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Legislation Progress

1. A list of progress of legislation as of 22 July 2009 is available in both English and Thai at the Library and C & T Website "www.ctlo.com".
2. A list of bills approved by the Cabinet as of 21 July 2009 is available in both English and Thai at the Library and C & T Website "www.ctlo.com".

The following important legislation was published in the Government Gazette:

Act and Alien

1. The following Acts have been recently enacted:
 - 1.1 Emergency Decree Amending Tobacco Act B.E. 2509 (No. 2), B.E. 2552, dated 13/5/09.
 - 1.2 Emergency Decree Amending Excise Tax Tariff Act B.E. 2527 (No. 5), B.E. 2552, dated 13/5/09.
 - 1.3 Emergency Decree Empowering the Ministry of Finance to Borrow for Economics Rehabilitation and Stability, B.E. 2552, dated 13/5/09
 - 1.4 Anti-Money Laundering Act (No. 3), B.E. 2552, dated 22/7/09.
 - 1.5 Act Expropriating the Immovable Property for Construction of Mass Rapid Transit (MRT) Project, Chaloem Ratchamongkhon, (blue line) in Bangsue-Chatuchak, Huai Kwang, Din Daeng, Ratchathevee, Wattana, Klong Toei, Pathumwan, Sathorn Districts, Bangkok , B.E. 2552, dated 27/7/09.
 - 1.6 Re-organization of Ministry, Bureau and Department Act (No. 6), B.E. 2552, dated 27/7/09
 - 1.7 Organic Law on Ombudsman, B.E. 2552, dated 4/8/09.
2. Notification of Ministry of Interior dated 18/6/09 re temporary exemption of tourist visa fee.

Duty and Tax

1. The Royal Decrees issued under the Revenue Code are as follows:
 - 1.1 No. 480 dated 17/7/2009 exempting ordinary personal income tax on the tax payable under Section 48(2) of the Revenue Code, specifically in the case the income earner is obliged to pay tax of a total amount not exceeding Baht five thousand in that taxable year.
 - 1.2 No. 481 dated 17/7/2009 amending the bases and conditions on exemption of income tax for a company or a juristic partnership established for operating a venture

capital business so as to promote and support the operation of such business continuously, by extending the period of listing with the Office of Securities and Exchange Commission until 31 December 2011.

- 1.3. No. 482 dated 17/7/2009 exempting income tax for a company or a juristic partnership that holds a training seminar within the country for its employees on the income at an amount of one hundred percent of the expenses paid as seminar accommodations in such training course.
 - 1.4. No. 483 dated 17/7/2009 granting tax and duty privileges to the debtor and the creditor who is a financial institution or other creditor in order to render assistance and to alleviate the tax burdens in regard to debt restructuring of financial institutions and other creditors.
 - 1.5. No. 484 dated 17/7/2009 exempting value added tax, specific business tax and stamp duty for the business operators who are public limited companies or limited companies for a transfer of certain parts of business to each other in certain cases in order to render assistance to business operators so that they be able to improve their organization structure and may thus continue their business operation efficiently.
 - 1.6. No. 485 dated 17/7/2009 exempting specific business tax for the business of the Neighboring Countries Economic Development Cooperation Agency (Public Organization), specifically a lending of money to the governments of neighboring countries, state enterprises or financial institutions of the governments of neighboring countries.
 - 1.7. No. 487 dated 17/7/2009 exempting ordinary personal income tax and juristic person income tax on the income paid as expenses under Section 65 ter(5) of the Revenue Code for acquirement of property of material, equipment or machinery category which results in energy savings.
 - 1.8. No. 488 dated 17/7/2009 reducing the rate of specific business tax and collecting same at the rate of nought point one percent for a temporary period on the revenue before deduction of any expenses from the sale of immovable property for trade or profit making, specifically the registration of rights and juristic acts concerning immovable property made from 29 March 2009 until 28 March 2010.
2. The following Notifications of Director-General of Revenue Department have been issued:
- 2.1. No. 172 dated 29/5/09 re bases, procedures and conditions respecting writing off of bad debts and bases, procedures and conditions respecting computation of portion of bad debts for deduction from sales tax under Section 82/11 of Revenue Code.
 - 2.2. No. 177 dated 27/4/09 re bases, procedures and conditions respecting exemption of income tax on interest on bank deposit of savings category in the Kingdom which must be paid upon demand.
 - 2.3. No.178 dated 29/5/09 re bases, procedures and conditions respecting exemption of income tax on income paid for buying immovable property which is building, building and land, or condominium unit in condominium building, for use as residence.
 - 2.4. Dated 29/5/09 re bases, procedures and conditions respecting exemption of income tax, specific business tax and stamp duty on amount of money received from transfer of immovable property of debtor of financial institution mortgaged as security for debt owed to financial institution creditor to third person who is not financial institution creditor for payment of debt to financial institution creditor that has

proceeded with debt restructuring per bases on debt restructuring of financial institution prescribed by the Bank of Thailand.

- 2.5 Dated 29/5/09 re bases, procedures and conditions in case of debt subject to debt restructuring according to bases on debt restructuring of financial institution prescribed by the Bank of Thailand
- 2.6 Dated 3/7/2009 prescribing rules, procedures and conditions for transfer of part of business by a public limited company or limited company for tax exemption.

Energy, Export & Import and Finance

1. Royal decree dated 4/6/2009 prescribing the amount of deposit to be protected under Deposit Protection Institution Act, B.E. 2552. The amount shown in the deposit account will be protected in full amount for the first three years and not exceed 50 million baht for the fourth year.
2. Royal decree dated 1/6/2009 prescribing categories, sizes and descriptions of energy businesses exempted from applying for energy business operation license.
3. Notification of Ministry of Commerce dated 22/6/09 prescribing oil fuel as goods subject to import measures regulations.
4. Ministerial regulations dated 25/6/09 prescribing standards, bases and methods of management of energy in controlled factory and controlled building.

Industry and Investment

1. Notifications of Board of Investment are as follows:
 - 1.1 No. 1/2552 dated 21/4/09 extending the period of time on granting rights and benefits to projects operating businesses in industrial estates or industrial zones granted investment promotion in Region 2, including Laem Chabang Industrial Estate and Industrial Estates or Industrial Zones in Rayong Province.
 - 1.2 No. 2/2552 dated 21/4/09 prescribing measures on investment promotion to improve production efficiency.
 - 1.3 No. 3/2552 dated 21/4/09 adding types of business under special measures accelerating investment during investment years 2008 – 2009.
 - 1.4 No. 4/2552 dated 21/4/09 prescribing measures on investment promotion to improve the production efficiency by improving technology for new production.
 - 1.5 No. 5/2552 dated 29/5/09 extending import duty exemption period for molds and dies.
 - 1.6 No. 6/2552 dated 29/5/09 amending rights and benefits granted for investment in developing skill, technology and innovation – STI.
 - 1.7 No. 7/2552 dated 15/7/09 prescribing measure on investment promotion to the promoted company which will be listed in the Stock Exchange of Thailand and Market for Alternative Investment (MAI).
 - 1.8 No. Sor.1/2552 dated 21/4/09 granting promotion to medical food production and reinforced concrete business for public utility works.

- 1.9 No. Sor.2/2552 dated 21/4/09 revising policy on granting investment promotion to modern international distribution centre.
 - 1.10 No. Sor.3/2552 dated 29/5/09 amending category and condition for solar cell production, ship building or repair business
 - 1.11 No. Sor.4/2552 dated 15/7/09 amending investment promotion policy for housing business for low and medium income earner.
 - 1.12 No. Sor.5/2552 dated 15/7/09 prescribing investment promotion on new vehicle assembly.
2. Ministerial regulations dated 21/5/09 waving annual fees for factory business operators.

Labor Welfare and Mining

1. Ministerial regulations dated 19/6/09 prescribing work employee is not entitled to overtime pay and holiday overtime pay.
2. Ministerial regulations dated 9/7/09 fixing rates of contributions to social security fund.
3. Ministerial regulations dated 9/7/09 prescribing bases, procedures, period of time and rates of payment of compensation benefits in case of old age specifically during period of reduction of rate of contributions.
4. Ministerial regulations dated 22/7/09 specifying the procedures for individual mining and panning, rules and procedures for permission, issuance, suspension and revocation of licenses for individual mining and panning.

Miscellaneous

1. Order of Ministry of Interior No. 180/2552 dated 29/5/09 re prohibition of issuance of permits to import, possess and use high-powered firearms.
2. Ministerial regulations dated 9/7/09 governing application for and issuance of license to operate movie theatre business.

Summary of laws and general matters approved by the resolutions of the Cabinet as of July 2009

1. Approved the Electricity Generating Authority of Thailand to borrow long term domestic loan in order to solve the problem of working capital and to enhance liquidity in 2009 in the amount of 20,000 million baht as approved by the Ministry of Energy. (0704)
2. Approved three draft royal decrees issued under the Revenue Code prescribing: (1305)
 - 2.1 Exemption of value added tax for the businesses of selling goods or rendering services to the Deposit Protection Institute.
 - 2.2 Exemption of specific business tax to the business of Deposit Protection Institute.
 - 2.3 Exemption of stamp duty to the Deposit Protection Institute.
3. Approved resolution of 3rd National Energy Policy Board to sign MOU made between the Electricity Generating Authority of Thailand and Lao PDR for the cooperation in connecting the new power transmission system 115 kV located between Tha Lee Power Station (Thai) and Paklai Power Station (Lao); MOU for purchase of electricity in excess of demand of the

- Lao PDR from Nam Theun II Power Plant Project and MOU for purchase of electricity from Hong Sa Lignite Project. (1305)
4. Approved relaxation for using forest areas in class 1 B basin for renewal of mining lease for mining limestone (for construction industry) of Mana Sila 2537 Co., Ltd; class 1 BR basin for renewal of mining lease for mining limestone (for construction industry) of Surat Phathong Ltd., Part. in Kiriratnikom District, Surat Thani and class 1 B basin for renewal of mining lease of Silanil Ltd., Part. (2605)
 5. Approved registration of Kud Thing Wetland, Nong Khai Province as the wetland of international importance and proposed to be listed in the List of Wetlands of International Importance under the Wetland Agreement or Ramsar Sites. (2605)
 6. Approved draft ministerial regulation prescribing minimum capital and extension time for bringing or remitting minimum capital into Thailand for another 10 years commencing from 30 August 2009. (0306)
 7. Approved construction of bridge over Chao Phraya River in area of Nonthaburi 1 road, starts at the curve road close to Sri Boonyanont School on Nonthaburi 1 road, eastern side of the Chao Phraya River. (0306)
 8. Approved establishment of EGAT Diamond Service Co., Ltd., of EGAT; the establishment of PEA Encom International Co., Ltd., of PEA only in respect of the operation of investment in power energy inside and outside the country and the power system training. (0306)
 9. Acknowledged signing of the notes exchanged between the Government of Thailand and the Government of Japan on financial cooperation, as well as the signing of the agreement on loans from the Japanese Government for the red line rail project (Bangsue-Rangsit). (0906)
 10. Approved expedition of cooperation for transport of cross-border and transit goods between Thailand and Cambodia and Thailand and Malaysia, under the responsibility of the Ministry of Commerce. (0906)
 11. Approved criteria for the membership and duties of the Thai side of the committee on economic, trade and technical cooperation between the Government of the Kingdom of Thailand and the United Arab Emirates. (0906)
 12. Approved transmission system project for power purchase from IPP of Electricity Generating Authority of Thailand in the amount of 7,985 million baht. (0906)
 13. Approved draft ministerial regulations exempting the fees for hotel businesses. (2306)
 14. Approved draft ministerial regulations prescribing the fee for the establishment of private schools. (2306)
 15. Approved draft ministerial regulations prescribing rules and procedures for repurchase of shares, sale of repurchased shares and the cancellation of the repurchased shares of the company. (2306)
 16. Approved the 5 June of every year to be the National Rice and Farmer Day. (2306)
 17. Approved rules on borrowing, shareholding or being partnership, joint investment in other juristic persons, disposal of assets from the account to be zero of the public organizations. (2306)
 18. Approved guidelines for international trade negotiation for 2009-2013. (2306)

19. Approved MOU on Thai-Qatar Commission and the Minister of Foreign Affairs or his designee to sign the MOU. Qatar is the base for Al Jazeera news agency. It is an important source of natural gas and has held strong relations with Thailand in all sectors. (2306)
20. Approved MOU between the Kingdom of Thailand and the Scandinavian countries on air navigation. (2306)
21. Acknowledged rehabilitation plan of Thai Airways International Public Company Limited. (3006)
22. Approved agreement between the Kingdom of Thailand and the Kingdom of Cambodia on transfer of convicted person and cooperation to enforce the criminal court's verdict and the treaty between the Kingdom of Thailand and Japan on transfer of convicted person and cooperation to enforce the court's verdict. (1407)
23. Approved construction of the Klong Yai multipurpose seaport in Trat Province. The project is valued at 1,295.67 billion baht and the construction will begin in 2010 and finish in 2012. (1407)
24. Approved 2009 budget (contingency fund) of 51,165,310 baht to set up the One Start & One Stop Service Center to facilitate investors. The Center aims to serve as a comprehensive center to link services and facilitation for both Thai and foreign investors in all types of businesses. These will include those who have BOI facilitation and those who do not have, as well as new investors who are interested in Thailand and old investors in Thailand. (2107)
25. Approved draft ministerial regulations prescribing the rules and procedures for investment by the Deposit Protection Institution. (2107)
26. Acknowledged summary of the meetings of ASEM Ministerial Conference on Energy Security in Brussel, Belgium and Towards an Integrated Energy Agenda Beyond 2020 in Vienna, Austria as proposed by the Ministry of Energy. (2107)
27. Approved two draft notifications of the Ministry of Natural Resources and Environment designating the area and measures for environment protection in Krabi, Phetchaburi and Prachuap Khiri Khan and two draft notifications of the Ministry of Natural Resources and Environment extending the time of enforcement of the Notification of the Ministry of Natural Resources and Environment prescribing the area and measures for environment protection in Krabi B.E. 2546 and in Phetchaburi and Prachuap Khiri Khan B.E. 2547. (2807)
28. Approved exemption of income tax and value added tax to the 1st Asian Martial Art Games Committee for the money or assets received from the donation or from the sale of goods or rendering services. (2807)