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Thailand's Cabinet has proposed expanded exemptions under the Foreign Business Act.



I. Introduction

On 12 May 2026, the Thai Cabinet approved a draft Ministerial Regulation under the Foreign Business Act B.E. 2542 (1999) (“**FBA**”), as amended, in principle. This would exempt certain foreign-operated service businesses from the requirement to obtain a Foreign Business License (“**FBL**”).

The draft Ministerial Regulation proposes exempting certain businesses currently classified under List 3 of the FBA from the FBL requirement, including “a broker or agent business of other types” under item (11)(d), and eight categories of “other service businesses” under item (21).

If enacted, the exempt businesses would include:

- Telecommunications service business;
- Treasury center business;
- Administrative, human resources, and information technology management service business;

- Domestic debt guarantee service business;
- Leasing of partial space for installation of electronic devices used for financial services and automated vending machines for employee convenience;
- Petroleum drilling service business;
- Other businesses regulated under the Securities and Exchange Act; and
- Business involving acting as an agent, dealer, advisor, or fund manager for derivatives contracts where the products or underlying variables are not governed by the Derivatives Act B.E. 2546 (2003).

II. Regulatory oversight maintained

The proposed regulation does not constitute an unrestricted liberalisation of foreign business operations in Thailand. The exempted sectors primarily involve advanced technology or are already subject to comprehensive, sector-specific regulatory oversight.

Telecommunications businesses will continue to be regulated by the National Broadcasting and Telecommunications Commission (“**NBTC**”); treasury center operations will remain subject to Bank of Thailand regulations; securities-related businesses will continue to fall under the supervision of the Securities and Exchange Commission (“**SEC**”); and petroleum drilling activities will remain strictly regulated under applicable energy laws and regulations. The government has indicated that the proposed amendment is intended to eliminate duplicative licensing requirements, not to reduce regulatory scrutiny.

III. Current status

The draft Ministerial Regulation is still subject to further legislative procedures and publication in the Government Gazette before it can take effect.

Any businesses currently operating, or planning to operate, in the relevant sectors should closely monitor developments and assess whether their activities may qualify for the proposed exemptions once the regulation comes into force.

IV. Our services

Should you have any questions regarding an incorporation process in Thailand, please do not hesitate to contact us by email at thailand@luther-services.com or by telephone at +66 2 210 0036.

We are also happy to assist with Foreign Business License (FBL) applications and related foreign business compliance matters, including corporate structuring and restructuring, regulatory advisory, and coordination with the relevant Thai authorities.

V. Your contacts in Thailand



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