

**(Translation)**\*

**NOTIFICATION OF THE MINISTRY OF COMMERCE  
RE: REQUIRING BUSINESS OPERATORS TO REGISTER BUSINESSES  
(No. 11),  
B.E. 2553 (2010)**

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Whereas it is expedient to revise the requirements as to the filing of applications for registration of businesses by business operators to be in line with the transfer of missions under the Business Registration Act, B.E. 2499 (1956) to local government organisations, the Minister of Commerce, by virtue of the provisions of section 7 (6) and section 8 of the Business Registration Act, B.E. 2499 (1956) which is the Act containing certain provisions in relation to the restriction of rights and liberties of persons, in respect of which section 29 in conjunction with section 33 and section 43 of the Constitution of the Kingdom of Thailand so permits by virtue of provisions of law, issues this Notification, as follows.

**Clause 1.** This Notification is called the “Notification of the Ministry of Commerce Re: Requiring Business Operators to Register Businesses (No. 11), B.E. 2553 (2010)”.

**Clause 2.** This Notification shall come into force as from 1<sup>st</sup> January 2011.

**Clause 3.** The Notification of the Ministry of Commerce Re: Requiring Business Operators to Register Businesses (No. 10), B.E. 2551 (2008) shall be repealed.

**Clause 4.** Subject to Clause 5, an operator of any of the following businesses, with the exception of an operator which is a registered partnership, limited partnership or limited company under the Civil and Commercial Code or a public limited company under the law on public limited companies, in all areas throughout the Kingdom must register the business:

(1) operating a rice mill and operating a saw mill run by machinery;

(2) selling one or more types of goods with the proceeds of sale, in any day, in an amount of at least 20 Baht upwards or with a supply of such goods for sale to the aggregate value of at least 500 Baht upwards;

(3) being a broker or a commission agent dealing with one or more types of goods with the aggregate value, in any day, of at least 20 Baht upwards;

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\* Translation by Dr. Pinai Nanakorn, Faculty of Law, Thammasat University, for the Department of Business Development, Ministry of Commerce

(4) engaging in one or more types of handicraft or industry with the proceeds of sale, in any day, of the goods produced in an aggregate amount of at least 20 Baht upwards or, in any day, with a supply of the goods produced to the aggregate value of 500 Baht upwards; and

(5) carriage by sea, carriage by steam vessel or machine-operated vessel with a regular fixed route, carriage by train, carriage by tram, carriage by vehicle with a regular fixed route, sale by auction, land trading, lending money, exchange, purchase or sale of foreign currencies, purchase or sale of bills, banking, money transmission, operating a pawnshop and operating a hotel.

**Clause 5.** An operator of any of the following businesses, whether a natural person, ordinary partnership, registered partnership, limited partnership or limited company under the Civil and Commercial Code or a public limited company under the law on public limited companies, in all areas throughout the Kingdom must register the business:

(1) selling or letting on hire compact discs, recording tapes, videos, video discs, DVDs or digital video discs, only in connection with entertainment;

(2) selling jewellery or ornaments decorated with jewelry;

(3) selling goods or services by an electronic means via the Internet;

(4) providing internet services;

(5) letting on hire space on computer servers;

(6) operating as an electronic marketplace portal for sale of goods and services via the Internet;

(7) producing or contractually agreeing to produce compact discs, recording tapes, videos, video discs, DVDs or digital video discs only in connection with entertainment;

(8) providing computers for the use of the Internet;

(9) providing karaoke songs for listening and singing;

(10) providing game players;

(11) providing song jukeboxes; and

(12) operating a plant for transforming, carving or making handicrafts from ivory and carrying out retailing or wholesaling of ivory and ivory products.

**Clause 6.** The operator of a business required to be registered under Clause 4 and Clause 5 shall file an application for business registration at the Business Registration Office of Bangkok Metropolitan Administration, Pattaya City Administration, the Municipality or *Tambon* Administrative Organisation in the area where the principal business office is located or at *Changwad* Administrative Organisation only outside the area of the respective Municipality and *Tambon* Administrative Organisation.

If the principal business office of the operator of a business is located in a foreign country but a branch office is located in Thailand for the operation of the business, business registration shall be made at the Business Registration Office in the responsible area where the principal branch office is located.

**Clause 7.** All operators of businesses having registered prior to the entry into force of this Notification shall be deemed having duly made business registration under this Notification.

Given on the 10<sup>th</sup> Day of November 2010.

Porntiwa Nakasai  
Minister of Commerce