Legal Update: Principal Approval of the Exempted Businesses under the Foreign Business Act

13th July 2026
OAL Thailand Office

On 12th May 2026, the Cabinet approved in principle the draft Royal Decree and Ministerial Regulations to exempt 9 businesses from the requirement to obtain a foreign business license ("**FBL**"). Once finalized, more businesses can be operated by foreign companies without FBL, which is expected to significantly accelerate market entry and reduce the cost burden associated with obtaining an FBL.

This FBA relaxation signals a clear policy shift toward the overall business environment in Thailand. By streamlining overlapping administrative procedures, the Cabinet aims to develop a more competitive business landscape through a two-pronged strategy:

- Regulatory Harmonization: Recognizing that specialized authorities (such as the BOT, SEC, and NBTC) already provide robust sector-specific oversight, the government is dismantling overlapping approval processes to eliminate double-licensing.
- Unlocking Seamless Affiliate Support: Captive services provided exclusively within corporate groups can now operate with total agility, streamlining your internal human resources, IT management, and financial structures.

In this newsletter, we mainly explain the nine categories of businesses expected to be exempted from the FBL requirement.

1. Scope of the Exempted Businesses

The businesses that will be exempted from the FBL requirement are as follows.

Group 1: Businesses regulated under specific laws and supervised by dedicated regulatory authorities

1. Telecommunications services for holders of Type 1 telecommunications licenses regulated by National Broadcasting and Telecommunications Commission ("**NBTC**") under the law governing telecommunications and broadcasting services;

2. Treasury center businesses, regulated by Bank of Thailand ("**BOT**") under the law governing exchange control;

3. Securities-collateralized lending, regulated by Securities and Exchange Commission ("**SEC**"), under the law governing the securities, exchange, and derivatives;

4. Services as agents, dealers, advisors, or fund managers for derivatives contracts where the underlying goods or variables are not governed by the Derivatives Act, regulated by SEC; and

5. Agricultural futures trading businesses on a futures exchange, including the delivery and receipt of agricultural products at warehouses designated by the futures exchange

Group 2: Services provided exclusively within affiliated group companies

1. Administrative, human resources, and information technology management services provided to affiliated companies within the same corporate group; and
2. Domestic debt guarantee services provided exclusively to affiliated companies within the group

Group 3: Other businesses

1. Partial space rental services for the installation of electronic machines used for financial services (e.g., an automated teller machine (ATM)), vending machines or automated services primarily for the convenience of company employees; and
2. Petroleum drilling services provided exclusively to concessionaires, under the supervision of the Ministry of Energy

Even where an FBL exemption is granted, entrepreneurs must still obtain all specific business licenses and approvals required by the relevant regulatory authorities or other competent bodies.

While this amendment is currently undergoing formal legal drafting and legislative impact assessments, the Cabinet's approval in principle marks a notable positive development for foreign investors. If your organization operates within or relies on any of these areas, it is advisable to closely monitor these developments.

Should you have any questions or require further clarification regarding company registration procedures, address amendments, or compliance planning, please do not hesitate to contact One Asia Lawyers (Thailand Office), where our team will be pleased to assist you.

<Author>

Aekkawin Tippayaratprontawee
One Asia Lawyers Thailand Office
Attorney at law in Thailand

Her practice covers the full scope of business operations, starting from the company structure planning and formation, obtaining necessary licenses, applying for eligible investment promotion, supervising the corporate and human resource management, conducting a legal audit, both for internal compliance and M&A, dispute resolutions, and assisting business dissolution.

aekkawin.t@oneasia.legal

Sirinda Pinphong
One Asia Lawyers Thailand Office
Attorney at law in Thailand

Sirinda is a first-class honor from Chulalongkorn University. She specializes in commercial transactions, foreign investment, and corporate compliance, with experience in contract drafting, legal due diligence, and visas and work permits. She is passionate about advancing her expertise in international business and cross-border legal matters.

sirinda.p@oneasia.legal

Miho Marsh
One Asia Lawyers Thailand Office
Director

In collaboration with Thai lawyers, she provides advice on a wide range of legal matters, focusing primarily on corporate, labor, and compliance fields. In the corporate sector, she handles a broad spectrum of issues, from various license applications—including those related to foreign ownership restrictions, BOI, and the Foreign Business License (FBL)—to complex corporate legal matters such as mergers, dissolutions, and liquidations. She also has extensive experience in labor law, handling cases ranging from general employment issues to labor litigation. Furthermore, her responsibilities include conducting compliance audits, advising on inheritance and real estate transactions, and assisting with the establishment of external whistleblowing systems.

miho.marsh@oneasia.legal