

WORK PERMIT APPLICATION “SKILL AND PROFESSION”

How to apply for Work Permit

A foreigner who wishes to apply for a work permit must receive a **Non-Immigrant-B** visa to live in the Kingdom of Thailand. A foreigner should have employer's documents plus employment contract in order to submit a **Non-Immigrant-B** visa at a Royal Thai Embassy. And then a foreigner enters to Thailand have to apply for Work Permit by means of applying “**WP.1**”.

In case when a Royal Thai Embassy considers that employer's documents is not enough, an approval letter from Ministry Of Labour will be required. So the employer applies for a work permit for prospective foreigner employees by means of applying “**WP.3**”. In case the employer receives an approval letter of Work Permit, employer sends the letter to foreigner in order to apply for a **Non-Immigrant-B** visa at the Royal Thai Embassy. Then the foreigner has to enter to the Kingdom in order to apply for a Work Permit with documents which specified in the letter within 30 days from the day of picking up the approval letter.

However, a foreigner who has a Certificate of Permanent Residence and Certificate of Alien apply for Work Permit by means of applying “**WP.1**”. A **Non-Immigrant-B** visa is not required.

Qualifications of foreigner for Work Permit application

1. Having the knowledge and/or skills to perform the work as stated in the application for a Work Permit.
2. Not being insane or mentally sick, suffering from Leprosy, Tuberculosis, Drug Addiction, Alcoholism, Elephantitis and third stage of Syphilis.
3. Never having been imprisoned for violation of the Immigration Law or the Working of Foreign Act at least one year prior to the date of application.

Foreigner must not work in occupation and profession which prohibits a foreigner to engage as the following:

- 1.1 Manual work
- 1.2 Work in agriculture, animal husbandry, forestry or fishery excluding specialized work in each particular branch or farm supervision
- 1.3 Bricklaying, carpentry or other construction works
- 1.4 Wood carving
- 1.5 Driving mechanically propelled carried or driving non-mechanically-propelled vehicle, excluding international aircraft piloting
- 1.6 Shop attendance

- 1.7 Auction
- 1.8 Supervising, auditing or giving service in accountancy excluding internal auditing on occasions
- 1.9 Cutting or polishing jewelry
- 1.10 Haircutting, hairdressing or beauty treatment
- 1.11 Cloth weaving by hand
- 1.12 Weaving of mate or making products from reeds, rattan, hemp, straw or bamboo pellicle
- 1.13 Making of Sa paper by hand
- 1.14 Lacquer ware making
- 1.15 Making of Thai musical instruments
- 1.16 Niello ware making
- 1.17 Making of products from gold, silver or gold-copper alloy
- 1.18 Bronze ware making
- 1.19 Making of Thai dolls
- 1.20 Making of mattress or quilt blanket
- 1.21 Alms bowls casting
- 1.22 Making of silk products by hand
- 1.23 Casting of Buddha images
- 1.24 Knife making
- 1.25 Making of paper of cloth umbrella
- 1.26 Shoemaking
- 1.27 Hat-making
- 1.28 Brokerage or agency excluding brokerage or agency in international trade business
- 1.29 Engineering work in civil engineering branch concerning designing and calculation, organization, research, planning, testing, construction supervision or advising excluding specialized work
- 1.30 Architectural work concerning designing, drawing of plan, estimating, construction directing or advising
- 1.31 Garments-making
- 1.32 Pottery or ceramic ware making
- 1.33 Cigarette making by hand
- 1.34 Guide or conducting sightseeing tours
- 1.35 Street vending
- 1.36 Type-setting of Thai characters by hand
- 1.37 Drawing and twisting silk-thread by hand
- 1.38 Office or secretarial work
- 1.39 Legal or lawsuit services

Criteria for consideration for Work Permission

1. The national security of the country in views of politic, religion, economy, and society.
2. The occupational opportunity of Thais and the demand of foreign workers as necessary for the country development.
3. The benefits from granting work permission in particular occupations to foreigners, such as large amount of foreign currencies brought by foreign investors for investment and spend in Thailand, employment opportunities for a number of Thais, and skill enhancement of Thais which acquired from technology transferring by foreigners.

Criteria prescribing number of Work Permit issuance

1. The employers whose business has a registered paid-up capital of not less than 2 million baht. Work Permit shall be issued to an alien worker for every two-million baht investment /or the overseas registered employers who perform business in Thailand with an investment of capital from overseas of not less than 3 million Baht; Work Permit shall be issued to an alien worker for every three-million Baht investment. For the aliens who are married to Thai nationals and have a marriage certificate and cohabit as husband or wife, the amount of investment capital required in order to receive a Work Permit shall be reduced to half of the amount prescribed above. The number of alien workers to be granted Work Permit shall not be more than ten people. The employers whose business has a registered paid-up capital of not less than 2 million baht. Work Permit shall be issued to an alien worker for every two-million baht investment /or the overseas registered employers who perform business in Thailand with an investment of capital from overseas of not less than 3 million Baht; Work Permit shall be issued to an alien worker for every three-million Baht investment. For the aliens who are married to Thai nationals and have a marriage certificate and cohabit as husband or wife, the amount of investment capital required in order to receive a Work Permit shall be reduced to half of the amount prescribed above. The number of alien workers to be granted Work Permit shall not be more than ten people. /OR
2. The employers whose business have paid up capital of minimum 2 million Baht /or the employers who have overseas registered and perform the business in the Kingdom with not less than 3 million Baht of overseas capital, which have the below qualifications, the number of alien workers are granted as necessity and suitability:
 - (a) Alien workers who can use technology which Thai nationals cannot perform or where there is a shortage of Thai worker. However, there shall be a technology transfer to at least 2 Thai nationals with the time limit.
 - (b) Alien workers who possess expertise to accomplish the work in a limited timeframe project.
 - (c) Alien workers who work in entertainment business with a temporary contract.

- (d) Paying tax revenue at least 3 million Baht in previous year.
 - (e) Performing export business and bringing foreign currencies into Thailand at least 30 million Baht in previous year.
 - (f) Performing tourism business which brought at least 5,000 foreign tourists into Thailand in previous year.
 - (g) Employing at least 100 Thai workers. /OR
3. The alien work for a foundation, association or other nonprofit organizations, which create benefits to society as a whole. /OR
 4. For the aliens who work with and have certified letters from central or regional or local government offices, state enterprises and public organizations under Public Organization Act which identifies name, position and duration of work. /OR
 5. Others which is defined in the Criteria for the Consideration for Work Permit Issuance B.E.2552

Remark the minimum salary requirements prescribed by the Immigration Rule shall be included in consideration.

Validity of Work Permit

1. A Work Permit is issued for 2 year period and may be renewed every two year thereafter
2. An authorized official may grant a work period according to the necessity of work, but for not later than 2 year

Work Permit renewal

The Work Permit holder whose Work Permit is going to expire but wish to continue work as stated in the Work Permit. The renewal application should be submitted before the expiry date of Work Permit by means of “WP.5”. *“The expired Work Permit is unable to renew”*

Changing / adding work or workplace or locality of work

The Work Permit holder who remains work in the same employer wishes to change/add work or workplace or locality of work are as the following:

- Change/add place of work in the present employer submit “WP.6”
- Change/add job description in the present employer Or add new employer submit “WP.6”

Changing employer

The Work Permit holder has to notify the Immigration Bureau of such change and request to continue for staying in Thailand or the foreign worker has to travel out of the Kingdom of Thailand in order to apply for a new non-immigrant visa from Royal Thai

Embassy abroad. After entering to the Kingdom, then apply for a new Work Permit “WP.1” before the expiry date of visa.

The Work Permit holder require for changing name – surname, nationality, signature, and address /or company/enterprise change any information according to the government declaration, and addition of type of business. After the application completed, the process will finish within 3 working days. Applicant should submit “APPLICATION FOR CHANGING ITEMS IN WORK PERMIT”.

In case of Work Permit damage or lost

Work Permit is materially damaged or lost. The Work Permit holders must apply for a substitute Permit within 15 days from the day of the knowledge of such damage or lost by means of “WP.4”.

Informing to engage in the work which is of necessity and urgency

Foreigner workers who enter the kingdom of Thailand to engage in the work, which is of necessity or urgency for the period not longer than 15 days, should notify “WP.10”. However, that work must exceedingly necessary and urgent as if there will be the serious problem, if it could not to be done immediately. And that work could be finished within a period of 15 days. **Remark** it can not to be renewed.

PALCE TO CONTACT

- An enterprise located in Bangkok, contact the Office of Foreign Workers Administration 2nd Floor, Department of Employment, Ministry Of Labour, Mitr-maitri Road, Din Daeng, Bangkok
- An enterprise located in other province, contact the Provincial Employment Office in the province that the enterprise located.

RATE OF FEE

(1) An application form	100 Baht/form
(2) A Work Permit	
(a) valid for not exceed 3 months	750 Baht/book
(b) valid for 3 – 6 months	1,500 Baht/book
(c) valid for 6 months – 1 year	3,000 Baht/book
(3) A Work Permit renewal / a working period extension	
(a) renewal/extension for not exceed 3 months	750 Baht/book
(b) renewal/extension for 3 – 6 months	1,500 Baht/book
(c) renewal/extension for 6 months – 1 year	3,000 Baht/book
(4) Substitute of a Work Permit	500 Baht/book

(5) Permission to change or add job description	1,000 Baht/time
(6) Permission to change or add employer	3,000 Baht/time
(7) Permission to change or add the locality or workplace	1,000 Baht/time
(8) Permission to change or add conditions	150 Baht/time

Restriction on Work Permit

1. Alien must keep the Work Permit on himself or at the place of work during working hours.
2. In case the foreign worker change the employer, he/she has to notify the Immigration Bureau of such change and request to continue for staying in Thailand with the new employer or the foreign worker has to travel out of the Kingdom of Thailand in order to apply for a new non-immigrant visa from Royal Thai Embassy abroad. After entering to the Kingdom, then apply for a new Work Permit (Form WP.1) before the expiry date of visa.
3. Alien must perform to work in a job which is permitted in the Work Permit. If a holder needs to work for the other job or location or work place, a holder must be permitted by the Registrar before working. Whoever abuses the Law will be imprisoned not exceeding five years or fined or both.
4. Work Permit must be extended before expiry. The expired permits cannot be extended.
5. Changing name, surname, nationality and address of applicant or name of company/enterprise must notify to the registrar immediately.
6. The employer is not allowed to employ the foreigner worker who does not have the Work Permit or employ them to engage in the work that its job description or condition is different from the job description or condition specified in the Work Permit. The violator shall be liable to be fine not exceeding 100,000 Baht.

The minimum salary requirements prescribed by the Immigration Rule were updated on November 25, 2008 and are:

Australia, Canada, Europe (except Russia), Japan, USA	50,000 baht/month
Hong Kong, Singapore, South Korea, Taiwan	45,000 baht/month
Other Asian Countries not listed, Central and South America, eastern Europe, Mexico, Turkey, Russia, South Africa	35,000 baht/month
Africa (except South Africa), Burma, Cambodia, Laos, Vietnam	25,000 baht/month

