

**(Translation)**



**NOTIFICATION OF THE DEPARTMENT OF BUSINESS DEVELOPMENT  
RE: PRESCRIBING FORMS FOR NOTIFICATION AND CERTIFICATES OF FOREIGN BUSINESS OPERATION,  
B.E. 2546 (2003) \***

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Whereas the Ministerial Regulation Prescribing Rules and Procedures for Notification for the Purpose of Obtaining Foreign Business Operation Certificates, B.E. 2546 (2003) requires the Director-General of the Department of Business Development to prescribe forms for the notification in order to obtain certificates and for foreign business operation certificates;

By virtue of the provisions of Clause 1 and Clause 10 of the Ministerial Regulation Prescribing Rules and Procedures for Notification for the Purpose of Obtaining Foreign Business Operation Certificates, B.E. 2546 (2003) issued by virtue of the Foreign Business Act, B.E. 2542 (1999), which is the Act containing certain provisions in relation to the restriction of rights and liberties of persons, in respect of which section 29, in conjunction with section 35 and section 50 of the Constitution of the Kingdom of Thailand so permits by virtue of provisions of law, the Director-General of the Department of Business Development issues the Notification, as follows.

**Clause 1.** This Notification is called the “Notification of the Department of Business Development Re: Prescribing Forms for Notification and Certificates of Foreign Business Operation, B.E. 2546 (2003)”.

**Clause 2.** This Notification shall come into force after thirty days as from the date of its publication in the Government Gazette. \*\*

**Clause 3.** A notification to be made for the purpose of obtaining a business operation certificate shall be in the Form Tor 6 attached hereto.

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\* Translation by Dr. Pinai Nanakorn, Faculty of Law, Thammasat University, for the Department of Business Development, Ministry of Commerce

\*\* Published in Government Gazette, Vol. 120, Special Part 59d, dated 26<sup>th</sup> May 2003.

**Clause 4.** A business operation certificate shall be in the Form Tor 7 attached hereto.

Given on the 14<sup>th</sup> Day of May 2003.

Orajit Singkalavanich  
Director-General of the  
Department of Business Development

 Department of Business Development	Form for the Notification for the Purpose of Obtaining a Certificate under section 11 of the Foreign Business Act, B.E. 2542 (1999)		Official Use Only No. .... Date of Receipt .....  Date of Issue of the Certificate ..... Business Operation Certificate No. .....
	Notifier	Name (Thai) (English)	<input type="checkbox"/> A foreigner who has operated a business not prescribed in the Lists annexed to this Act prior to the amendment or revision of categories of businesses in consequence of which such business requires permission under this Act (section 9) <input type="checkbox"/> A foreigner to whom permission is granted by the Government of the Kingdom of Thailand for the operation of a business <i>pro tempore</i> (section 10) <input type="checkbox"/> A foreigner who is granted the right to operate a business by virtue of a treaty to which Thailand becomes a party or by which Thailand is bound in consequence of obligations therefrom (section 10) <input type="checkbox"/> A Foreigner who, on the date of the entry into force of this Act, has operated a business specified in the Lists annexed to the Act but not specified in the Lists annexed to the Notification of the National Executive Council No. 281, dated 24 <sup>th</sup> November B.E. 2515 (1972) (section 45)
Notifier's Status	<input type="checkbox"/> Natural Person      Age ..... Years      Nationality .....      Occupation ..... <input type="checkbox"/> Juristic Person of the ..... Category, Registration No. .... Registered at .....      Date of Registration ..... Address : No. ....      Soi .....      Road ..... Tambol/Khwaeng .....      Amphoe/Khet ..... Province .....      Postal Code ..... Telephone .....      Facsimile .....		
Office/Place of Business in Thailand	Head Office No. . ....      Soi .....      Road ..... Tambol/Khwaeng .....      Amphoe/Khet ..... Province .....      Postal Code ..... Telephone .....      Facsimile .....		
	Number of Branches ..... Branches		
	Branch No ... Located at No. ....      Soi ..... Road .....      Tambol/Khwaeng ..... Amphoe/Khet .....      Province ..... Postal Code .....      Telephone ..... Facsimile .....	Branch No ... Located at No. ....      Soi ..... Road .....      Tambol/Khwaeng ..... Amphoe/Khet .....      Province ..... Postal Code .....      Telephone ..... Facsimile .....	

Persons Responsible for the Operation of Business in Thailand	(1) Mr./Mrs./Miss ..... Age ..... Years Nationality ..... Occupation ..... Address : No. .... Soi ..... Road ..... Tambol/Khwaeng ..... Amphoe/Khet ..... Province ..... Country ..... Postal Code ..... Telephone ..... Facsimile .....			
	(2) Mr./Mrs./Miss ..... Age ..... Years Nationality ..... Occupation ..... Address : No. .... Soi ..... Road ..... Tambol/Khwaeng ..... Amphoe/Khet ..... Province ..... Country ..... Postal Code ..... Telephone ..... Facsimile .....			
Categories of business in respect of which the notification is made for obtaining a certificate	No.	List	Chapter	Business Details (*)
(*) The notifier may also indicate details of the businesses in English but the Thai-language indication shall prevail.				
Operating the business in respect of which the notification is made for obtaining a certificate as from .....				

<b>List of Evidence and Supporting Documents</b>		
<input type="checkbox"/>	<b>Foreigners under section 9</b>	
<input type="checkbox"/>	<b>Natural Person</b>	
<input type="checkbox"/>	A copy of a passport or a foreigner identification card	
<input type="checkbox"/>	A copy of a household certificate, a certificate of residence in the Kingdom or evidence indicating permission for temporary entry into the Kingdom under the law on immigration	
<input type="checkbox"/>	An explanation as to a category of business in respect of which the notification is made for obtaining a certificate	
<input type="checkbox"/>	Evidence indicating that the person making the notification for obtaining a certificate has operated the notified business prior to the amendment or revision of Lists of businesses	
<input type="checkbox"/>	A map indicating a brief location of the place of business in Thailand	
<input type="checkbox"/>	A power of attorney in the case of authorising another person to act on behalf of the notifier	
<input type="checkbox"/>	Other evidence or documents (if any)	
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>	<b>Juristic Person Not Registered in Thailand</b>	
<input type="checkbox"/>	A copy of a certificate of, or evidence indicating, an entity as a juristic person, with particulars as to its name, capital, objects, place of business, names of directors and persons with the authority to affix signatures with a binding force on the juristic person	
<input type="checkbox"/>	An instrument appointing a representative, whereby the person with authority to sign with the binding force on the juristic person making the notification for obtaining a certificate appoints the representative to be responsible for the operation in Thailand on behalf of the juristic person	
<input type="checkbox"/>	A copy of a passport, a foreigner identification card or a national identification card of the appointed representative	
<input type="checkbox"/>	A copy of a household certificate, a certificate of residence in the Kingdom or evidence indicating permission for temporary entry into the Kingdom under the law on immigration of the appointed representative	
<input type="checkbox"/>	An explanation as to a category of business in respect of which the notification is made for obtaining a certificate	
<input type="checkbox"/>	Evidence indicating that the person making the notification for obtaining a certificate has operated the notified business prior to the amendment or revision of Lists of businesses	
<input type="checkbox"/>	A map indicating a brief location of the place of business in Thailand	
<input type="checkbox"/>	A power of attorney in the case of authorising another person to act on behalf of the notifier	
<input type="checkbox"/>	Other evidence or documents (if any)	
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>	<b>Juristic Person Registered in Thailand</b>	
<input type="checkbox"/>	A copy of a certificate of, or evidence indicating, an entity as a juristic person, with particulars as to its name, capital, objects, place of business, names of directors and persons with the authority to affix signatures with a binding force on the juristic person	
<input type="checkbox"/>	A written statement of a ratio of shareholding of Thai nationals to that of foreigners, the number, types or classes of shares held by foreigners	
<input type="checkbox"/>	An explanation as to a category of business in respect of which the notification is made for obtaining a certificate	
<input type="checkbox"/>	Evidence indicating that the person making the notification for obtaining a certificate has operated the notified business prior to the amendment or revision of Lists of businesses	
<input type="checkbox"/>	A map indicating a brief location of the place of business in Thailand	
<input type="checkbox"/>	A power of attorney in the case of authorising another person to act on behalf of the notifier	
<input type="checkbox"/>	Other evidence or documents (if any)	
<input type="checkbox"/>		
<input type="checkbox"/>		

<b>List of Evidence and Supporting Documents</b>	
<input type="checkbox"/>	<b>Foreigners under section 10</b>
<input type="checkbox"/>	<b>Natural Person</b>
<input type="checkbox"/>	A copy of a passport or a foreigner identification card
<input type="checkbox"/>	A copy of a household certificate, a certificate of residence in the Kingdom or evidence indicating permission for temporary entry into the Kingdom under the law on immigration
<input type="checkbox"/>	An explanation as to a category of business in respect of which the notification is made for obtaining a certificate
<input type="checkbox"/>	A copy of an instrument from the Government of the Kingdom of Thailand, permitting the foreigner to operate a business temporarily
<input type="checkbox"/>	A certificate of nationality of the notifier, for the purpose of exercising the right under a treaty, issued by the embassy of the country which is a party to the treaty with Thailand
<input type="checkbox"/>	A certificate of nationality of the notifier, for the purpose of exercising the right under international obligations, issued by the embassy of the country bound thereby towards Thailand
<input type="checkbox"/>	A map indicating a brief location of the place of business in Thailand
<input type="checkbox"/>	A power of attorney in the case of authorising another person to act on behalf of the notifier
<input type="checkbox"/>	Other evidence or documents (if any)
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Juristic Person Not Registered in Thailand</b>
<input type="checkbox"/>	A copy of a certificate of, or evidence indicating, an entity as a juristic person, with particulars as to its name, capital, objects, place of business, names and nationalities of directors and persons with the authority to affix signatures with a binding force on the juristic person, names and nationalities of shareholders or details as to partners. In the case where documents indicating names and nationalities of shareholders or details as to partners cannot be furnished, there shall be furnished documents indicating that the majority of shares or investment in such juristic person are held or placed by nationals of countries which are parties to the treaty, or bound by international obligations, with Thailand.
<input type="checkbox"/>	In the case where the majority shareholders or partners of the person making the notification for the purpose of obtaining a certificate are juristic persons, there shall be furnished copies of certificates of, or evidence indicating, the entity as juristic persons of such majority shareholders or partners, down to the last majority shareholders or partners, so as to demonstrate that the juristic persons which are shareholders or partners of the notifier have as their majority shareholders or investors nationals of the countries which are parties to treaties, or bound by international obligations, with Thailand.
<input type="checkbox"/>	An instrument appointing a representative, whereby the person with authority to sign with the binding force on the juristic person making the notification for obtaining a certificate appoints the representative to be responsible for the operation in Thailand on behalf of the juristic person
<input type="checkbox"/>	A copy of a passport, a foreigner identification card or a national identification card of the appointed representative
<input type="checkbox"/>	A copy of a household certificate, a certificate of residence in the Kingdom or evidence indicating permission for temporary entry into the Kingdom under the law on immigration of the appointed representative
<input type="checkbox"/>	An explanation as to a category of business in respect of which the notification is made for obtaining a certificate
<input type="checkbox"/>	A copy of an instrument from the Government of the Kingdom of Thailand, permitting the foreigner to operate a business temporarily
<input type="checkbox"/>	A certificate of nationality of the notifier, for the purpose of exercising the right under a treaty, issued by the embassy of the country which is a party to the treaty with Thailand
<input type="checkbox"/>	A certificate of nationality of the notifier, for the purpose of exercising the right under international obligations, issued by the embassy of the country bound thereby towards Thailand
<input type="checkbox"/>	A map indicating a brief location of the place of business in Thailand
<input type="checkbox"/>	A power of attorney in the case of authorising another person to act on behalf of the notifier
<input type="checkbox"/>	Other evidence or documents (if any)
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

<b>List of Evidence and Supporting Documents</b>		
<input type="checkbox"/>	<b>Juristic Person Registered in Thailand</b>	
<input type="checkbox"/>	<input type="checkbox"/>	A copy of a certificate of, or evidence indicating, an entity as a juristic person, with particulars as to its name, capital, objects, place of business, names of directors and persons with the authority to affix signatures with a binding force on the juristic person
<input type="checkbox"/>	<input type="checkbox"/>	A written statement of a ratio of shareholding of Thai nationals to that of foreigners, the number, types or classes of shares held by foreigners
<input type="checkbox"/>	<input type="checkbox"/>	In the case where the majority shareholders or partners of the person making the notification for the purpose obtaining a certificate are juristic persons, there shall be furnished the following evidence or documents: <ol style="list-style-type: none"> <li>1. A copy of a certificate of, or evidence indicating, the entity as a juristic person, with particulars as to its name, capital, objects, place of business, names and nationalities of directors and persons with the authority to affix signatures with a binding force on the juristic person, names and nationalities of shareholders or details as to partners. In the case where documents indicating names and nationalities of shareholders or details as to partners cannot be furnished, there shall be furnished documents indicating that the majority of shares or investment in such juristic person are held or placed by nationals of countries which are parties to treaties, or bound by international obligations, with Thailand.</li> <li>2. In the case where the majority shareholders or partners of the person making the notification for the purpose of obtaining a certificate are juristic persons, there shall be furnished copies of certificates of, or evidence indicating, the entity as juristic persons of such majority shareholders or partners, down to the last majority shareholders or partners, so as to demonstrate that the juristic persons which are shareholders or partners of the notifier have as their majority shareholders or partners nationals of the countries which are parties to treaties, or bound by international obligations, with Thailand.</li> </ol>
<input type="checkbox"/>	<input type="checkbox"/>	An explanation as to a category of business in respect of which the notification is made for obtaining a certificate
<input type="checkbox"/>	<input type="checkbox"/>	A copy of an instrument from the Government of the Kingdom of Thailand, permitting the foreigner to operate a business temporarily
<input type="checkbox"/>	<input type="checkbox"/>	A certificate of nationality of the notifier, for the purpose of exercising the right under a treaty, issued by the embassy of the country which is a party to the treaty with Thailand
<input type="checkbox"/>	<input type="checkbox"/>	A certificate of nationality of the notifier, for the purpose of exercising the right under international obligations, issued by the embassy of the country bound thereby towards Thailand
<input type="checkbox"/>	<input type="checkbox"/>	A map indicating a brief location of the place of business in Thailand
<input type="checkbox"/>	<input type="checkbox"/>	A power of attorney in the case of authorising another person to act on behalf of the notifier
<input type="checkbox"/>	<input type="checkbox"/>	Other evidence or documents (if any)
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>Foreigners under section 45</b>	
<input type="checkbox"/>	<b>Natural Person</b>	
<input type="checkbox"/>	<input type="checkbox"/>	A copy of a passport or a foreigner identification card
<input type="checkbox"/>	<input type="checkbox"/>	A copy of a household certificate, a certificate of residence in the Kingdom or evidence indicating permission for temporary entry into the Kingdom under the law on immigration
<input type="checkbox"/>	<input type="checkbox"/>	Evidence indicating that the notifier has, on the date of the entry into force of the Foreign Business Act, B.E. 2542 (1999), already operated the business to which the notification relates and such business is not specified in the Lists annexed to the Notification of the National Executive Council No. 281, dated 24 <sup>th</sup> November B.E. 2515 (1972)
<input type="checkbox"/>	<input type="checkbox"/>	An explanation as to a category of business in respect of which the notification is made for obtaining a certificate
<input type="checkbox"/>	<input type="checkbox"/>	A map indicating a brief location of the place of business in Thailand
<input type="checkbox"/>	<input type="checkbox"/>	A power of attorney in the case of authorising another person to act on behalf of the notifier
<input type="checkbox"/>	<input type="checkbox"/>	Other evidence or documents (if any)
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

<b>List of Evidence and Supporting Documents</b>	
<input type="checkbox"/>	<b>Juristic Person Not Registered in Thailand</b>
<input type="checkbox"/>	A copy of a certificate of, or evidence indicating, an entity as a juristic person, with particulars as to its name, capital, objects, place of business, names of directors and persons with the authority to affix signatures with a binding force on the juristic person
<input type="checkbox"/>	An instrument appointing a representative, whereby the person with authority to sign with the binding force on the juristic person making the notification for obtaining a certificate appoints the representative to be responsible for the operation in Thailand on behalf of the juristic person
<input type="checkbox"/>	A copy of a passport, a foreigner identification card or a national identification card of the appointed representative
<input type="checkbox"/>	A copy of a household certificate, a certificate of residence in the Kingdom or evidence indicating permission for temporary entry into the Kingdom under the law on immigration of the appointed representative
<input type="checkbox"/>	Evidence indicating that the notifier has, on the date of the entry into force of the Foreign Business Act, B.E. 2542 (1999), already operated the business to which the notification relates and such business is not specified in the Lists annexed to the Notification of the National Executive Council No. 281, dated 24 <sup>th</sup> November B.E. 2515 (1972)
<input type="checkbox"/>	An explanation as to a category of business in respect of which the notification is made for obtaining a certificate
<input type="checkbox"/>	A map indicating a brief location of the place of business in Thailand
<input type="checkbox"/>	A power of attorney in the case of authorising another person to act on behalf of the notifier
<input type="checkbox"/>	Other evidences or documents (if any)
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Juristic Person Registered in Thailand</b>
<input type="checkbox"/>	A copy of a certificate of, or evidence indicating, an entity as a juristic person, with particulars as to its name, capital, objects, place of business, names of directors and persons with the authority to affix signatures with a binding force on the juristic person
<input type="checkbox"/>	A written statement of a ratio of shareholding of Thai nationals to that of foreigners, the number, types or classes of shares held by foreigners
<input type="checkbox"/>	Evidence indicating that the notifier has, on the date of the entry into force of the Foreign Business Act, B.E. 2542 (1999), already operated the business to which the notification relates and such business is not specified in the Lists annexed to the Notification of the National Executive Council No. 281, dated 24 <sup>th</sup> November B.E. 2515 (1972)
<input type="checkbox"/>	An explanation as to a category of business in respect of which the notification is made for obtaining a certificate
<input type="checkbox"/>	A map indicating a brief location of the place of business in Thailand
<input type="checkbox"/>	A power of attorney in the case of authorising another person to act on behalf of the notifier
<input type="checkbox"/>	Other evidences or documents (if any)
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<p style="text-align: center;"><b>Certification by the Notifier</b></p> <p>I, in the capacity as a director, manager or the person responsible for the operation of the juristic person, hereby makes the notification to the Registrar for the purpose of obtaining a business operation certificate and hereby certify that statements hitherto notified are all correct.</p> <p>(Sign) (1) .....</p> <p style="padding-left: 40px;">(.....)</p> <p>(2) .....</p> <p style="padding-left: 40px;">(.....)</p> <p>Date .....</p>	<p style="text-align: center;"><b>Certification by the Competent Official</b></p> <p>It is hereby certified that the notification for the purpose of obtaining a business operation certificate hitherto given has duly been received.</p> <p>(Sign) .....</p> <p style="padding-left: 40px;">(.....)</p> <p>Date .....</p>





Certificate No. ....

Form Tor 7

### CERTIFICATE OF FOREIGN BUSINESS OPERATION

This certificate is hereby issued to certify that

\_\_\_\_\_

has obtained the certificate for the operation of business under section \_\_\_\_\_ of the Foreign Business Act, B.E. 2542 (1999), as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provided that the following conditions shall be observed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Given on \_\_\_\_\_

\_\_\_\_\_  
( )