

# THAILAND

As per 1 January 2018

## EXPATRIATE AND EMPLOYER TAX COMPLIANCE AND ADVISORY

<b>Personal Income Tax Rates – Employment Income</b>	Progressive personal income tax rates from 5% – 35% . There is a tax-free threshold of THB 150,000 per annum provided for both resident and non resident employees.
<b>Tax period</b>	Calendar year
<b>Tax residency / Domicile according to domestic law</b>	Thai tax residency is determined by the number of days each person spends in Thailand. Any person who is in Thailand for 180 days or more in a calendar year is considered a Thai tax resident.
<b>Tax registration</b>	Registration with Thai Revenue Department (TRD) is required for expat employees by using Form Lor.Por.10.1. Once registered, the individual will be issued with a 13 digit Tax Identification Number (TIN).
<b>Employment income definition</b>	Income derived from employment, whether fixed or variable, such as the following; salaries and wages, bonuses, pension, rental housing allowances, any money, property, or benefits derived from employment
<b>Examples of tax exemption</b>	Travelling per diem and transport expense which exclusively relate to business purposes and rates specified in the Royal Decree Relocation costs paid by the employer at the commencement and termination of employment Medical treatment in Thailand for employees and their family members Medical treatment abroad for employees working outside Thailand
<b>Specific expatriate concession</b>	Not applicable
<b>Income of board members</b>	Taxed as ordinary income subject to DTA provisions
<b>Tax returns</b>	Tax payers must file their personal income tax return (PND.91/ 90) and pay any due tax during the period from 1 January – 31 December by the end of March in the following year.
<b>Tax payments</b>	Wage withholding tax deducted and submitted by the employer can be applied against total personal income tax payable. If tax due is over THB 3,000, the tax payer can ask to pay by 3 installments equally starting from end of March, April and May, respectively.

## TAX TREATIES

<b>Employment income / income from board members</b>	Generally follows Article 15 and 16 of the Model OECD Tax Treaty with some differences depending on the applicable DTA.....Exemption from Thai tax may apply if conditions are satisfied under the dependent personal services article in each DTA
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## INTERNATIONAL SOCIAL SECURITY

<b>Cross border employments</b>	Not applicable
<b>Exception under Art 16 of Reg. 883/2004 and Art 17 of Reg. 1408/71</b>	Not applicable
<b>Social Security Cost as % from gross salary and absolute amounts</b>	Employees and employers are required to contribute to a Social Security Fund ('SSF') being 5% of salary up to a maximum of 750 Baht per month.

## IMMIGRATION

<b>Work permit</b>	Non-Thai nationals need to apply for a work permit. Expatriates cannot apply for a work permit unless they have an employer who is willing to act as a work permit sponsor in the application process.
<b>Visa</b>	Some nationals of certain countries do not require a visa to enter Thailand. Please see the list of countries at <a href="http://www.mfa.go.th/main/en/services/4908/15405-General-information.html">http://www.mfa.go.th/main/en/services/4908/15405-General-information.html</a> ( <a href="http://www.mfa.go.th/main/en/services/4908/15405-General-information.html">http://www.mfa.go.th/main/en/services/4908/15405-General-information.html</a> )
<b>Residency permits / registration certificate</b>	Non-Thai nationals need to live in Thailand for at least 3 consecutive years under a non-immigrant visa.
<b>Driving license</b>	Non-Thai nationals need to apply for a driving license in Thailand and the Thai work permit is required as part of the application. International driving licences issued in another country are accepted only for one year after a person is settled in Thailand.
<b>STOCK OPTION PLAN</b>	Employees shall treat such options as taxable income and are required to include the taxable income in the personal income tax computation in the tax year in which the shares are acquired, regardless of whether or not such shares carry conditions on sale or transfer.

## ARTICLE 15 OF THE OECD MODEL

Generally follows Article 15 of the Model OECD Tax Treaty with some differences depending on the applicable DTA	
<b>183 days</b>	The days of physical presence will be accounted per calendar year, or 12 month period (depends on tax treaty).
<b>Notion of employer</b>	Economic and formal employer
<b>Existence of a permanent establishment</b>	The definition of a permanent establishment is determined in the tax treaty



([http://publicationsdrafts.ro/expat-tax-2014/wp-content/uploads/2018/06/Damian-Norris-2012\\_profile.jpg](http://publicationsdrafts.ro/expat-tax-2014/wp-content/uploads/2018/06/Damian-Norris-2012_profile.jpg))

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