

**Notification of the Board of Directors of the Industrial Estate Authority of Thailand**

Re: Rules, Procedures and Conditions for Permission to Hold Land Ownership in Industrial Estates

Whereas, it is deemed expedient to update the rules, procedures and conditions for permission to industrial operators to hold land ownership in industrial estates.

By virtue of Section 44 of the Industrial Estate Authority of Thailand Act B.E. 2522 (1979), as amended by the Industrial Estate Authority of Thailand Act (No. 4) B.E. 2550 (2007), which contains certain provisions relating to the restrictions on people's rights and liberties which Section 29, in conjunction with Sections 32, 33, 34, 41, 42 and 43 of the Constitution of the Kingdom of Thailand so permit by virtue of provisions of law, the Board of Directors of the Industrial Estate Authority of Thailand hereby issues the Notification, as follows:

Clause 1 The Notification of the Board of Directors of the Industrial Estate Authority of Thailand No. 3/2535 Re: Rules, Procedures and Conditions for Permission to Hold Land Ownership in Industrial Estates dated April 29, 1992 shall be repealed.

Clause 2 In this Notification,

“Business Operator” refers to an industrial operator, service operator or commercial operator which has been permitted to utilize land for business operations in an industrial estate and which is a juristic person in the category of ordinary partnership, limited partnership or limited company registered pursuant to the Civil and Commercial Code.

Clause 3 Any Business Operator wishing to hold land ownership in an industrial estate for business operations in the industrial estate shall submit an application to the IEAT in the form as specified by the IEAT.

Clause 4 The Business Operator which has been permitted to hold land ownership in an industrial estate for its business operations in the industrial estate shall arrange for the following:

(1) Area for construction of factory building or office building, which shall be legitimate and appropriate for the nature of its business operations, as well as such production system or procedures as required for each respective business.

(2) Areas for proper security and environmental protection arrangements with respect to its business operations, such as, wastewater treatment system, accident prevention system, etc.

(3) Vacant area for the purpose of landscape architecture.

(4) Useful areas for business operations as necessary and appropriate, which may be a building or an open area, such as, storage space or warehouse, parking space, canteen, security guard house, etc.

(5) Vacant area for business expansion in the future.

Clause 5 Holding land ownership in an industrial estate for residential purposes is prohibited, except in the following cases where the Business Operator may be permitted to hold land ownership, which must proceed in accordance with the following rules, procedures and conditions:

(1) Land or condominium designated as accommodation for staff and workers of the Business Operator, including their families.

(2) Land or condominium in an industrial estate where the operating premises of the Business Operator are located, unless the industrial estate where the operating premises are located does not set aside any area or condominium as accommodation for staff and workers, in which case, permission may be granted for the Business Operator to hold the ownership of land or condominium in another industrial estate nearby.

(3) Land or condominium for which permission is to be granted for holding the ownership shall be in the number and subject to the conditions as follows:

(3.1) As for land for executives, experts and skilled workers, permission shall be granted for not more than 200 square wah per family, but the total shall not exceed 3 rai for an industrial estate located in Bangkok, Samut Prakan, Nonthaburi, Pathum Thani, Samut Sakhon, Nakhon Pathom Provinces, or shall not exceed 5 rai for an industrial estate located elsewhere.

(3.2) As for land for factory workers, permission shall be granted for not more than 100 families per 1 rai, but the total shall not exceed 5 rai for an industrial estate located in Bangkok, Samut Prakan, Nonthaburi, Pathum Thani, Samut Sakhon, Nakhon Pathom Provinces, or shall not exceed 10 rai for an industrial estate located elsewhere.

(3.3) As for condominium units for executives, experts and skilled workers, permission shall be granted for not more than 1 condominium unit per family, but the total shall not exceed 10 condominium units for an industrial estate located in Bangkok, Samut Prakan, Nonthaburi, Pathum Thani, Samut Sakhon, Nakhon Pathom Provinces, or shall not exceed 20 condominium units for an industrial estate located elsewhere.

(3.4) As for condominium for factory workers, permission shall be granted 1 condominium unit per family, but the total shall not exceed 100 condominium units for an industrial estate located in Bangkok, Samut Prakan, Nonthaburi, Pathum Thani, Samut Sakhon, Nakhon Pathom Provinces, or shall not exceed 200 condominium units for an industrial estate located elsewhere.

Clause 6 If the Business Operator, which is a foreigner, has dissolved or transferred its business to another person, the Business Operator shall dispose of such land or condominium for which permission has been granted to hold the ownership to the IEAT or the business transferee, as the case may be, within three years from the date of such dissolution or business transfer.

This Notification shall come into effect forthwith.

Notified on the 10<sup>th</sup> day of June B.E. 2551 (2008).

Rathian Srimongkol

Chairman of the Board of Directors of the Industrial Estate Authority of Thailand