



29 August 2019

**His Excellency General Anupong Paochinda
Minister of the Interior
Office of the Minister of Interior,
Asadang Road, Ratchabophit, Phra Nakhon,
Bangkok, 10200**

and to:

**Immigration Commission of Thailand
C/- Mr Chatchai Phromlert
Permanent Secretary, Ministry of Interior**

Your Excellency and Mr Chatchai:

TM.30 (24 hour reporting) concerns and recommendations

We offer our respectful and sincere congratulations to Your Excellency on your appointment as Minister for Interior in the Royal Thai Government.

The Joint Foreign Chambers of Commerce in Thailand (JFCCT) is the umbrella organisation for most foreign chambers of commerce in Thailand with 33 chamber members and some 9,000 companies in this family. The vast majority of members are very long-term investors and participants in the economy. JFCCT has served the foreign business community for over 40 years. Our aim is to contribute positively to the Thai economy, to support transfer of skills and knowhow and promote Thailand as a leading trade and investment location. We work closely with the Board of Trade and other bodies and are grateful of the many dialogues with Ministries, Department and other Agencies of the Royal Thai Government.

JFCCT has taken a keen interest in supporting Thailand as a safe and secure investment destination, as a place where ease of doing business both attracts and retains capital and skills, and as a tourism destination. To these ends and at the request of the government, JFCCT has, for example, been a strong supporter of legal and regulatory reforms to support laws, regulations, and procedures which are in line with the 'Thailand 4.0' vision and which are appropriate for a competitive environment in the 21st century.

JFCCT respects laws in force, and respects the right of any nation to know about the foreigners within its borders. Consistent with our purpose, we will propose and recommend reviews and changes where we see benefits to the economy or to avoid harmful effects. Thus, for example, we have been engaged with the Simple and Smart Licence (or Guillotine) project and with various measures to promote and enhance the Thai economy.

We draw to your attention the many public comments and concerns about the use of the TM.30 form and associated procedures. Our concerns are with the way sections 37 and 38 of



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the Immigration Act are being administered and the impact this is now having on the economy, on Thailand's reputation. The TM.30 process affects both Thai nationals and foreigners.

While we appreciate the moves by the Immigration Bureau and by various Immigration offices to alleviate as a matter of practice, the burdens on all parties (including by not applying certain provisions to certain groups), we believe that a complete, structured review is needed.

We note:

- i. TM.30 produces duplicative and cumbersome procedures and overhead.
- ii. For example, those with a work permit and business visa are already well registered.
- iii. TM.30 is being selectively used and applied with ad hoc changes being made.
- iv. TM.30 is resulting in various properties being removed from availability for long stay Tourism or use by foreign skilled workers as the owners find the procedure too cumbersome.
- v. The stated foundation purpose about security does not seem to be the most suitable way to catch those up to no good; other means are more likely to provide solutions.
- vi. On-line tools and hand-held device applications are good plans, but currently have process issues and information is not all in English.
- vii. Due to international press, there is reputational damage which impacts quality tourism and investment and will ultimately, if not checked, result in a flight of skills, capital and quality tourists.
- viii. There is also concern about how ss.37 and 38 result in overlapping obligations.
- ix. We understand that the Guillotine Unit (Simple and Smart License) has recommended the cessation of use of TM.30 and a change to the law. JFCCT Supports this. Medium to long term regulatory reform is essential if Thailand is to achieve 'Thailand 4.0' status. Real value should be demonstrated for particular use cases in order to support such laws. If then there is any identified benefit, another, exiting tool, can be considered to remedy any specific situation

We attach our ***Summary of Recommendations***, and request that a way be found to make changes, either by administrative action or by Decree or both.

We would greatly value the opportunity to engage in dialogue on this matter.

Yours sincerely

Stanley Kang
Chairman