

Commercial Registration
According to
Commercial Registration Act B.E.2499

Person who Have the Duties for Commercial Registration

Person who have duties for commercial registration is any individuals or group of individuals (ordinary partnership) or juristic person, including the juristic person according to foreign laws that has branches in Thailand and such abovementioned conducts the commercial businesses as specified by the Ministry of Commerce

Businesses that must conduct Commercial Registration

The Minister of Commerce issues the notification that person who conducts the businesses must conduct commercial registration as follows :

- (1) Persons who conduct the rice mill businesses and saw factories using the machine
- (2) Persons who conduct sales businesses of any one kind or several kinds of items with the income of more than 20 Baht per day or such items have total value of 500 Baht or above
- (3) Agent who conducts the businesses of any one kind or several kinds of products and such products can be sold for more than 20 Baht per day
- (4) Persons who conduct any one kind or several kinds of handicraft or industrial businesses and can sell the products for more than 20 Baht per day or such items have total value of 500 Baht or above in any days
- (5) Persons who conduct marine, transportation businesses via steam launch or motor launch , transportation businesses via rail or tram, transportation via bus, sale by auction, land trading, lending, foreign exchange, note trading, banking, gambling, pawn businesses, and hotel businesses
- (6) Sale, rent, manufacturing of CASSETTE TAPES, CD, VDO, DVD or digital VDO for only the entertainment
- (7) Sale of jewelry or accessories decorated with jewelry
- (8) Trading the products or services by electronics via internet system, internet service, renting the areas for server, being the market for sale of products or services by electronics via internet system
- (9) Internet Caf? service
- (10) Karaoke service and service regarding listening to the song
- (11) Game service
- (12) Song booth service
- (13) Factory for processing, craft, handicraft, retail and wholesale of ivory and products from ivory

Businesses under the Exemption of Commercial Registration

Some commercial businesses are exempted from commercial registration are

- (1) Stall businesses
- (2) Businesses for religion or charities.
- (3) Juristic Person's businesses established by Act or Royal Decree

- (4) Businesses of any Ministries / Sub-Ministries / Departments
- (5) Businesses of any foundation / association / cooperative
- (6) Commercial businesses that the Minister notifies in the Royal Gazette as follows :

(6.1) Company limited, limited partnership, ordinary partnership that are registered as the juristic person according to the Civil and Commercial Code regarding partners and company, and that submit the form demonstrating the transactions regarding the partnership / company's business operations to the registrar, except the company limited, limited partnership, ordinary partnership registered for the following businesses must conduct the commercial registration :

- (A) Sale, rent, manufacturing of CASSETTE TAPES, CD, VDO, DVD or digital VDO for only the entertainment
- (B) Sale of jewelry or accessories decorated with jewelry
- (C) Trading the products or services by electronics via internet system, internet service, renting the areas for server, being the market for sale of products or services by electronics via internet system
- (D) Internet Caf? service
- (E) Karaoke service and service regarding listening to the song
- (F) Game service
- (G) Song booth service
- (H) Factory for processing, craft, handicraft, retail and wholesale of ivory and products from ivory

(6.2) Commercial businesses of the group of agriculturist registered according to Notification of the Revolutionary No.141 on 1 May B.E.2515
Registration for Changing or Liquidating the Businesses

Where to Register

1. Bangkok

At Office of Finance, Bangkok Metropolitan Administration or Bangkok District Office according to the place of business conducted. (For more information please contact Bangkok Metropolitan Administration 02 224 1916, 02 225 1945 or Bangkok District Office in your area)

2. Sub-district (Tambon) , Pattaya City

At Municipality, Sub-district Administration Office, or Office of Commercial Registration Office (Pattaya City) according to the place of business conducted. (For more information please contact Department of Business Registration 02 547 4446-7)

When to Register

- The registration of new commercial businesses must be within 30 days from the starting date of business
- The change of registered transactions according to (1) must be within 30 days from the changing date
- The liquidation of businesses must be within 30 days from the liquidation date

- The loss of commercial registration certificate must submit the request for replacement within 30 days from the date of loss

Duties of Persons who Conduct the Businesses

- (1) Must submit the request for registration within the specified period, depending on the case
- (2) Must demonstrate the commercial registration certificate or the replacement at the office in any public place
- (3) Must provide the sign of the business's name in front of the head office and branches in public place within 30 days from the commercial registration date / The sign must be in Thai letters and can be easy to read and may have foreign letters in the sign, and must be in compliance with the registered name. If it is the branch, must have the word "branch" in the name.
- (4) Must offer the fact regarding the registration transaction according to the registrar's order
- (5) Must facilitate the registrar and officers for auditing the office of the person who conducts the businesses.

Penalties

- (1) Conducting the business without registering, demonstrating false transactions, not giving statement, and not accepting the officers to audit the office shall the fine penalty for no more than 2,000 Baht. In case of not registering, this is the continuous offense and must have the fine for no more than 100 Baht a day until such businesses perform the action according to the Act.
- (2) If the commercial registration certificate is lost and do not submit the request for the replacement or do not demonstrate the commercial registration certificate in any public place, do not prepare the sign shall have the fine penalty for no more than 200 Baht. If it is the continuous offense, must have the fine for no more than 20 Baht a day until such businesses perform the accurate action.
- (3) The entrepreneurs who perform deceitful actions to wards the people, mix the product with dishonest intention, counterfeit the products, or perform other serious dishonest actions, the commercial registration certificate shall be repealed. When the commercial registration certificate is repealed, they cannot conduct the businesses further, except the Minister of Commerce orders to register the commercial businesses again.
- (4) The entrepreneurs whose the commercial registration certificate is repealed and who still conduct the businesses further shall have the fine penalty for no more than 10,000 Baht or obtain the imprisonment of no more than 1 year or both.

Commercial Registration Fee

The request for performing according to the Commercial Registration Act shall pay the fee according to the type as follows :

- (1) New commercial registration of 50 Baht
- (2) Registration for the change of registered transaction for 20 Baht per time

- (3) Registration of the business liquidation of 20 Baht
- (4) Request for issuance of replacing license of 30 Baht per copy
- (5) Request for verifying the documents of person who conducts commercial businesses for 20 Baht per time
- (6) Request for the officer to copy and certify the copy of document for 30 Baht per copy