

Thailand Tax Amnesty 2019

Thailand Tax Amnesty's Objective

Recently on 25th March 2019, the Exempting Penalty, Surcharge and Criminal Liability for Supporting Tax Compliance with the Revenue Code B.E. 2562 (so-called the "**Tax Amnesty Act**") was published in the Royal Gazette and it has become effective since 26th March 2019. The objectives of the Tax Amnesty Act are intended to encourage the juristic companies that have not paid or unpaid tax previously to voluntarily clear their taxes and stamp duties and they can enjoy for a waiver of penalties and surcharges under the Revenue Code as well as protection from criminal prosecution.

Rules and Conditions

- The juristic companies who are qualified ("**Qualified Juristic Company**") under the Tax Amnesty Act must:
 - a. be a juristic person who pays corporate income tax from net profits;
 - b. have revenue income *of not* exceeding 500 million THB for the 12-month accounting period ended on or before 30th September 2018.
 - c. have filed its corporate income tax return for the above accounting period in item b. before 25th March 2019; and
 - d. have not been reported by the Revenue Department for a criminal offence relating to the issue or use of false tax invoice before 25th March 2019.
- The Qualified Juristic Company must register for tax amnesty with the Revenue Department during 1st April 2019 to 30th June 2019, and file the corporate tax return or application for payment of stamp duty in cash and payment of tax and stamp duty within 30th June 2019
- Waiver of tax penalty and surcharge are *not* applicable in cases where a letter of tax assessment or notification of tax penalty has already been received.
- The Qualified Juristic Company is required to register e-filing to file all its tax returns and make electronic filings for the period during 1st July 2019 to 30th June 2020.

Tax Benefits

Waiver of penalties and surcharges and release from any relevant criminal offences under the Tax Amnesty Act are as follows:

- (a) Corporate Income Tax for the accounting periods starting on or after 1st January 2016 and ending on or before 31st December 2017.
- (b) VAT and Special Business Tax for the tax months of January 2016 to February 2019.
- (c) Withholding Tax for the transactions during 1st January 2016 to 25th March 2019.
- (d) Stamp Duty for the instruments subject to payment of stamp duty in cash executed between 1st January 2016 to 25th March 2019.

For more details please feel free to contact our specialized lawyer.



Contributed by:
Kosol Suriyaporn
Partner
Email: kosol@jtjb.com