director, Assistant Vice President, etc.

“operation-level position” refers to an operational position such as Production Supervisor, Project Coordinator, Electrical Engineer, Injection Mold Technician, Data Analyst, IT Specialist, Assistant Production Manager, Marketing Consultant, Software Engineer, Account or Sales Executive, Senior R&D Supervisor, Operator, etc.

3. Qualifications of applicants for incentives

3.1 Applicants must be investment-promoted activities that have been granted incentives under Section 25 and Section 26 of the Investment Promotion Act B.E. 2520 (1977).

3.2 The activities must comply with the conditions specified in the promotion certificate and must be operated in accordance with all applicable laws and regulations.

4. Criteria for approval of positions for foreign nationals

4.1 Approval of positions for foreign nationals will primarily be based on business components, such as the type of business, level of technology utilized, manufacturing or servicing process, and proportion of Thai personnel employed, etc. In addition, the positions must be for those facing a shortage of qualified Thai personnel.

4.2 Applicants must meet the employment proportion requirement as follows:

4.2.1 For manufacturing activities where the total employment of the juristic person exceeds 100 persons, the number of foreign personnel positions will be approved within the limit specified by the Office of the Board of Investment (OBOI), provided that Thai personnel constitute at least 70% of the total employment of the juristic person.

4.2.2 For manufacturing activities where the total employment of the juristic person does not exceed 100 persons, or in the case of service activities, the requirement for Thai personnel employment proportion does not apply.

4.2.3 Positions approved for a period of stay in the Kingdom not exceeding six months are not subject to the requirement for the Thai personnel employment proportion.

4.2.4 For Manufacturing projects of significant importance that have specific and justified reasons for employing Thai personnel below the prescribed proportion, the projects must submit the case to the Board of Investment for consideration on a case-by-case basis.

4.3 Positions will be approved for a maximum of two years at a time unless otherwise specified.

4.4 For the Trade and Investment Support Office (TISO), Business Process Outsourcing (BPO), and International Business Process Outsourcing (IBPO), the positions will be approved for a maximum of one year at a time. Approval of workstation-based operator positions will be subject to the conditions on the number of workstations specified in the investment promotion certificate.

4.5 For International Headquarters (IHQ), International Trading Center (ITC), International Business Center (IBC), research and development activities, targeted technology development activities, and electronic design activities, the positions will be approved for a maximum of four years at a time.

4.6 For experts coming to work as researchers in science and technology, the position will be approved for a maximum of four years at a time.

5. Criteria for placing foreign nationals in the approved positions

5.1 For an executive-level position, the following qualifications are required:

- Be at least 27 years of age on the date of application;
- Possess at least five years of work experience;
- Receive an average monthly income of at least 150,000 baht.

However, the positions of Chairman, President, Chief Executive Officer (CEO), and Managing Director are exempt from the age and work experience requirement.

5.2 For a management-level position, the following qualifications are required:

- Be at least 27 years of age on the date of application;
- Possess at least five years of direct work experience related to the positions and responsibilities to be assumed;
- Receive an average monthly income of at least 75,000 baht. In cases where the applicant holds a bachelor's degree or higher, an average monthly income must be at least 50,000 baht.

5.3 For an operation-level position, the following qualifications are required:

- Be at least 22 years of age on the date of application;
- Possess educational qualifications directly related to the field of work and at least two years of direct work experience related to the positions and responsibilities to be assumed. In cases where the applicant's educational qualifications are not directly related to the field of work, they must have at least five years of direct work experience related to the positions and responsibilities to be assumed;
- Receive an average monthly income of at least 50,000 baht.

5.4 For a position of researcher in science and technology, the following qualifications are required:

- Be at least 22 years of age on the date of application;
- Possess educational qualifications directly related to the field of work and have at least two years of direct work experience related to the positions and responsibilities to be assumed. In cases where the applicant's educational qualifications are not directly related to the field of work, they must have at least five years of direct work experience related to the positions and responsibilities to be assumed;
- Receive an average monthly income of at least 75,000 baht; or in cases where the applicant holds a bachelor's degree or higher in the field directly related to the work, an average monthly income must be at least 50,000 baht.

5.5 For an engineer position, the following qualifications are required:

- Be at least 22 years of age on the date of application;
- Hold at least a bachelor's degree in engineering and have at least two years of work experience in a related engineering position. In cases where the applicant does not hold a bachelor's degree or higher in engineering, they must have at least ten years of work experience in engineering positions or direct engineering work related to the assigned field of work;
- Receive an average monthly income of at least 75,000 baht.

In cases where the applicant holds a bachelor's degree or higher in engineering, the average monthly income must be at least 50,000 baht.

5.6 For an information technology specialist position, the following qualifications are required:

- Be at least 22 years of age on the date of application;
- Hold a bachelor's degree or higher in a science or technology field related to information technology or software development, and have at least two years of direct work experience related to the positions and responsibilities to be assumed. In cases where the applicant does not hold a bachelor's degree or higher in science and technology related to information technology or software development, they must have at least five years of direct work experience related to the positions and responsibilities to be assumed;
- Receive an average monthly income of at least 75,000 baht. In cases where the applicant holds a bachelor's degree or higher in a science or technology field related to information technology or software development, the average monthly income must be at least 50,000 baht.

5.7 For a workstation-based operator position in trade and investment activities under the scope of international business process outsourcing (IBPO), international business process outsourcing (IBPO), and business process outsourcing (BPO), the following qualifications are required:

- Be at least 22 years of age on the date of application;
- Possess a relevant training certificate in the related field;
- Receive an average monthly income of at least 35,000 baht.

5.8 For a teacher position, the following qualifications are required:

- Be at least 22 years of age on the date of application;
- Possess educational qualifications directly related to the field of work and at least two years of direct work experience related to the positions and responsibilities to be assumed. In case the applicant's educational qualifications are not directly related to the field of work, the applicant must have at least five years of direct work experience related to the positions and responsibilities to be assumed;
- A letter of appointment and a professional license issued by the Teachers' Council of Thailand must be attached to the application. The placement term will be granted in line with the approved position period.

5.9 For a pilot position, the following qualifications are required:

- Be at least 22 years of age on the date of application;
- Possess educational qualifications directly related to the field of work and at least two years of direct work experience related to positions and responsibilities to be assumed. In case the applicant's educational qualifications are not directly related to the field of

work, they must have at least five years of direct work experience related to the positions and responsibilities to be assumed;

- A letter of professional license (for validation) and a support letter from the Civil Aviation Authority of Thailand must be attached to the application. The placement term will be granted in line with the validity period of the professional license.

5.10 For positions under Items 5.1–5.7, income will be considered based on the employment contract. In cases where a foreign national notifies a resignation from the same position within one year before the application for new placement, income will be considered based on the P.N.D.1 Kor or P.N.D.1 form.

5.11 In the case of positions approved for a period not exceeding six months of stay in the Kingdom, the minimum income requirement does not apply.

6. Criteria for the extension of approved position terms and personnel

6.1 Extensions of approved position terms and personnel will be considered based on various factors, including the business operation plan, production capacity expansion, improvements in production processes, product efficiency or product standards, and the proportion of Thai personnel employed etc. In addition, the positions must be for those facing a shortage of qualified Thai personnel.

6.2 Applicants must meet the employment proportion requirement as follows:

6.2.1 For manufacturing activities where the total employment of the juristic person exceeds 100 persons, an extension of the approved positions and personnel will be granted, provided that the number of foreign personnel positions does not exceed the limit specified by the OBOI and that Thai personnel constitute at least 70% of the total employment of the juristic person.

6.2.2 For manufacturing activities, where the total employment of the juristic person does not exceed 100 persons, or for service activities, the requirement for Thai personnel employment proportion does not apply.

6.2.3 Positions approved for a period of stay in the Kingdom not exceeding six months are not subject to the requirement for the Thai personnel employment proportion.

6.2.4 For manufacturing projects of significant importance that have specific and justified reasons for employing Thai personnel below the prescribed proportion, the projects must submit the case to the Board of Investment for consideration on a case-by-case basis.

6.3 Extension of the permitted term for approved personnel must not exceed the duration specified in Items 4.3–4.6. at a time.

6.4 Foreign nationals applying for an extension of the approved position must meet the qualifications specified in Item 5. The income will be considered based on the P.N.D.1 Kor form. In the case that the foreign national has been placed in the approved position for less than one year as of the extension request date, the income will be considered based on the P.N.D.1 form.

7. Upon receiving full operation approval, the company must reduce the number of foreign nationals in operation-level positions to a level considered appropriate by the OBOI.

8. In this announcement, the application for bringing in foreign nationals into the Kingdom under Sections 25 and 26 shall be in accordance with the Announcement of the Office of the Board of Investment No. Por 3/2560, dated September 22, 2017, regarding the Criteria and Procedure for Requesting Permission to Bring Foreign Nationals into the Kingdom through Electronics System and the subsequent amendments.

9. The aforementioned criteria serve as general guidelines, except for cases where additional conditions are specified in the promotion certificate or where valid justifications exist. The Secretary-General of the Board of Investment may consider granting leniency on a case-by-case basis.

10. Where unresolved issues arise under this announcement, the Secretary General of the Board of Investment is authorized to make the final decision.

11. This announcement shall take effect as follows:

11.1 For projects that receive promotion certificates on or after the date of this announcement date, it shall take effect from October 1, 2025, onward.

11.2 For projects that receive promotion certificates before the date of this announcement, it shall take effect from January 1, 2026, onward.

Announced on June 5, 2025.

Narit Therdsteerasukdi

(Mr. Narit Therdsteerasukdi)

Secretary General of The Board of Investment