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**Thailand – Guidelines for  
Employees' Trade-and  
Investment-Related  
Activities**

by KPMG, Thailand (a KPMG  
International member firm)

## *flash* International Executive Alert

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On July 8, 2014, the Thai Department of Employment issued guidelines for trade and investment activities which do not require submission of Notification for Engagement in Necessary and Urgent Work under Section 9 (Form WP.10)<sup>1</sup>. The activities include:

1. Participating in a conference, consultation, or seminar;
2. Attending an exhibition or trade fair;
3. Business visits or business negotiations;
4. Attending academic lectures;
5. Attending technical training and seminars;
6. Purchasing goods at a trade fair.

### **Why This Matters**

The Department of Employment's revision to the notification and work permit procedures concerning employees involved in the above-noted activities should ease some of the administrative burdens on companies and make it simpler for foreign individuals to enter the country when participating in or undertaking the above-noted activities.

With the revised procedures, companies' in-house global mobility and immigration professionals, as well as external immigration professionals, need to adapt their processes and procedures with respect to sending employees into Thailand to participate in or undertake any of the above-noted activities.

Depending on the nature of the work activity in which the foreign individual is engaged, the above types of activity are regulated as follows:

- 1 If the foreigner acts as an "employee or contractor for a conference or seminar organizer," then said activity is classified as work under the Alien Working Act B.E. 2551 (2008), and permission must be requested via the following methods:
  - For a period not longer than 15 days – submission of Form WP.10 is required, with no restriction on the type of visa used to enter Thailand.
  - For a period longer than 15 days – submission of work permit (WP.1) is required, along with the requirements to obtain a Non-Immigrant Type B Visa for entry into Thailand.
- 2 If the foreigner acts as a "participant" or "attendee" or a "buyer" without any part in the organization or causation of the said conference, seminar, business negotiations, training, or trade fair, then said activity is not classified as engaging in work under the Alien Working Act B.E. 2551 (2008), and submission of WP.10 is not required.

**KPMG Note**

Business travelers and their employers should take into account the changed procedures in respect of these activities and act in accordance with the new procedures so as to be compliant.

*Footnote:*

1 See (in Thai): <http://wp.doe.go.th/wp/images/pr/pr.080757pdf> .

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The information contained in this newsletter was submitted by the KPMG International member firm in Thailand. The information contained herein is of a general nature and based on authorities that are subject to change. Applicability of the information to specific situations should be determined through consultation with your tax adviser.

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