

Guide to

Personal Income Tax Return 2012

(Form ภ.ง.ด. 91)

For taxpayers who received income from employment only

Bureau of Legal Affairs, Revenue Department, Bangkok

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Guide to Personal Income Tax Return 2012 (Form ภ.ง.ด.91)

This tax return is a general return for taxpayers who received income in the tax year 2012. However, if you had income from employment only, you must use Form ภ.ง.ด.91.

The ภ.ง.ด.91 is available for download at www.rd.go.th. You may file ภ.ง.ด.91 by postal mail or in person at your Area Revenue Branch Office. Alternatively, you can file ภ.ง.ด.91 electronically at www.rd.go.th and receive an eight-day automatic deadline extension.

WHAT'S NEW FOR TAX YEAR 2012?

There are a few changes being made to the tax laws in 2012, notably the rule for married couples. The details of the major changes are as follows:

Personal Income Tax for Married Couple

Previously, Sections 57 Ter and 57Quinque of the Revenue Code stipulated that if your marriage existed throughout the tax year, you and your spouse must file a joint tax return with the option that a wife may select to file her employment income, Section 40(1) income, separately.

However, on 4 July 2012, the Constitutional Court ruled that Sections 57 Ter and 57Quinque of the Revenue Code are in breach of a constitution. Consequently, those two sections are no longer applicable. Hence, the government passed an Emergency Act to change the rules for married couples as follows:

However, on 4 July 2012, the Constitutional Court ruled that Sections 57 Ter and 57 Quinque of the Revenue Code are in breach of the constitution. Consequently, those two sections are no longer applicable. Hence, the government passed an Emergency Act to change the rules for married couples as follows:

- a) You and your spouse can file a tax return jointly as before, for all types of income, or
- b) You and your spouse can file a tax return jointly, however either you or your spouse may select to file income from employment (Section 40 (1)) separately from the joint income by using ภ.ง.ด.91, or

c) You and your spouse can file separate tax returns for all types of income received, and pay personal income tax separately. In the case where certain income cannot be clearly identified as yours or your spouse's, the following rules shall apply:

- a. Sections 40(2) – 40(7) income must be proportioned equally between you and your spouse.
- b. Section 40(8) income can be proportioned equally or as agreed between you and your spouse. When you and your spouse agree on a proportion, you must notify the tax officer and pay income tax on that amount accordingly.

Note: If you and your spouse choose to file tax return jointly as in a) or b), you and your spouse are responsible for any tax payable incurred together. On the other hand, if you and your spouse choose to file tax return separately, each of you is responsible for any tax incurred separately as well.

WHO HAS TO FILE ภ.ง.ด.91?

The following entities are subject to personal income tax in Thailand:

1. Individual
2. Non-registered ordinary partnership
3. A group of persons
4. A deceased
5. An undivided estate

Additionally, taxpayers can be categorized as “residents of Thailand” and “non-residents of Thailand” for tax purposes as follows:

A. Residents of Thailand

If you stay in Thailand for the total of at least 180 days in 2012, you are considered a “resident of Thailand” for tax purposes. You have to file a return on the income that you received if you meet one of the following conditions:

1. Your total income exceeded 30,000 Baht in 2012.
2. You were **married** and the marriage existed throughout 2012 and your income combined with that of your spouse exceeded 60,000 Baht.
3. **You are a Small and Medium Enterprise (SME)**, which is non-registered ordinary partnership or a non-juristic body of persons registered and received a Certificate of Registration from the Department of Agricultural Extension, with the total income exceeding 1,800,000 Baht in 2012.

B. Non-residents of Thailand

If you stayed in Thailand for less than 180 days in 2012, you were a non-resident of Thailand for tax purposes. If you derived any income from a Thai source, you are subject to Thai personal income tax. You have to file this form if you meet the conditions stated in A.

- Spouse's date of birth. Spouse's title and first name (in capital letters)
- Spouse's surname (in capital letters)
- Check the box that is applicable to your spouse under 'Status'
- Check the box that is applicable to your spouse under 'Filing Status':
 - a. If your spouse has income under Section 40(1) – (8), check box (1). Also, check the box that specifies whether your spouse is filing jointly, separately, or separately only income under Section 40(1) (employment income).
 - b. If your spouse has income under Section 40(2) – (8), check box (2). Also, check the box that specifies whether your spouse is filing jointly or separately.
 - c. If your spouse has income under Section 40(1) only and is filing separately, check box (3).
 - d. If your spouse has no income, check box (4).
- In the case that your spouse has no income and is a foreigner, please provide the followings:
 - a. Spouse's passport number
 - b. Spouse's nationality
 - c. The country that issued the passport

Taxpayer's Status

Check the box that applies to you during 2012.

Status
 Single
 Married
 Divorced/
Widowed
 Deceased during this
tax year

Donation of Tax Payable to Political Party

If you have tax payable of at least 100 Baht, you may make a donation to a Thai political party. Check "yes" if you wish to do so and enter the 3-digit party number on the right-hand side. The 3-digit party number can be found on page 33. If your spouse has income and is

PERSONAL INCOME TAX RATES For 2012

Net Income (Baht)	Rate (%)	Amount of Tax
0 – 150,000	Exempt	-
150,001 – 500,000	10	10% of the amount over 150,000
500,001 – 1,000,000	20	35,000 + 20% of the amount over 500,000
1,000,001 – 4,000,000	30	135,000 + 30% of the amount over 1,000,000
Exceeding 4,000,000	37	1,035,000 + 37% of the amount over 4,000,000

A. Tax Computation

To arrive at your tax payable or tax refund, ภ.ง.ด.91, Part A will help you through the calculation in numerical order.

Computation of Net-Income

In computing tax liability by using the net income method, a taxpayer has to bring into account all assessable income arising in a tax year. The next step is to deduct from assessable income deductible expenses. Allowances are then to be deducted in accordance with the taxpayer's circumstances. The last step is to subtract any qualified charitable contribution within the limit specified by law. Then, the tax rates, which are progressive, will be applied to any income left from all deductions.

A. item 1. Salaries wages etc. (including exempted income under B. item 6.)

Enter the amount of your salaries and wages that you received in 2012.

A. item 2. Less exempted income (from B. item 7.)

Enter the amount from B. item 7

A. item 3. Balance (item 1. minus item 2.)

Enter the result of item 1 minus item 2.

A. item 4. Less expense

Enter the result of 40% of item 3 or 60,000 Baht whichever is lower.

A. item 5. Balance (item 3. minus item 4.)

Enter the result of item 3 minus item 4.

A. item 6. Less allowances (from C. item 14)

Enter the amount of total allowances that you are entitled to claim in C. item 14.

A. item 7. Balance (item 5. minus item 6.)

Enter the result of item 5 minus item 6.

A. item 8. Less contribution to education (twice the amount of actual donation made but not exceeding 10% of item 7.)

If you have donated to support qualified educational projects, you may be entitled to a deduction. The qualified amount shall be filled in this line. A qualified donation to support educational projects is subject to the following conditions:

a. The donation must be used:

- To obtain or construct a building, a land, or a building with land for an educational institution for educational purposes, or
- To obtain educational equipment, textbooks, media, educational technology, and any other equipment as prescribed by the Minister of Finance, or
- To recruit professors, teachers, academic experts, or
- To provide an education scholarship, an invention scholarship, a development scholarship, or a research scholarship for school students, undergraduate students, or graduate students.

b. The donation must be made to:

- Institutions under the royal projects, or

- Institutions founded under the policy to enhance the quality of educational institutions, or
- Institutions for underprivileged or disabled children, or
- Educational institutions listed under the Notification of the Ministry of Education. Please contact your local revenue office or revenue branch office for more information.

A qualified amount of deduction is:

- a. Twice the actual amount you donated.
- b. The maximum amount is 10% of **No. 10** item 3.

If you are claiming for this deduction, evidence from the educational institution(s) must be retained in order to prove your donation

A. item 9. Balance (of item 7. minus item 8.)

Enter the result of item 7 minus item 8.

A. item 10. Less Charitable Donations (actual amount donated but not exceeding 10% of item 9)

If you have made a charitable donation, you may be entitled to a deduction.

A qualified charitable donation must be made to one of the following institutions:

- a. Temples,
- b. Thai Red Cross Society,
- c. Hospitals (public only),
- d. Educational institutions (public or private),
- e. Government agencies,
- f. Charitable institutions, government employees welfare, or funds, etc. as prescribed by the Ministry of Finance.

The qualified amount is:

- The actual amount you donated.
- The maximum amount is 10 % of item 9.

A. item 11. Net income (item 9. minus item 10.)

Enter the result of item 9 minus item 10. This is your “net income”. The progressive tax rate will be applied to the net income to determine your income tax.

A. item 12. Tax computed from net income from item 11.

Enter the result of your tax after the computation of tax on net income

A. item 13. Less tax exemption for first-time home buyer

If you have never owned a residence and you bought either a house with land or a condominium for the first time in 2012, you are entitled to a tax exemption subject to following conditions:

- a. The price of the first residence you bought is not more than 5,000,000 Baht.
- b. You paid for the residence and the residence is transferred during 2012.
- c. Your maximum amount of tax exemption is equal to 10% of the purchase price.
- d. You have to claim this tax exemption within 5 taxable years from the date of transfer. Additionally, the tax exemption must be divided by 5 and you have to claim the exemption for 5 years.
- e. You have never owned a residence before.
- f. You must own the residence for at least 5 years counting from the date of transfer.
- g. The residence has never been transferred (wholly or partly) to anyone.
- h. You have never claimed for:
 - A deduction for residence mortgage interest in No.9 item 11.
 - An exemption for income from sale of a residence for the purpose of buying a new residence according to Ministerial Regulation No. 241 (B.E.2546).
 - An exemption for income paid for a residence according to Ministerial Regulation No. 271 (B.E.2552).

Example: You bought a new condominium worth 3,000,000 Baht as your first residence in 1 December 2012. Your entitlement is 300,000 Baht (10% of 3,000,000 Baht). You can claim a tax exemption of 60,000 Baht for 5 years. You can choose to start claiming for your tax exemption in your tax return for the year 2012 – 2016. If you choose to

start claiming for your tax exemption in 2012, the tax exemption of 60,000 Baht must be applied in 2012, 2013, 2014, 2015 and 2016. If in any year, the amount of your tax payable is less than 60,000 Baht, you do not get a refund.

A. item 14. Balance (tax payable if item 12. more than item 13.)

Enter of balance of item 12.minus item 13.only if the result is above 0.

A. item 15. Withholding tax credit and tax credit for tax paid.

When you received income during a tax year, the law requires the payer to withhold income tax for some types of income. In some countries, this is called “pay as you go” or “pay as you earn”. In Thailand, it is called “withholding tax”. The payer is also required to issue you a withholding tax certificate similar to this picture. If the payer refused to issue a withholding tax certificate, the payer is subject to a criminal penalty. You may have received many withholding tax certificates if you have received income from different payers.

Attachment 1: Thai withholding tax certificate form (Form PD 01) with Thai text and a table for recording tax amounts.

You will have to provide documents to the Revenue Department to prove the amount of withholding tax.

A. item 16. Tax payable or tax overpaid

Enter the result of item 14. minus item 15. Then check the box that applies to you. Check the box “Payable” if the result is higher than zero. Check the box “Overpaid” if the result is below zero.

A. item 17. Add additional tax payable

Enter the amount from C. item 6. of the attachment (if any).

A. item 18. Less overpaid tax

Enter the amount from C. item 7 of the attachment (if any).

A. item 19. Less (tax paid in ภงด. 91)

If this is your additional filing, enter the amount of tax paid from previous filing of ภ.ง.ด. 91 for 2012.

A. item 20. Additional tax payable/ overpaid tax

Check the box that applies to you and enter the amount of additional tax payable or overpaid tax.

A. item 21 Add surcharge (if any)

Enter the amount of surcharge that you are liable to pay (if any).

A. item 22. Total additional tax payable/ overpaid tax

Check the box that applies to you and enter the amount of additional tax payable or overpaid tax.

You are now at the final step of tax computation. The amount filled in this line is the actual amount of tax you have to pay or the actual amount of refund you may request.

B.Exempted income

B. item 1.Contributions to provident fund

Enter the amount of contributions made to provident fund only in the amount that exceeds 10,000 Baht. Leave blank if the amount contributed is less than 10,000 Baht. Enter the contributed amount not exceeding 10,000 Baht in C. item 8.

B. item 2. Total contribution to government pension fund

Enter the amount of contributions made to government pension funds.

B. item 3. Total contribution to private teacher aid fund

Enter the amount of contributions made to private teacher aid funds.

B. item 4. A taxpayer's entitlement of 190,000 Baht

Check the box that applies to you.

Line 1. Check the box if you were a disabled person aged not exceeding 65 years

Line 2. Check the box if you were an elderly taxpayer aged above 65 years (including disabled person).

B. item 5. A spouse's entitlement of 190,000 Baht

Check the appropriate box whether your spouse is entitled to:

Line 1. Check the box if your spouse was a disabled person aged not exceeding 65 years

Line 2. Check the box if your spouse was an elderly taxpayer aged above 65 years (including disabled person).

B. item 6. Severance pay (only if you have included this amount in Section 40(1) income)

Enter the amount of severance pay you received in 2012 only if you opt to include in this computation.

B. item 7 Total (sum of item 1 to item 6) to be filled in A. 2

Enter the sum of item 1 to item 6.

C. Allowance(s) and exemption(s) (after deducting expenses)

C. item 1. Personal allowance

Each individual taxpayer is entitled to a personal allowance of 30,000 Baht. Enter 30,000 on this line.

C. item 2. Spouse allowance

You are entitled to an allowance of 30,000 Baht for your spouse if he/she has no income in 2012 or you and your spouse are filing jointly. Enter 30,000 on this line.

C. item 3. Child allowance

If you have children, you may be entitled to child allowance if the following conditions are met:

a. Status of the child: The child must be

- your or your spouse's legitimate child, or
- your adopted child

b. Age of the child: At the end of the year, the child was:

- an adjudged incompetent/quasi-incompetent person, or
- age under 20 years old and was not married, or

- age under 25 years old and was studying in a university level (or any equivalent educational institution), or
- c. Other conditions:
- The child must be under your care and financial support, and
 - The child had assessable income under 15,000 Baht in 2012.
- d. You are entitled to the maximum allowance of 3 children

Note: If you have a child born before B.E. 2523 (1980) or adopted since B.E. 2522 (1979), and the child is adjudged incompetent or quasi-incompetent person, the limitation does not apply.

To arrive at the number of qualified children, you only have to count living children in their birth order. The number shall also **include children who are not qualified**.

If you have determined that you are entitled to child allowance, please fill in the following boxes applicable:

Line 1 (15,000 Baht per child): Enter the number of qualified children who were not studying or were studying abroad in 2012.

Line 2 (17,000 Baht per child): Enter the number of qualified children who were studying in Thailand in 2012.

C. item 4 Parental Care

If you and your spouse (who has no income) support dependent parents, you may be entitled to parental care allowance of 30,000 Baht for each qualified parent under the following conditions:

- a. You or your spouse is a legitimate child (not an adopted child) of the parent.
- b. At the end of the tax year, the parent (father / mother) was at least 60 years old and must be under taxpayer's care and financial support, and
- c. The qualified parent must not have assessable income (including exempted income) exceeding 30,000 Baht in 2012.

If you and your spouse who has income and is filing jointly take care of a disabled or an incompetent person, you and your spouse may be entitled to an allowance of 60,000 Baht per each qualified disabled/incompetent person.

An allowance for a qualified disabled/incompetent person is under the following conditions:

- a. A qualified disabled/incompetent person must be:
 - your spouse, or
 - your parent, or
 - your spouse's parent, or
 - your legitimate child, or
 - your spouse's legitimate child, or
 - your adopted child, and/or
 - any additional dependent disabled/incompetent person (limited to 1 person)
- b. A qualified disabled person must have a disabled person ID card issued under the law governing disabled persons' living standard promotion and development. You are entitled to the allowance only if your name is specified as a guardian in the disabled person ID card. If there is more than one guardian on the ID card in 2012, all the guardians have to make a written agreement on who will be entitled to the allowance.
- c. If there is a change of the guardian on the disabled person ID card during 2012, the last guardian is entitled to the allowance.
- d. If your spouse who has no income is the only guardian on your child's disabled person ID card, you are entitled to the allowance.
- e. If the person you support is a qualified disabled person and also a qualified incompetent person, you are entitled to an allowance of only 60,000 Baht for dependent disabled person care.

- f. A qualified disabled/incompetent person must not have assessable income exceeding 30,000 Baht in 2012. This amount of assessable income does not include exempted income.
- g. If you are a non-resident in 2012, the qualified disabled/incompetent person must be a resident of Thailand.

If you have determined that you are eligible for a dependent disabled/incompetent care allowance, you must attach a Disabled or Incompetent Person Care Allowance Certificate (form ณ.ย.04) with ภ.จ.ด.91.

In addition to the form ณ.ย.04, if you are claiming for a **disabled** person care allowance, you must provide a photocopy of a disabled person ID card of the qualified disabled person issued under the law governing disabled persons' living standard promotion and development to the Revenue Department.

On the other hand, if you have determined that you are eligible for a dependent **incompetent** person care allowance, you must also provide the following documents in addition to the form ณ.ย.04:

- a. A medical certificate (issued in 2012) issued by a licensed medical doctor stating that the person has limited capacity or inability to engage in normal daily activities due to health problems or illness. Additionally, the medical certificate must also state that the person had either health problems/illness or incompetency for at least 180 days.

If, in addition to you, there is any other person having such medical certificate, you must present a letter of consent which was signed by all of the persons who have such medical certificates to the Revenue Department.

- b. An Incompetent Person Care Certificate (Form ณ.ย.04-1) certifies that the qualified incompetent person is under your care and financial support. It must be signed in 2012. The person who signs the form must be at least 20 years old and must be:
 - a. A spouse, a legitimate child, an adopted child, a grandchild, a parent, a sibling, a grandparent, an uncle, or an aunt of the qualified incompetent person's; or

- b. A sub-district head, a village head, or a member of a local administration where the qualified incompetent person lives.

Please note that the person signing the form must not sign the form for more than one guardian of the same qualified incompetent person.

C. Item 6. Health Insurance Premium for Parent(s)

If you paid health insurance premium for your parents or your spouse's parents, you may be eligible for a health insurance premium allowance. The eligible amount is the amount you actually paid but not exceeding 15,000 baht in total.

An allowance for health insurance premium for parents is subject to the following conditions:

- a. The insured must be:
 - Your father/mother, or
 - Your spouse's father/mother; and
- b. The parent must not have assessable income exceeding 30,000 Baht in 2012.
- c. You or your spouse is a legitimate child (not an adopted child) of the parent in order to be entitled to the allowance.
- d. The qualified parent must have a Personal Identification Number. Please fill in the number of the qualified parent in the boxes as applicable.
- e. If you are a non-resident, a qualified parent must be a resident of Thailand.

The eligible amount of insurance premium deduction is:

- a. The amount you actually paid but not exceeding 15,000 baht in total.
- b. If more than one child of a qualified parent paid for a health insurance policy together, all of the children are entitled to the deduction pro rata to the total amount paid (but the total amount of deduction must not exceed 15,000 Baht per a qualified parent).

If you are single or you are married with spouse who has no income in 2012, you can deduct as an allowance the qualified amount of insurance premium paid for your qualified parents and your spouse's qualified parents.

If you are married with a person who has earned income in 2012, you and your spouse can each claim an allowance equal to the insurance premium paid, but not exceeding 15,000 Baht, regardless of whether you and your spouse are filing separately or not. Enter such qualified amount in the provided box.

If you are claiming the allowance, you are required to present to the Revenue Department a receipt or a letter of certification issued by the insurance company carrying on business in Thailand.

C. Item 7. Life Insurance Premium Paid & Pension Insurance Premium Paid

7.1 C. item 7. Line 1. Life Insurance Premium Paid

If you have a life insurance policy, the premium that you paid may be deducted from your assessable income. A qualified life insurance policy starting 1 January 2009 is subject to the following conditions:

- a. The insurance policy is issued by an insurer who carries on insurance business in Thailand.
- b. Life and Family Secure Insurance Policies of the Government Savings Bank are also a qualified life insurance policy.
- c. The term of duration of the insurance policy is at least 10 years.
- d. If the coverage of your insurance policy includes coverage in addition to life, the amount paid for such additional coverage is not a qualified amount.

In the case of life insurance policies that return money or other benefits to insured person during the duration of the insurance policy, additional requirements are as follows:

- If you received the money/benefit annually, the amount you received must not exceed 20 percent of the annual premium paid for the life insurance.

- If you received money/benefit in accordance to terms of the policy (but not annually) e.g. every 2 years, every 3 years, or every 5 years, the amount you receive must not exceed 20 percent of the accumulated amount of premium paid for the life insurance during the period.
- If you received money/benefit otherwise stated, the accumulated amount of money/benefit received from the first year to the year it is received again must not exceed 20 percent of the premium paid for the life insurance during the period.

Note: The term “money/benefit” above does not include a dividend according to your life insurance policy, money or benefit that you received in the tax year which you do not have to pay an insurance premium, even if the coverage period continues, and money/benefit received at the end of the life insurance policy.

The qualified premium amount is the amount you paid but not exceeding 100,000 Baht. Additional amount may be deducted if the insurance policy is a qualified pension insurance policy.

If your spouse has income and is filing tax return jointly with you, he/she can also claim the qualified life insurance premium paid, under the same conditions above.

If you are claiming a life insurance premium allowance, you must present the following documents to the Revenue Department:

- Evidence issued by your insurer proving that the life insurance premium is paid.
- If the coverage of your insurance policy includes coverage in addition to life, the premium for such additional coverage must be stated explicitly and separately from the premium for life insurance.
- If you received money/benefits from your life insurance policy during the coverage of the policy, the evidence must provide adequate information to prove that the life insurance policy is qualified.

Note: If you claim the allowance, and later the life insurance policy is not qualified, the allowance is void. You will have to recalculate your income tax for the years that you

claimed the allowance and file an additional tax return. You have to pay tax retroactively plus a surcharge of 1.5%.

7.2 C. item 7. Line 2. Pension Insurance Premium Paid

If you paid an insurance premium and the policy is a “pension insurance”, you are entitled to an additional deduction. The eligible deduction for pension insurance premium paid is the following amount:

- a. The actual amount you paid.
- b. This amount must not exceed 15% of your assessable income.
- c. The maximum amount is 200,000 Baht.
- d. When you add up this deduction with the following items, the amount must not exceed 500,000 Baht:
 - Provident fund contribution, government pension fund contribution, or private teacher aid fund contribution; and
 - The amount paid for investment units in Retirement Mutual Fund (RMF); and
 - The amount of premium paid for pension insurance policy.

If your spouse has income and is filing tax return jointly with you, he/she can also claim the qualified pension insurance premium paid, under the same conditions above.

C. item 8. Provident Fund Contribution

If you made a provident fund contribution during the tax year, you can deduct from your assessable income the first 10,000 Baht that you paid. The part exceeding 10,000 Baht must be filled on No.1 item 2 (1).

If your spouse has income and your marriage existed throughout this tax year, he/she can also claim the amount of provident fund contribution if he/she is filing jointly with you.

C. item 9. Retirement Mutual Fund (RMF)

If you purchased investment units in RMF, you may be entitled to a deduction. However, you must meet the following requirements:

- a. You must purchase an investment unit (in each RMF) every calendar year (with a period of no more than 1 year between your previous purchase and the current purchase), and
- b. The total combined amount paid for the unit (in each RMF) in a calendar year must be at least 3% of your assessable income or 5,000 Baht.
- c. Counting from your first purchase of the investment unit (in each RMF) to the redemption, the holding period must be at least 5 years.
- d. You must not redeem the investment unit (in each RMF) when your age is under 55 years old (except redemption due to incompetence or death). The definition of incompetence can be found in No.9 item 5. This rule is only applicable to RMF investment units purchased on 1 March 2008 or later.
- e. You must not receive any dividend or money of any kind from the RMF during your holding period. You can only receive benefits or return from the RMF upon redemption of the investment units.
- f. You must not take out a loan or withdraw money of any kind from the RMF.

Note: If you make purchase of more than one RMF(s), you must comply with all of the above requirements for each RMF.

If you are an incompetent person (definition of incompetence can be found in No.9 item 5) **OR** you are 55 years old and the holding period is at least 5 years, you are exempted from some of the requirements above. You may:

- a. Stop purchasing RMF investment units temporarily or permanently.
- b. Continue to purchase RMF investment units without subjecting to the minimum purchase value (3% of assessable income or 5,000 Baht).

Investment units in an RMF can be transferred to another RMF. If you transfer all/some of your investment units to other RMF(s), the transfer must be done within 5 business days counting from the day following the date the underlying RMF received your transfer order.

It is required that the RMF that received your transfer order prepares documentary evidence of the transfer. The new RMF(s) must retain the evidence for an inspection by the assessment officer.

If you have made a qualified purchase of RMF investment units, you are entitled to a deduction. The qualified amount of deduction is:

- a. The actual amount you paid.
- b. This amount must not exceed 15% of your assessable income.
- c. The maximum amount is 500,000 Baht.

When you add up this deduction with provident fund contribution, government pension fund contribution, or private teacher aid fund contribution, the amount must not exceed 500,000 Baht. You must have evidence from the RMF to prove the amount of RMF investment unit purchase.

If you have claimed for an RMF unit purchase deduction in a tax return and, within 5 years counting from that day, you fail comply with the above requirements, you are required to file an additional tax return to recalculate your tax burden for the year(s) you claimed such deduction and pay an additional amount of tax. Along with the tax payment, you are required to pay a surcharge of 1.5%. However, if you file the additional tax return within March of the year following the year of non-compliance, you are exempted from the surcharge.

If you have filed an additional return while you hold the RMF units, and then you once again continue to purchase qualified investment RMF units, the counting of the holding period will continue from the date you first claimed for a deduction.

C. item 10. Long-Term Equity Fund (LTF)

If you purchased investment units in LTF under the law governing Securities and Exchange, you may be entitled to a deduction. However, you must meet the following requirements:

- a. You must be an individual (a non-registered ordinary partnership, a non-juristic body of persons or an undivided estate of the deceased cannot claim this deduction).
- b. The holding period between your first purchase to redemption of the LTF units must be at least 5 calendar years (except redemption due to incompetency or death).

The definition of incompetency can be found in **No. 9** item 5. If you are an incompetent person, please acquire a medical certificate issued by a government-approved medical doctor. The certificate must state that you are incompetent that you can never engage in a working activity (which will enable you to purchase more LTF investment units).

Note: If you make purchase of more than one LTF(s), you must comply with all of the above requirements for each LTF.

LTF investment units can be transferred to another LTF. The counting of your holding period will continue if you transfer all/some of your investment units to other LTF(s) within 5 business days from the day following the date the underlying LTF received your transfer order.

It is required that the LTF that received your transfer order prepares documentary evidence of the transfer and deliver to the new LTF(s). The new LTF(s) must retain the evidence for an inspection by the assessment officer.

If you have made a qualified purchase of LTF investment units, you are entitled to a deduction. The qualified amount of deduction is:

- a. The actual amount you paid.
- b. This amount must not exceed 15% of your assessable income.
- c. The maximum amount is 500,000 Baht.

You must have evidence from the LTF to prove the amount of LTF investment unit purchase.

If you have claimed for an LTF unit purchase deduction in a tax return and, within 5 years counting from that day, you fail comply with any of the above requirements, you are required to file an additional tax return to recalculate your tax burden for the year(s) you claimed such deduction and pay an additional amount of tax. Along with the tax payment, you are required to pay a surcharge of 1.5%. However, if you file the additional tax return within March of the year following the year of non-compliance, you are exempted from the surcharge.

C. item 11. Interest paid on loan for purchase, hire-purchase, or construction of residence

If you have paid residence mortgage loan interests, you may be entitled to a deduction. In order to be eligible for the deduction, the following requirements must be met:

- a. The interests on loan that is taken out from any of the following institutions:
 - Banks which carry on business in Thailand
 - Companies, under the law governing the undertaking of finance/securities business and credit foncier business, which carry on business in Thailand,
 - Insurance companies which carry on business in Thailand
 - Cooperatives under Thai law
 - Employers, having regulations related to funds allocated as welfare for employees, who carry on business in Thailand
 - The Secondary Mortgage Corporations, under the law governing the Secondary Mortgage Corporation, which carry on business in Thailand
 - Property fund for resolving financial institution problems, under the law governing securities and exchange
 - Mutual fund for resolving financial Institution problems, under the law governing securities and exchange
 - Government Pension Fund, under the law governing government pension fund
- According to your mortgage loan agreement. The purpose of the mortgage loan is:
 - To purchase or hire-purchase a building, a building with land or a condominium, or
 - To build a residential building on your own land or on a land that you have a possessory right.
 - To refinance a residential loan which was made for the purpose of purchasing, hire-purchasing or constructing a residential building/

condominium. The interest shall be deductible only on the amount of the refinancing loan which does not exceed the outstanding debt.

- The mortgage loan must be a secured debt. You must put your building/building with land/condominium up as collateral for the whole term of your mortgage loan.
- The residence mortgage loan interests must be paid for a qualified residence. A qualified residence is a building/a condominium that you use as a residence in the calendar year in which you claim the deduction. You may have more than one qualified residence. Your building/condominium is still a qualified residence even if you do not use it as a residence if the following cases apply:
 - You are an employee and you are commanded to perform your employer's work in another locality on a regular basis, or
 - The building/condominium cannot be used as a residence because it has suffered from fire, natural disaster or peril arising from any other cause. You must not be the person who has caused such incident.

If you have paid for qualified residence mortgage loan interests, you are entitled to a deduction. The eligible amount of deduction is:

- a. The total combined amount you paid for qualified residence mortgage loan interests.
- b. The maximum amount is 100,000 Baht.
- c. If you, along with other persons, jointly take out a loan, each person is entitled to a deduction equally. Please divide the amount paid as qualified residence mortgage loan interests by number of persons. The total combined amount allowed as a deduction is 100,000 Baht. If the loan is transferred to a new creditor according to a loan novation agreement, you are still entitled to a deduction.

You must provide evidence from the creditor to prove that interest has been paid for such loan.

If you are married, the following rules apply:

- If you have taken out the loan but your spouse does not have assessable income in the tax year, you are only entitled for the interests you paid up to 100,000 Baht.
- If, before your marriage, you and your spouse are already entitled to deduction, after you get married, each of you and your spouse is still entitled for the same amount of deduction up to 100,000 Baht per person.
- If, during your marriage, you and your spouse separately took out the loan and both of you have assessable income, each of you and your spouse is entitled for the actual interests paid up to 100,000 Baht per person.
- If you and your spouse have jointly taken out the loan but your spouse does not have assessable income in the tax year, the person who has assessable income shall deduct the combined amount of interests paid up to 100,000 Baht.
- On the other hand, if you and your spouse have jointly taken out the loan and both of you have assessable income, you and your spouse shall divide the qualified amount equally. However, the combined amount must not exceed 100,000 Baht.

C. item 12. Others

The followings are also deductible:

- (1) The amount that you paid to repair or to purchase equipment or other materials necessary for repairing your building(s) /condominium unit(s) or any properties permanently attached to the building(s) /condominium unit(s) that was damaged by floods during 25 July 2011 and 31 December 2012. You can deduct the actual amount that you paid, up to 100,000 Baht. You must also provide proof of your ownership over the building(s) /condominium unit(s) or your rental of the building(s) /condominium unit(s).
- (2) The amount that you paid to repair or to purchase equipment or other materials necessary for repairing your automotive vehicle(s) or any equipment attached to the automotive vehicle(s) that was damaged by floods during 25 July 2011 and 31 December 2012. You can deduct the actual amount that you paid, up to 30,000

Baht. You must also provide proof of your ownership over the vehicle(s) or your hire-purchase of the vehicle(s).

C. item 13. Social Security Fund Contribution

If you have made a contribution to a social security fund under the law governing social security, you are entitled to a deduction. The qualified amount is the actual amount of the contribution and the maximum amount of deduction is 9,000 Baht.

C. Item 14. Total amount of items C. item 1- 13 to be filled in A. Item 6

WHEN, WHERE & HOW TO FILE & PAY TAX DUE?

(A) WHEN TO FILE?

For income received in 2012, you must file ภ.ง.ด.91 and pay tax (if any) during 1 January – 31 March 2013.

(B) WHERE TO FILE?

You may file ภ.ง.ด.91 to the following places:

1. Area Revenue Branch Office
2. Thai commercial banks (other than Krung Thai Bank) only in the case that you have tax payable

(1) In Bangkok: any branch within Bangkok

(2) In other provinces: you must file a return and pay tax at the branch located in the district or sub-district in which you reside.

The tax return filed at these commercial banks must meet the following conditions:

- The tax return must be pre-printed by the Revenue Department and sent to you.
- It must be filed between 1 January – 31 March 2013.

- There must be tax payable.

4. Krung Thai Bank

The tax return filed at a Krung Thai bank branch must meet the following conditions:

- There is tax payable and you are paying it in full.
- There is no tax payable.
- It must be filed between 1 January – 31 March 2013.

5. Registered mail

If you are a resident of Bangkok, you can file a tax return by registered mail attaching a bank check (type b, c or d which will be described below) or money order for the amount of total tax payable. The registered mail should be addressed to

**“Bureau of Finance and Revenue Management, the Revenue Department
Revenue Department Building 90 Soi Phaholyothin 7
Phaholyothin Road, Phyathai, Bangkok 10400”**

Tax returns shall be mailed during 1 January – 31 March 2013 only. The filing date is the date stamped by postal office. The Revenue Department will mail back a receipt to taxpayers via registered mail.

(C) HOW TO PAY TAX DUE?

1. Cash

2. Electronic card: only at Area Revenue Branch Office in Bangkok

2.1 Credit Card: Siam Commercial Bank (SCB), Krung Thai Bank (KTC), Kasikorn Bank (KCredit), and Bangkok Bank

2.2 Tax Smart Card: Bangkok Bank, Kasikorn Bank, or Krung Thai Bank

3. Check or draft

3.1 Check paid must be one of the following type:

(1) Check issued by Bank of Thailand (type a.)

(2) Check secured by banks (type b.)

(3) Check signed by banks (type c.)

(4) Check signed by taxpayers (type d.). Type d. check must be issued by the following banks:

(a) For tax payment in Bangkok, Nonthaburi, Patumthani, Samutprakarn, Samutsakorn (Mueng and Kratumban district only), Nakornpatom (Sampran district only) and Pranakorn Sri Ayudhya (Bangpa-in district only), the check must be issued by a bank or a branch of a bank situated in such province/district.

(b) For the tax payment besides (a), a check is only allowed if you have a deposit account with the bank or the branch of the bank situated in the area of your residence.

3.2 The check / draft must be crossed and paid to

(1) In Bangkok: If you are filing a return at an Area Revenue Branch Office or banks, the check/draft must be paid to “the Revenue Department” crossing out “or bearer”.

(2) Other than Bangkok:

If you are filing a return at an Area Revenue Branch Office or Krung Thai Bank, the check/draft type d. must be paid to “the Revenue Department”. For other types of check/draft, please contactan Area Revenue Branch Office.

If you are filing a return at banks other than Krung Thai Bank, the check/draft must be paid to “District _(please specify the office)___ Revenue Office” crossing out “or bearer”.

Notes about check / draft usage:

(1) Checks for filing at Area Revenue Branch Offices shall be dated the filing date or no more than 15 days (for check type a. b. or c.) or 7 days (for check type d.) prior to the filing date.

- (2) Checks for filing via banks or postal offices shall be dated the filing date or no more than 7 days prior to the filing date.
- (3) An post-dated check is not acceptable.
- (4) Negotiated check / draft isnot acceptable.
- (5) Check / draft in the amount exceeding tax payable isnot acceptable.
- (6) Tax payment is completed when the Revenue Department receives the total amount due from check / draft.

4. Money order

If you are a resident of Bangkok and you are filing by registered mail. Please attach with the return a money order for the amount equal to the amount of tax payable. You cannot deduct any fees from the amount of tax payable. The money order shall be sent to:

**“Bureau of Finance and Revenue Management, the Revenue Department
P.O. Box Ministry of Finance”**

Paying tax in installments

If the amount of tax payable is at least 3,000 Baht, you may request to pay tax in 3 equal installments:

Installments	Due date	Requirements
1 st	31 March (or the next business day)	1/3 amount of tax + ภ.ง.ด 90 tax return
2 nd	30 April	1/3 amount of tax
3 rd	31 May	1/3 amount of tax

If you fail to pay any installment in time, you are deprived of the right to pay tax in installments. Then you are required to pay the total amount due along with surcharge.

If you are paying tax in installments at an Area Revenue Branch Office, the officer will provide you with form 1.9.35.

If you are paying tax in installments at banks (taxpayers with residency in Bangkok only), please ask for the form 1.9.35 to be issued.

CAUTION:

If tax payable is not paid within 31 March 2013, a surcharge of 1.5% per month (fraction of a month is equals a month) of the total tax due will be charged. A criminal fine up to 2,000 Baht may also be charged.

List of Thai Political Party No.

	Political Party	Political Party No.		Political Party	Political Party No.
1	Democrat Party	001	28	Thai Rumpalung	077
2	Thais citizen Party	002	29	Sport Party	082
3	Social Action Party	003	30	Liberal Party	088
4	Mahachon Party	004	31	RakThailand Party	089
5	Khonkhopoodnee Party (prev. Thai Pen Thai Party)	005	32	Thai PorPiang Party	090
6	Kasikornthai Party	006	33	Harmony People Party	091
7	Better Life Party	008	34	Thai MaharatPattana Party	096
8	For heaven and earth Party	010	35	PheuTham Party	098
9	New Aspiration Party	013	36	Bamrungmueang Party	101
10	Pracharaj Party	017	37	New Democracy Party	109
11	Dumrongthai Party	018	38	RakSanti Party	110
12	The Farmer Network of Thailand Party	022	39	The Party for Thai People	111

	Political Party	Political Party No.		Political Party	Political Party No.
13	PalangPandin Thai Party (prev. AsaMatuphoom Party)	024	40	Phalang Chon Party	112
14	Chart Samuccee Party	027	41	Sang Thai Party	115
15	Pheu Thai Party	034	42	Thai Rubber Party	116
16	PueaPandin Party	041	43	Thai Teacher For People Party	118
17	Chart Pattana Party	045	44	Unity Thai Labour Party	120
18	ThaenKhunPhaendin Party	053	45	Sajjanupharp Party	121
19	Chartthaipattana Party	055	46	Cooperative Power Party	122
20	Thailand 's Future Party	056	47	RuamPalung Mai Party	123
21	The Good Governance Society Party	059	48	Thong Thin Thai Party	124
22	Matubhum Party	062	49	AnurakSiam Party	125
23	Bhumjai Thai Party	063	50	Thai KaowKlai Party	126
24	Civil Peace Party	068	51	People Power Network Party	127
25	PlungPattana Party	072	52	Thai Rak Chart Party	128
26	Prachatham Party	073	53	Thinkakhao Party	129
27	New Politics Party	076	54	Chart Thai Kao Na Party	130