

Translation

Ministerial Regulation
Prescribing Service Businesses Which Do Not Require a Foreign Business License
(No. 3)
B.E. 2560 (2017)*

By virtue of section 46 of the Foreign Business Act B.E. 2542 (1999) and Third Schedule (21) of the Foreign Business Act B.E. 2542 (1999), the Minister of Commerce hereby issues a Ministerial Regulation, as follows:

Article 1. The provisions of (4) of the Ministerial Regulation Prescribing Service Businesses Which Do Not Require a Foreign Business License B.E. 2556 (2013) as amended by the Ministerial Regulation Prescribing Service Businesses Which Do Not Require a Foreign Business License (No. 2) B.E. 2559 (2016) shall be repealed and replaced by the following:

“(4) financial institution business, businesses incidental to or necessary for the operation of a financial institution business and the businesses of companies in the financial group of a financial institution pursuant to the law on financial institutions:

- (a) commercial banking business;
- (b) bank representative office service business;
- (c) Shariah financial service;
- (d) financial institution agent;
- (e) cash deposit services under terms of withdrawal on demand by a customer and custodian services;
- (f) private sector repurchase;
- (g) agent to receive applications and collect insurance premiums or service fees for export insurance and credit insurance for customers;
- (h) services relating to financial businesses offered to financial institutions, companies within the financial group, the Bank of Thailand and government agencies;
- (i) leasing of immovable property;
- (j) purchase or assignment of loan debts;
- (k) financing service;
- (l) documentation relating to customer’s businesses;
- (m) debt collection or application receiving agent;

* Published in the Government Gazette, Vol. 134, Part 62a, page 6, on 9th June B.E. 2560 (2017).

(n) hire purchase and leasing.”

Article 2. The following provisions shall be added as (7), (8), (9), (10) and (11) of the Ministerial Regulation Prescribing Service Businesses Which Do Not Require a Foreign Business Licence B.E. 2556 (2013):

“(7) asset management business under the law on asset management company;

(8) representative office of foreign juristic person in international trade service pursuant to the Rules of the Prime Minister’s Office on Establishment of Visa and Work Permit Service Center B.E. 2540 (1997);

(9) regional office of foreign juristic person in international trade service pursuant to the Rules of the Prime Minister’s Office on Establishment of Visa and Work Permit Service Center B.E. 2540 (1997);

(10) service business to which a government agency under the law on budgetary procedures is a party;

(11) service business to which a state enterprise under the law on budgetary procedures is a party.”

Given on the 26th May B.E. 2560 (2017)

Apiradi Tantraporn
Minister of Commerce

Note:- The reasons for issuing this Ministerial Regulation are as follows. Businesses incidental to and necessary to the operation of a financial institution business and businesses of companies within a financial group of a financial institution under the law on financial institutions, asset management businesses under the law on asset management company, representative office of foreign juristic person in international trade services, regional office of foreign juristic person in international trade services, service businesses to which a government agency under the law on budgetary procedures is a party and services businesses to which a state enterprise under the law on budgetary procedures is a party are service businesses which Thai nationals have acquired competence and the ability to compete with foreign nationals. It is appropriate to remove such service businesses from the Third Schedule. And whereas (21) of the Third Schedule to the Foreign Business Act B.E. 2542 (1999) provides that the exemption of any service business shall be prescribed by Ministerial Regulation, it is therefore expedient to issue this Ministerial Regulation.