

Work Permit

Guidebook by Bangkok Metropolitan Administration



Work Permit

The Foreign Working Act of 2008 requires all foreigners working in Thailand to obtain a work permit prior to starting work in the Kingdom and describes the procedures for issuance and maintenance of work permits and lists certain occupations from which the foreigners may be excluded.

Rules & Obligations

- Business must have a registered paid-up capitalisation not less than 2 million Baht (one alien for every 2 million Baht).
- The person must not be incompetent person.
- The person must not apply for prohibited occupation according to the Royal Decree in 1973 and in 2005.
- The person must possess Non-Immigrant Visa.

Required Documents

- Copies of Passport with Non-Immigration Visa (Non-B)
- Evidence of Educational qualification and Experience
- Recent medical certificate
- 3 Photos 3 x 4 cm (taken within 6 months)
- Copy of Incorporation Certificate
- Copy of List of Shareholders
- Copy of Balance sheet
- Copy of Social Security
- Copy of VAT Submission Form
- Application Form



Work Permit Application

SKILLED AND PROFESSIONAL WORKERS

Foreigner who wishes to apply for a work permit must receive a Non-Immigrant-B visa to live in the Kingdom of Thailand. The foreigner should have employer's documents including employment contract, in order to submit a Non-Immigrant-B visa at a Royal Thai Embassy. The foreigner could then enter Thailand to apply for Work Permit by means of applying "WP1" form. In case when the Royal Thai Embassy considers that employer's documents are not enough, approval letter from Ministry of Labour will be required. Then employer must apply for a work permit for prospective foreign employees by means of applying "WP3".

In case the employer receives an approval letter of Work Permit, employer would need to send the letter to foreigner in order to apply for a Non-Immigrant-B visa at the Royal Thai Embassy. Then the foreigner must enter to the Kingdom in order to apply for a Work Permit with documents specified in the letter within 30 days from the day of picking up the approval letter.

However, for the foreigner who has Certificate of Permanent Residence and Certificate of Alien, Non-Immigrant-B visa is not required for Work Permit application by means of applying "WP1",



Where to Apply



Business located in Bangkok, contact the Office of Foreign Workers Administration
2nd Floor, Department of Employment, Ministry of Labour,
Mitr-maitri Road, Din Daeng, Bangkok
Tel. 02 248 7202

Bangkok Employment Office 1 Tel. 02 235 0627, 02 235 0628
(Bang Rak, Pathumwan, Sathon, Yan Nawa, Bang Kho Laem)

Bangkok Employment Office 2 Tel. 02 427 5918, 02 427 4113
(Chom Thong, Thung Khru, Bang Khun Thian, Bang Bon, Rat Burana)

Bangkok Employment Office 3 Tel. 02 398 6630
(Klong Toei, Bang Na, Pravet, Phra Khanong, Watthana, Suan Luang)

Bangkok Employment Office 4 Tel. 02 948 6007-9, 02 509 2590, 02 509 7944-5
(Khan Na Yao, Lad Prao, Bueng Kum, Bang Kapi,)

Bangkok Employment Office 5 Tel. 02 540 7003 9
(Klong Sam Wa, Min Buri, Lat Krabang, Saphan Sung, Nong Chok, Sai Mai)

Bangkok Employment Office 6 Tel. 02 434 6577
(Klong San, Thon Buri, Bangkok Noi, Bangkok Yai, Bang Phlat)

Bangkok Employment Office 7 Tel. 02 422 3916-19
(Taling Chan, Thawi Watthana, Bang Khae, Phasi Charoen, Nong Khaem)

Bangkok Employment Office 8 Tel. 02 223 6215-7, 02 223 2684-5
(Dusit, Phra Nakhon, Pom Prap Sattru Phai, Samphanthawong)

Bangkok Employment Office 9 Tel. 02 576 1780-4
(Chatuchak, Don Mueang, Bang Sue, Bang Khen, Lak Si)

Bangkok Employment Office 10 Tel. 02 617 6581-2, 02 617 6566
(Din Daeng, Phya Thai, Ratchathewi, Huai Khwang)

Business located in other province, contact the Provincial Employment Office in the province that the company located.

Qualifications

1. Having the knowledge and/or skills of the position you're applying for as stated in the application for the Work Permit.
2. Not being insane or mentally ill, suffering from Leprosy, Tuberculosis, Drug Addiction, Alcoholism, Elephantiasis, and stage 3 Syphilis.
3. Never having been imprisoned for violation of the Immigration Law or the Working of Foreign Act at least one year prior to the date of application.
4. Not applying for work in any or the 39 restricted occupations prescribed in a Royal Decree B.E. 2522 (1979).

Criteria

for consideration for Work Permit

The consideration for work permit issuance pursuant to section 7 and 8 shall be made in a necessary and appropriate manner, taking into account:

- (1) Political, religious, and social security of the Kingdom.
- (2) The protection of Thai nationals over aliens in the occupations for which Thai nationals have adequate skills and there is no shortage of labour in the occupations.
- (3) The employment of the aliens shall bring about a large amount of foreign currencies for investment or expenses in the Kingdom, and shall generate employment of Thai nationals in a large number, or in case where modern and advanced technology is required, bring about technology transfer to Thai nationals.
- (4) Skill development of Thai nationals shall be derived from technology or knowledge transferred, or the understanding of how to operate modern machines and tools by such aliens.
- (5) Humanitarian reasons.

Prohibited Occupation

The Royal Decree B.E 2522 (1979) listed 39 occupations that were prohibited to foreigners. This list has been amended on several occasions by subsequent Royal Decrees, the latest one in 2005.

- 1 Labor work, except crewmen engaging in fishery activities included under Item 2 below;
- 2 Cultivation, animal breeding, forestry and fishery work, except for labor work in maritime fisheries and work requiring specific skills in farm supervision;
- 3 Masonry, carpentry, or other construction work;
- 4 Wood carving;
- 5 Driving motor vehicles or non-motorized carriers, except for piloting international aircraft;
- 6 Shop attendant;
- 7 Auctioneering;
- 8 Supervising, auditing or giving services in accounting, except occasional international auditing;
- 9 Gem cutting and polishing;
- 10 Hair cutting, hairdressing and beautician work;
- 11 Hand weaving;
- 12 Mat weaving or making of wares from reed, rattan, kenaf, straw or bamboo pulp;
- 13 Manufacture of manual fibrous paper;
- 14 Manufacture of lacquerware;
- 15 Thai musical instrument production;
- 16 Manufacture of nielloware;
- 17 Goldsmith, silversmith and other precious metal work;
- 18 Manufacture of bronzeware;
- 19 Thai doll making;
- 20 Manufacture of mattresses and padded blankets;
- 21 Alms bowl making;
- 22 Manual silk product making;
- 23 Buddha image making;
- 24 Manufacture of knives;
- 25 Paper and cloth umbrella fabrication;
- 26 Shoemaking;
- 27 Hat making;
- 28 Brokerage or agency work, except in international business;
- 29 Engineering work, civil engineering branch, that concerns planning and calculation, systemization, research, planning, testing, construction supervision or advisory work, except work requiring specialized skills;
- 30 Architectural work concerning designing, drawing, estimating, construction supervision, or advisory work;
- 31 Dressmaking;
- 32 Pottery or ceramics;
- 33 Manual cigarette rolling;
- 34 Tourist guide or tour organizing agency;
- 35 Hawking business;
- 36 Thai character type setting;
- 37 Manual silk reeling and weaving;
- 38 Clerical or secretarial work;
- 39 Legal or litigation service, except(
 - a) Working as arbitrator
 - b) Conducting law suits in Arbitration Court in cases where the law which enforces the dispute is not Thai Law or in cases that do not require judgment of Arbitration in the Kingdom of Thailand)

Criteria

for Work Permit issuance

1. For employers with business registered capital paid-up capital of not less than 2 million Baht, work Permit shall be issued to an alien worker for every two-million Baht investment /or overseas registered employers who perform business in Thailand with an investment of capital from overseas of not less than 3 million Baht; Work Permit shall be issued to a foreign worker for every three-million Baht investment.

For foreigners who are married to Thai nationals and have a marriage certificate and cohabit as husband or wife, the amount of investment capital required in order to receive a Work Permit shall be reduced to half of the amount prescribed above. The number of foreign workers to be granted Work Permit shall not be more than ten people.

The employers whose business has a registered paid-up capital of not less than 2 million Baht, Work Permit shall be issued to an foreign worker for every two-million Baht investment.

Meanwhile the overseas registered employers who perform business in Thailand with an investment of capital from overseas of not less than 3 million Baht, Work Permit shall be issued to an alien worker for every three-million Baht investment. For the aliens who are married to Thai nationals and have a marriage certificate and cohabit as husband or wife, the amount of investment capital required in order to receive a Work Permit shall be reduced to half of the amount prescribed above. The number of alien workers to be granted Work Permit shall not be more than ten people. /OR



Criteria

for Work Permit issuance

2. The employers whose business have registered paid up capital of minimum 2 million Baht /or the employers who have overseas registered paid up capital and perform the business in the Kingdom with not less than 3 million Baht of overseas capital, which have the below qualifications, the number of foreign workers are granted as necessity and suitability:

(a) Alien workers who can use technology which Thai nationals cannot perform or where there is a shortage of Thai worker. However, there shall be a technology pass on to at least 2 Thai nationals within the time limit.

(b) Alien workers with an expertise to accomplish the work in a limited time frame project.

(c) Alien workers who works in entertainment business with a temporary contract.

(d) Paying tax revenue at least 3 million Baht in previous year.

(e) Performing export business and bringing foreign currencies into Thailand at least 30 million Baht in the previous year.

(f) Performing tourism business which brought at least 5,000 foreign tourists into Thailand in the previous year.

(g) Employing at least 100 Thai workers. /OR

3. The alien who works for a foundation, association or other non-profit organizations, which create benefits to society as a whole. /OR

4. For the alien who works with and have certified letters from central or regional or local government offices, state enterprises and public organizations under Public Organization Act which identifies name, position and duration of work. /OR

5. Others which is defined in the Criteria for the Consideration for Work Permit Issuance B.E.2552.

Remark: the minimum salary requirements prescribed by the Immigration Rule shall be included in consideration.



Validity of Work Permit

A Work Permit is issued for a one-year period and may be renewed every year thereafter.

If the duration of employment of a foreigner is less than one year, a Work Permit will be granted for not longer than the period requested.

An authorized official may grant a Work Permit to a foreigner for a period that is necessary for the completion of work, but not longer than one year.

Work Permit Renewal

The Work Permit holder whose Work Permit is going to expire but wish to continue work as stated in the Work Permit. The renewal application should be submitted before the expiry date of Work Permit by means of “WP5”.

“The expired Work Permit is unable for renewal”.



Changing /adding work or workplace or locality of work

The Work Permit holder who remains work with the same employer and wishes to change/add work, job description or workplace or locality of work must submit “WP.6”.

The Work Permit Holder must notify changing employer to the Immigration Bureau and request to continue for staying in Thailand or travelling out of the Kingdom of Thailand in order to apply for a new non-immigrant visa from Royal Thai Embassy. Moreover, the Work Permit Holder who enters to the Kingdom must apply for a new Work Permit “WP1” before the expiry date of visa.

In case the Work Permit holder requires for changing name – surname, nationality, signature, and address /or company/enterprise or changing any information according to the government declaration, and addition of type of business should submit “APPLICATION FOR CHANGING ITEMS IN WORK PERMIT”. After the application completed, the process will finish within 3 working days.

In case of Work Permit damage or lost

If Work Permit is materially damaged or lost, the Work Permit holders must apply for a substitute Permit within 15 days from the day of the knowledge of such damage or lost by means of “WP4”.

Urgent Work Permit (UWP)

Urgent work permit is granted in certain situations when a foreign expert or consultant is required to provide service for specific matter for not more than 15 calendar days. The nature of the work must require immediate attention that will cause damage to the company/business if not completed. Urgent work permit cannot be extended.

A person granted an UWP is expected to leave Thailand once the work is completed, without any attempt to obtain a regular work permit. If it appears that the person has been trying to change the type of work permit, they are subject to charge of giving false information to the officers. To obtain a new UWP, the applicant must wait for 45 days from the last day that the first UWP was valid.

Urgent work permit application process takes three (3) full working day and can only commence after the applicant has entered Thailand. Urgent work permit will only be issued for a maximum of fifteen (15) days period. The applicant could hold any type of visa when applying for an UWP, except 15-day Visa on Arrival available at Thailand’s international airports or 60-day Tourist visa obtained from Royal Thai Embassy overseas. This is because both of these visas are granted with the stamp “Employment is prohibited”.

RATE OF FEES

ITEMS	FEES
(1) application form	100 Baht/form
(2) Work Permit	
(a) valid for not exceed 3 months	750 Baht/book
(b) valid for 3 – 6 months	1,500 Baht/book
(c) valid for 6 months – 1 year	3,000 Baht/book
(3) A Work Permit renewal / a working period extension	
(a) renewal/extension for not exceed 3 months	750 Baht/book
(b) renewal/extension for 3 – 6 months	1,500 Baht/book
(c) renewal/extension for 6 months – 1 year	3,000 Baht/book
(4) Substitute of a Work Permit	500 Baht/book
(5) Permission to change or add job description	1,000 Baht/time
(6) Permission to change or add employer	3,000 Baht/time
(7) Permission to change or add the locality or workplace	1,000 Baht/time
(8) Permission to change or add conditions	150 Baht/time



Caution on Work Permit

1. Foreign workers must carry the Work Permit to themselves or at the place of work during working hours.

2. In case of change of employer, he/she has to notify the Immigration Bureau of such change and request to continue for staying in Thailand with the new employer or the foreign worker has to travel out of the Kingdom of Thailand in order to apply for a new non-immigrant visa from Royal Thai Embassy abroad. Then entering to the Kingdom to apply for a new Work Permit (Form WP1) before the expiry date of visa.

3. Foreign workers must perform work in a job which is permitted in the Work Permit. If the holder needs to work for the other job, location or workplace, the holder must be permitted by the Registrar before working. Whoever violates the law will be punished by imprisonment in the jail no longer than five years or by a fine, or by both such imprisonment and fine.

4. Work Permit must be renewed before the expiry date. Expired permits cannot be renewed.

5. Changing of name, surname, nationality and address of applicant or name of company/enterprise must be notified to the registrar immediately.

6. The employer is not allowed to employ foreign worker who does not have Work Permit or employ them to engage in work that the job description/ condition is different from the job description/ condition specified in the Work Permit. The violator shall be liable to be fine not exceeding 100,000 Baht.



Minimum salary

Minimum salary requirements prescribed in the Immigration Rule, updated on November 25, 2014 are:

European countries (except Russia) and
Australia, Canada, Japan, and United States
of America

50,000 Baht/month

Republic of Korea, Singapore, Taiwan, and
Hong Kong

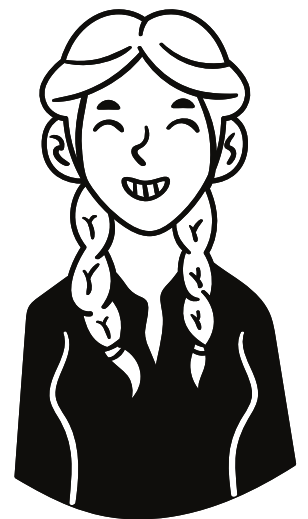
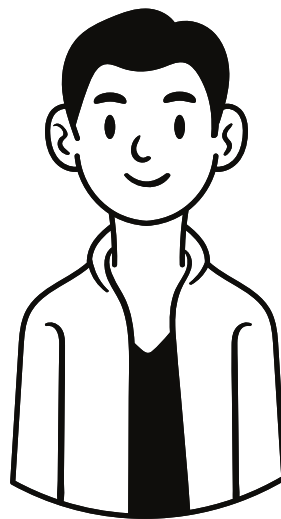
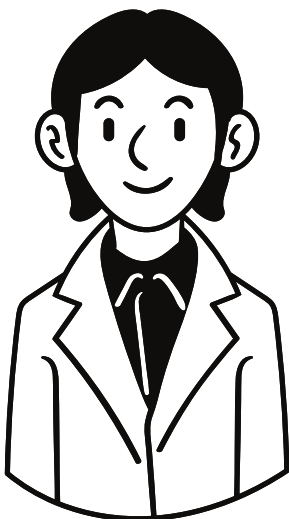
45,000 Baht/month

Asian countries (except Japan, Republic of Korea,
Singapore, Taiwan, Hong Kong, Cambodia,
Myanmar, Laos, and Vietnam) and South America,
Eastern Europe countries, Central America
countries, Mexico, Turkey, Russia, and South
Africa

35,000 Baht/month

African countries (except South Africa),
Cambodia, Myanmar, Laos, and Vietnam

25,000 Baht/month



Reference

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Rules of Department of Employment On The Criteria for the Consideration for Work Permit Issuance B.E. 2547