

Guide to

Personal Income Tax Return

Half Year 2019

(ภ.ง.ด.94)

*For taxpayers who received income under Section 40(5)-(8) of
the Revenue Code*

Legal Affairs Division, Revenue Department, Bangkok

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Guide to Personal Income Tax Return Half Year 2019 (ภ.ง.ด.94)

This tax return is for taxpayers who received income under Section 40 (5), (6), (7) or (8) of the Revenue Code during January and June 2019.

The ภ.ง.ด.94 is available for download at www.rd.go.th. You may file ภ.ง.ด.94 by postal mail or in person at your Area Revenue Branch Office. Alternatively, you can file ภ.ง.ด.94 electronically at www.rd.go.th and receive an eight-day automatic deadline extension.

WHO HAS TO FILE ภ.ง.ด.94?

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

1. An individual
2. A non-registered ordinary partnership
3. A non-juristic body of persons
4. A deceased
5. An undivided estate
6. A Community Enterprise which is a non-registered ordinary partnership or a non-juristic body of persons registered and received a Certificate of Registration from the Department of Agricultural Extension

Page 1 of ภ.ง.ด.94 – Taxpayer’s Details

Taxpayer’s Details

In the Taxpayer Identification section, fill in the following information:

- Your 13-digit Taxpayer Identification Number
- Your date of birth. (If you are 65 years of age or older, attach the “Income Exemption Entitlement Form” for income exemption up to 190,000 baht.)
- Your title and first name (in capital letters)
- Your surname (in capital letters)
- Your trade name/company name
- Your current mailing address
- Your business web address (if applicable)
- Check the ‘Regular Filing’ box if this form is your first filing in this tax year, or check the ‘Additional Filing’ box if this form is an adjustment or a supplement filing.

Spouse’s Details

If you have a spouse, please provide your spouse’s details in this part of the form:

- Spouse’s 13-digit Taxpayer Identification Number
- Spouse’s date of birth, (If your spouse is 65 years of age or older, attach the “Income Exemption Entitlement Form” for income exemption up to 190,000 baht.)
- Spouse’s title and first name (in capital letters)
- Spouse’s surname (in capital letters)
- Check the box that is applicable to income information and filing status of your spouse

1. If your spouse has income under Section 40(5) – (8), check box (1). Also, check the box that specifies whether your spouse is filing ภ.ง.ด. 94 jointly* or separately
2. If your spouse has income under Section 40(1) – (4), check box (2).
3. If your spouse has no income, check box (3).

*In case of joint filing, please fill in ภ.ง.ด. 94 Attachment-joint filing first. Then enter the sum in ภ.ง.ด. 94.

- In the case that your spouse has no income and is a foreigner, please provide the followings:
 1. Spouse's passport number
 2. Spouse's nationality
 3. The country that issued the passport

Taxpayer's Status

Check the box that applies to you.

Tax Payable

Tax payable is the amount you enter in C. item 19. (or C. item 21., if applicable).

Statement of Certification

Enter the number of copy/copies of all attached documents in the first blank space.

You must sign and fill in the date in the space provided. For convenience, you may submit the return by yourself so that if there is any mistake, you can correct or provide explanation immediately.

In the following cases, a representative must file a tax return and pay tax on behalf of the taxpayer.

1. If the taxpayer is a minor (under 20 years old of age and not yet married), the legal representative of that minor is responsible for filing the return and paying tax.
2. If the taxpayer is an adjudged incompetent person, the guardian of that person is responsible for filing the return and paying tax.
3. If the taxpayer is an adjudged quasi-incompetent person, the curator of that person is responsible for filing the return and paying tax.

4. If the taxpayer is residing outside Thailand, the manager of the business generating such assessable income is responsible for filing the return and paying tax.
5. If the taxpayer passed away during the tax year or before filing the return, the estate administrator, his heir or the possessor of the estate, as the case may be, is responsible for filing the return and paying tax (for all assessable income derived by the deceased and his estate from 1st January to 30th June.)
6. If an undivided estate received assessable income, the estate administrator, his heir or the possessor of the estate, as the case may be, is responsible for filing the return and paying tax.
7. If the taxpayer is an ordinary partnership, its managing partner is responsible for filing the return and paying tax.
8. If the taxpayer is a non-juristic body of persons, its manager is responsible for filing the return and paying tax.
9. If the taxpayer is a person who has appointed an asset managing representative or a trustee, his representative or trustee is responsible for filing the return and paying tax.

In the above cases, the persons responsible for filing the return and paying tax on behalf of taxpayers must sign their names in the space for “representative” and fill in their address.

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Note:

- Taxpayer who is 65 years of age or older is entitled up to 190,000 baht of income exemption from his total income.
- Taxpayer with disability, not older than 65 years old, who obtains a Disabled Person ID Card (and a Foreign Taxpayer with a disability who resides in Thailand, aggregately, for 180 days or more and obtains a Certificate of Disability) is entitled up to 190,000 baht of income exemption from his total income. The taxpayer can select to apply the exemption to any category of income from 40(5) – (8), but the aggregate exempted amount cannot exceed 190,000 baht. After the exemption is applied, fill in the information in ๓.๓.๓.๙๔.
- A disabled person 65 years of age or older is entitled to the income exemption of 190,000 baht only.

- If you are qualified for the exemption mentioned above, please fill out the “Income Exemption Entitlement Form” and use the income less the exemption calculated in that form as your assessable income on ภ.ง.ด.94.
- If your spouse has income and is filing jointly, he/she is entitled up to 190,000 baht of income exemption under the following conditions:
 1. Your spouse is a disabled/incompetent person who obtains a Disabled Person ID Card, or
 2. Your spouse is 65 years of age or older

A. item 1.- 4. Assessable Income under section 40(5) - (8)

Assessable Income under section 40(5)

Section 40(5) income is income or benefit received from

1. rent of property or
2. breach of hire-purchase or installment sale contract

Note: Income from a breach of hire-purchase contract must include income and any other benefits received since the day the contract was signed until the day the contract was breached.

If you received income from rent of property, you may take a deduction for allowable expense at a rate prescribed under the Revenue Code as follows:

▪ houses, buildings, construction fixed to land, and floating house	30%
▪ land used for agriculture	20%
▪ land not used for agriculture	15%
▪ vehicle	30%
▪ other property	10%

You may otherwise choose to deduct your actual expenses from the rental income. If you do so, you must provide supporting documents to prove such expenses.

If you received income from breach of hire-purchase or installment sale contract, you must take a deduction for allowable expense at the rate prescribed under the Revenue Code, which is 20% of the income.

Assessable Income under section 40(6)

Section 40(6) income is from “liberal professions”, which include legal services, arts of healing, engineering, architecture, accounting services, and fine arts.

If you received income from practicing “arts of healing” such as physicians, you may take a deduction for allowable expense at the rate prescribed under the Revenue Code, which is 60%.

If you received income from liberal profession(s) other than arts of healing, you may take a deduction for allowable expense at the rate prescribed under the Revenue Code, which is 30%.

You may otherwise choose to deduct your actual expenses from section 40(6) income. If you do so, you must provide supporting documents to prove such expenses.

Assessable Income under section 40(7)

Section 40(7) income is derived from an independent contract, when the contractor has to supply equipment and other materials which are essential for the work.

If you received income from an independent contract, you may take a deduction for allowable expense at the rate prescribed under the Revenue Code, which is 60%.

You may otherwise choose to deduct your actual expenses from section 40(7) income. If you do so, you must provide supporting documents to prove such expenses.

Assessable Income under section 40(8)

Section 40(8) income is derived from business, commerce, agriculture, sale(s) of property acquired in a commercial or profitable manner, share of profits, or gains from sale(s) of mutual funds unit(s) under Securities and Exchange Act B.E. 2535

1. Specify the type of income you received from the following activities:

- Business
- Agriculture
- Industry
- Transports
- Sale(s) of immovable property for commercial or profitable purposes.

If you and your spouse both received Section 40(8) income and are filing jointly, please specify the proportion of such income that belongs to you and your spouse in percentage. The default proportion is 50% per person.

You may otherwise choose to deduct your actual expenses from section 40(8) income. If you do so, you must provide supporting documents to prove such expenses.

2. In case you received dividends/share of profits from mutual funds setting up under the Securities and Exchange Act B.E. 2535, you must include it in your assessable income if you have not allowed the payer to withhold 10% from the income or if you have allowed the payer to withhold 10% from the income but you want to include this income for the computation

3. In case you received income from sale(s) of inherited immovable property or sale(s) of immovable property acquired NOT for commercial or profitable purposes, you can choose whether to include this income with other assessable income in tax calculation.

If you choose to include such income in the tax computation in this tax return, you may take a deduction for allowable expense at a rate prescribed under the Revenue Code as follows:

- 3.1 For sale(s) of inherited property or property gratuitously transferred to you, allowable expense is equal to 50% of the income stated.
- 3.2 For sale(s) of immovable property NOT for commerce or profits, you may choose to deduct a fixed-rate deduction by entering X% of the income stated in Line 1, where X is based on number of years of holding as shown

in the table below, or an actual expense deduction by entering the actual expenses necessarily incurred. If you decided to claim actual expenses, you must also provide supporting documents.

Years of holding*	1	2	3	4	5	6	7	8
Deduction (%)	92	84	77	71	65	60	55	50

*The term “number of years of holding the property” means the number of years starting from the year of the acquisition of ownership or possessory right in an immovable property to the year of the transfer of such ownership or possessory right. A period exceeding 10 years shall be treated as 10 years only, and a fraction of a year shall be counted as 1 year.

A. item 5. Assessable Income from Sale(s) of units in Retirement Mutual Fund (RMF)

Line 1: Enter income from sale(s) of units in Retirement Mutual Fund (RMF).

Line 2: Enter the total purchase price

Line 3: Enter the amount of gain (Line 1 minus Line 2) if you meet one of the following conditions:

You are at least 55 years old and must have purchased units in the RMF every year for at least 5 consecutive years from the date of the initial purchase, or

You obtain an official doctor’s opinion that you are incompetent to the extent that you are unlikely to be capable of engaging in an occupation for wages or profits sufficient to purchase a unit in RMF, or

In case of death of the holder.

If you meet one of the conditions above, check the “Exempted” box and enter the amount gained (Line 1 minus Line 2). Otherwise, check the “Not Exempted” box and enter the amount gained on Line 4.

In addition, if you did not meet any condition above in the tax year and you have used the total purchase price as deduction in a previous tax year, you must make an adjustment by filing an additional tax return for that tax year and reporting the correct amount of income and pay an additional tax. If you file the additional tax return within 31st March, there is no surcharge or penalty.

A. item 6. Assessable Income from Sale(s) of units in Long Term Equity Fund (LTF)

Line 1: Enter income from sale(s) of units in Long Term Equity Fund (LTF).

Line 2: Enter the purchasing price.

Line 3: Enter the amount of gain (Line 1 minus Line 2) if you meet the following conditions

- You have held the units in the LTF for at least 5 consecutive calendar years, or
- You obtain an official doctor's opinion that you are incompetent to the extent that you are unlikely to be capable of engaging in an occupation for wages or profits sufficient to purchase a unit in LTF, or
- In case of death of the holder.

If you meet one of the conditions above, check the "Exempted" box and enter the amount gained (Line 1 minus Line 2). Otherwise, check the "Not Exempted" box and enter the amount gained on Line 4.

In addition, if you did not meet any condition above in the tax year and you have used the total purchase price as deduction in a previous tax year, you must make an adjustment by filing an additional tax return for that tax year and reporting the correct amount of income and pay an additional tax.

A. item 7. Deemed income and income from gift

Non-exempted amount(s) means the following:

1. Deemed Income from a transfer of ownership or possessory right in immovable property without consideration to a legitimate child, not including an adopted child, only the amount that exceeds 20 million baht in the tax year
2. Income from a moral sponsorship or from gift from an ascendant, a descendant or a legitimate spouse, only the amount that exceeds 20 million baht in the tax year
3. Income from a moral sponsorship or from gift from a person that is not an ascendant, a descendant or a legitimate spouse, only the amount that exceeds 10 million baht in the tax year

Taxpayer has an option to either include the non-exempted amount(s) with other assessable incomes or pay taxes on the non-exempted amount(s) at a rate of 5 percent in A. item 8.. Where you choose to include the non-exempted amount(s) with other assessable incomes, fill in the space provided.

Total: Enter the sum of balances from A. item 1. – item 7. and include this amount in C. item 1..

A. item 8. Deemed income and income from gift

Where you choose to pay taxes at a rate of 5 percent on the non-exempted amount(s), fill in the non-exempted income amount(s) and the tax amount(s) in the space provided.

Note : Where you have more items of assessable income than ภ.ง.ด.94 form, you can download Additional Form of Assessable Income under Section 40(5) – (8). Moreover, in case of income from a sale or transfer of ownership or possessory right in immovable property acquired by inheritance, by way of gift, or other means, please download a form declaring details of the transfer of the ownership or possessory right in immovable property with or without consideration as applicable at www.rd.go.th > e-Form for Individuals.

Total: Fill in the space provided your income under Section 40 (5) – (8) before deduction of exempted income and expenses.

Total: Fill in the space provided your spouse's income under Section 40 (5) – (8) before deduction of exempted income and expenses.

Amount opted to pay tax without including with other income

This box is added to the tax return, so that it can be used as a base in calculating the purchase of Retirement Mutual Fund unit or Long-Term Equity Fund unit. Fill in the space provided the amount you opted to pay tax without including with other income.

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In addition to allowable expenses explained in item 1. – item 8., you may be entitled to additional deductions in this part. For the purpose of claiming the following allowances, any person staying in Thailand for a period or periods aggregating 180 days or more from 1st January 2019 to the date of filing ภ.ง.ด.94 is considered a Thai resident.

B. item 1. Personal allowance

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

If, however, you are a non-registered ordinary partnership or a non-juristic body of persons, the allowance is as follows:

(1) Where only one of the partners/members is a Thai resident, enter 30,000 on this line.

(2) Where 2 or more partners/members are Thai residents, enter 60,000 on this line.

B. item 2. Spouse allowance

You are entitled to an allowance of 30,000 baht for your spouse if he/she has no income.

You are entitled to an allowance of 30,000 baht for your spouse if he/she only has income under section 40(1) – (4).

If, however, your spouse has income under section 40(5) – (8), the allowance is as follows:

(1) In case of joint filing, you are entitled to a personal allowance of 30,000 baht and a spouse allowance of 30,000 baht.

(2) In case of separate filing, both you and your spouse are entitled to a personal allowance of 30,000 baht per person, but are not entitled to a spouse allowance.

If you are deemed a Thai resident, you are entitled to the above allowance for your spouse, regardless of whether he/she is a Thai resident.

If, however, you are not deemed a Thai resident, you are entitled to the above allowance for your spouse only if he/she is deemed a Thai resident.

B. item 3. Child allowance

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

1. Status of the child: The child must be
 - (1) your or your spouse's legitimate child, or
 - (2) your adopted child, but not exceeding 3 adopted children

In a case where you have children both under (1) and (2), you shall first deduct allowance for the children under (1), followed by the children under (2). Except where you have 3 or more living children under (1), you shall not deduct allowances for children under (2). If you have fewer than 3 children under (1), you may deduct allowances for the children under (2); however, the total number of children shall not exceed 3.
2. Age of the child: At the end of the year, the child was:
 - (1) an adjudged incompetent/quasi-incompetent person, or
 - (2) 20 years old and was not married, or
 - (3) 25 years old or under and was studying in a university level (or any equivalent educational institution).
3. Other conditions:
 - (1) The child must be under your care and financial support, and
 - (2) The child had assessable income under 30,000 baht in the tax year.

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:

For each qualified child you are claiming, please enter the child's Personal Identification Number and the amount of the allowance in the provided boxes.

Line 1 (15,000 baht per child): Enter the number of qualified children.

If you and your spouse both have income, each of you can claim 15,000 baht per child.

For each additional legitimate child born in 2018 onwards, you can claim an additional 30,000 baht per child.

B. 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 15,000 baht for each qualified parent under the following conditions:

1. You or your spouse is a legitimate child (not an adopted child) of the parent.

2. 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
3. The qualified parent must not have assessable income (including exempted income) exceeding 30,000 baht.

For each qualified parent you are claiming, please enter the parent's Personal Identification Number and the amount of the allowance in the provided boxes.

If the qualified parents have more than one child, only one child could claim for a parental care allowance. The child must provide Parental Care Certificate (ร.ย. 03) to claim the parental care allowance. The parents' Personal Identification Numbers must be filled in the ร.ย.03.

If you are a non-Thai resident, the qualified parent must be a Thai resident.

B. item 5. Disabled person or incompetent person support

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 30,000 baht per each qualified disabled/incompetent person.

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

1. 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)
2. A qualified disabled person must have a disabled person ID card issued under the law governing disabled persons' life quality 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, all the guardians have to make a written agreement on who will be entitled to the allowance.
3. If there is a change of the guardian on the disabled person ID card, the last guardian is entitled to the allowance.
4. 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.

5. If the person you support is a qualified disabled person and also a qualified incompetent person, you are entitled to an allowance of only 30,000 baht for dependent disabled person care.
6. A qualified disabled/ incompetent person must not have assessable income exceeding 30,000 baht. This amount of assessable income does not include exempted income.
7. If you are a non-Thai resident, 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 (ร.ย.04) with ร.จ.ด.94.

In addition to the ร.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' life quality 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 ร.ย.04:

1. A medical certificate 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.
2. An Incompetent Person Care Certificate (ร.ย.04-1) certifies that the qualified incompetent person is under your care and financial support. It must be signed. The person who signs the form must be at least 20 years old and must be:
 - 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
 - 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.

B. 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:

1. The insured must be:
 - Your father/mother, or
 - Your spouse's father/mother.
2. The parent must not have assessable income exceeding 30,000 baht.
3. You or your spouse is a legitimate child (not an adopted child) of the parent.
4. The qualified parent must have a Personal Identification Number. Please fill in the number of the qualified parent in the boxes as applicable.
5. If you are a non-Thai resident, a qualified parent must be a Thai resident.

The eligible amount of insurance premium deduction is:

1. The amount you actually paid but not exceeding 15,000 baht in total.
2. 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, 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, 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.

B. item 7. Life Insurance Premium Paid, Health Insurance Premium Paid & Annuity Insurance Premium Paid**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:

1. The insurance policy is issued by an insurer who carries on insurance business in Thailand.
2. Life and Family Secure Insurance Policies of the Government Savings Bank are also a qualified life insurance policy.
3. The duration of the insurance policy is at least 10 years.
4. 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:

1. 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.
2. 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.
3. 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 95,000 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:

1. Evidence issued by your insurer proving that the life insurance premium is paid.
2. 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.

3. 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: 1. 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 also have to pay tax retroactively plus a surcharge of 1.5% per month (fraction of a month equals a month)

2. If you have a deposit with banks in the type similar to life insurance, the amount that you deposit may be deducted from your assessable income. A deposit living policy is subject to the following conditions:

- (1) The deposit policy is issued by an insurer who is established by Thai law in taxable year.
- (2) The duration of the deposit policy is at least 10 years.

The qualified amount is the amount you deposit but not exceeding 100,000 baht. However, when you add up this deduction with life insurance premium paid, the amount must not exceed 100,000 baht.

Line 2. Health Insurance Premium Paid

If you have a health insurance, the premium that you pay may be deducted from your assessable income subject to the following conditions:

- (1) the premium is paid to an insurance company operating in Thailand
- (2) the qualified amount is the amount you actually pay, but not exceeding 15,000 baht.
- (3) when you add up this deduction with life insurance premium paid and deposits with banks in the type similar to life insurance the amount must not exceed 100,000 baht.

Line 3: Annuity Insurance Premium Paid

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

1. The actual amount you paid.
2. This amount must not exceed 15% of your assessable income.
3. The maximum amount is 200,000 baht.
4. When you add up this deduction with the following items, the amount must not exceed 495,000 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.
- National Savings Fund contribution

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.

B. item 8. Retirement Mutual Fund (RMF)

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

1. 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
2. The total combined amount paid for the unit (in each RMF) in a calendar year must be at least 3% of your taxable income or 5,000 baht whichever is lower.
3. Counting from your first purchase of the investment unit (in each RMF) to the redemption, the holding period must be at least 5 consecutive years.
4. 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). This rule is only applicable to RMF investment units purchased on 1st March 2008 or later.
5. 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.
6. You must not take out a loan or withdraw money of any kind from the RMF.

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

If you are an incompetent person 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:

1. Stop purchasing RMF investment units temporarily or permanently.
2. Continue to purchase RMF investment units without subjecting to the minimum purchase value (3% of assessable income or 5,000 baht whichever is lower).

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 an allowance. The qualified amount of allowance is as follows:

1. The actual amount you paid.
2. This amount must not exceed 15% of your taxable income in a tax year.
3. The maximum amount is 500,000 baht in a tax year
4. When you add up this deduction with the following items, the amount of RMF purchasing 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 annuity life insurance policy.
- National Savings Fund contribution

When you add up this allowance 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 allowance in a tax return and afterwards fail to 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 allowance and pay an additional amount of tax. You are also required to pay a surcharge of 1.5% per month (fraction of a month equals a month) of the total tax due.

B. item 9. National Savings Fund contribution

Income which member of National Savings Fund contributes to National Savings Fund according to the law of National Savings Fund is deductible according to actual amount paid but not exceeding 500,000 Baht for the tax year according to rule and condition prescribed by the Notification of Director-General.

Income which is deductible must not exceed 500,000 baht when includes income contribute to provident fund, government provident fund and teacher aid fund and income paid for RMF.

B. item 10. Long-Term Equity Fund unit purchase

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

1. 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 allowance).

2. The holding period between your first purchase and redemption of the LTF units must be at least 5 calendar years or at least 7 calendar years in case where a purchase have been made between 1st January 2016 – 31st December 2019 (except redemption due to incompetency or death). 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 purchase 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 delivers 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 an allowance. The qualified amount of allowance is as follows:

1. The actual amount you paid
2. This amount must not exceed 15% of your taxable income in a tax year.
3. The maximum amount is 500,000 baht in a tax year.

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

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

1. The interest 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
2. 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, or
 - 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.
 3. 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.
 4. The residence mortgage loan interests must be paid for a qualified residence. A qualified residence is a building/condominium that you use as a residence in the calendar year in which you claim the deduction. You may have more than one qualified residences. 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 as follows:

1. The total combined amount you paid for qualified residence mortgage loan interests
2. The maximum amount is 95,000 baht.
3. 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 95,000 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 95,000 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 95,000 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 95,000 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 95,000 baht.
- 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 95,000 baht.

B. item 12. First time home buyer expense (Ministerial Regulation

No. 313 (B.E. 2559))

1. A payment made by a person who purchases a residence for the first time may be deductible up to 20% of the purchase price, subject to the following conditions:
 - The purchaser must not have owned any residence before claiming this expense.
 - A qualified residence must be a premise attached to land or a condominium only. It may be a new residence (first hand) or have been owned by another person (second hand).
2. The purchase price must not exceed 3,000,000 baht.
3. The transfer of ownership and payment must be completed from 13th October 2015 to 31st December 2016.
4. The deductible amount must be used for 5 consecutive years, starting from the year in which the transfer of ownership to the purchaser is completed.

Example: You made a qualified purchase of a condominium for the price of 3,000,000 baht on 20th October 2015. You are entitled to claim 120,000 baht $((3,000,000 \times 20\%)/5)$ from your assessable income for the tax year 2015, 2016, 2017, 2018, and 2019.

5. The title/ownership of the residence must vest in the purchaser for at least 5 years from the year that he/she purchases the residence. That means he/she must not sell or transfer the ownership to another person within 5 years from the date of purchase.

B. item 13. Social Security Fund Contribution

If you have made a contribution to Social Security Fund under the law on social security, you are entitled to an allowance. The qualified amount is equal to the actual amount of contribution, but not exceeding the amount specified by the law on social security. A person who has made a contribution to social security of his/her spouse may also deduct such contribution from his/her assessable income.

B. item 14. Political Parties Donation

Money, property or any other benefit which are donated in order to support the fund-raising activities of political parties in accordance with Organic Law on Political Parties. The eligible amount is the amount you actually paid but not exceeding 10,000 baht in total in accordance with the rules, procedures and conditions as prescribed by the Director General of the Revenue Department.

B. item 15. Purchase and installation of a Closed-Circuited Television (CCTV)

If you are a taxpayer in a special development zone and you purchased and installed a closed-circuited television (CCTV) at an enterprise located in the Temporary Development Area, and the payment was made from 1st January 2017 to 31st December 2020, the taxpayer is entitled to a double deduction for such payment (only for actual expense deduction).

B. item 16. Debit card processing Fees

If you receive income under Section 40 (5) – (8) of the Revenue Code, which cumulatively, does not exceed 30,000,000 baht in the tax year, the amount that you paid from 1st November 2016 to 31st December 2021 for debit card processing fees from using Electronics Data Capture (EDC) can be deducted equal to the amount paid during the tax year.

15.1 Fees from accepting payment via Electronic Data Capture (EDC) which is exempted from income tax mean merchant discount rate which individuals or companies or juristic partnerships pay to an EDC provider for payment via debit card using such electronic data capture.

15.2 No Fees according to 15.1 can be charged to buyers of goods or services,

15.3 Proof of evidence that fees have been paid under 15.1 must be presented to assessment officers.

15.4 In case of an individual applying the tax exemption, he/she is subject to following conditions:

(a) you must have assessable income in accordance with Article 40 (5), (6), (7), or (8) of the Revenue Code;

(b) you must pay the fee mentioned in 15.1 to receive the assessable income stated in (a);

(c) if you wish to use income tax exemption for a fee paid in (b) in any assessable income stated in (a), in computing tax liability under section 48(1) of the Revenue Code, you should deduct the actual expenses related to assessable income under section 40 (5), (6), (7), or (8). In addition, you should provide all document of the fee payment for tax officer as it is necessary;

(d) you should file personal income tax return. In such return, after deduction of the expenses in accordance with Article 42 Bis to Article 46, he/she shall deduct the income exempted from the assessable income in accordance with Article 40 of the Revenue Code.

B. Item 17. Subscription of shares or investment in the establishment or the increase of capital of enterprise carrying on target industry business

The actual amount paid during the tax year for subscribing shares or making investment in the establishment or the increase of capital of company or juristic partnership that carries on target industry business can be deducted up to 100,000 baht, subject to the following conditions:

17.1 An exempted assessable income shall not be included for computation of income tax when the following conditions are met:

(1) It is an amount paid for subscribing shares or making investments in the establishment or the increase of capital of a company or a juristic partnership as from 1st January 2018 until 31st December 2019.

(2) The taxpayer must hold shares in such company or juristic person not less than two consecutive years from the date of payment for subscribing shares or making investment in the establishment or the increase of capital of said company or juristic person, except in case of disability or death.

(3) It is a subscription of shares or an investment in the establishment or the increase of capital of a company or a juristic partnership which is qualified and described under 17.2

A non-registered ordinary partnership or a non-juristic body of persons and an undivided estate are not qualified for this allowance.

The exemption shall be according to the rules and conditions prescribed by the Director-General.

17.2 The company or juristic person that the taxpayer has paid money for subscribing shares or making investment in the establishment or the increase of capital under 17.1 must have the following qualifications and descriptions:

(1) It is a company or a juristic person established under Thai law and registered as from 1st October 2015 until 31st December 2019.

(2) It engages a target industry business and has income from the sale of goods or the provisions of services of such target industry business or income connected with business operation, of either one or altogether at not less than eighty percent of the total income within the accounting period of such company or juristic partnership.

(3) It has paid-up capital on the last day of accounting period not exceeding 5,000,000 baht, and has income from the sale of goods and the provisions of services in the accounting period not exceeding 30,000,000 baht within the accounting period the taxpayer has invested in such company or juristic partnership.

17.3 In the event that the taxpayer fails to comply with the conditions prescribed in 17.1 in any tax year, the right of exemption from inclusion of income for computation of income tax payment shall be terminated specifically in such taxable year according to Ministerial Regulations No. 337 (2018) and the Notification of Director-General concerning income tax (No.330) dated 17th September 2018

B. Item 18. Antenatal care and child delivery expense

The actual amount paid during the tax year by taxpayer or his/her spouse for the antenatal care and child delivery expense can be deducted up to 60,000 baht for each pregnancy. In

case that the expenses for each pregnancy are paid in different tax year, the amount actually paid in each tax year is allowed, but in total no more than 60,000 baht. This allowance applies to the assessable income received from 1st January 2019 onwards according to Ministerial Regulations No. 338 (2018) and the Notification of Director-General concerning income tax (No.331) dated 25th September 2018.

B. item 19. House repair expense (due to the disaster during 3rd January 2019 – 31st March 2019)

The actual amount paid to repair or purchase materials for repairing building(s)/condominium unit(s) or any properties permanently attached to the building(s)/condominium unit(s) that was damaged by Pabuk storm during 3rd January 2019 and 31st March 2019 can be deducted equal to the amount paid during that period, up to 100,000 baht, subject to the following conditions:

1. The property(s) was damaged by Pabuk storm during 3rd January 2019 and 31st March 2019 and situated in the areas that the government announces as the affected areas.
2. You must be the owner, the tenant, or the user of the properties for residing, carrying on a business, or using for other purposes.
3. In the case you paid cost of repairs or materials for repairing more than one property, you shall calculate all cost of the repair, the material and the equipment in every property all together.

The deductible expense is according to rule and condition prescribed by the Notification of Director-General.

B. item 20. Vehicle repair expense (due to the disaster during 3rd January 2019 – 31st March 2019)

The actual amount paid to repair or to purchase materials for repairing the vehicle(s) or any equipment attached to the vehicle(s) that was damaged by Pabuk storm during 3rd January 2019 and 31st March 2019 can be deducted equal to the amount paid during that period, up to 30,000 baht, subject to the following conditions:

1. The automotive vehicle(s) was damaged by Pabuk storm during 3rd January 2019 and 31st March 2019 and was in the areas that the government announces as the affected areas.
2. You must be the owner or the hire-purchaser of the vehicle(s).
3. In the case you paid cost of repairs or materials and equipment to repair the vehicle(s) or any equipment attached to the automotive vehicle(s) for more than one

vehicle, you shall calculate all cost of the repair, the material and the equipment in every vehicle all together.

The deductible expense is according to rule and condition prescribed by the Notification of Director-General.

B. Item 21. Domestic Tourism Expense

“Secondary Provinces” include Kalasin, Kamphaeng Phet, Chanthaburi, Chainat, Chaiyaphum, Chumphon, Chiang Rai, Trang, Trat, Tak, Nakhonnayok, Nakhon Phanom, Nakhon Srithammarat, Nakhon Sawan, Narathiwat, Nan, Bueng Kan, Buriram, Prachinburi, Pattani, Phayao, Phattalung, Phichit, Phitsanulok, Phetchabun, Phrae, Mahasarakham, Mukdahan, Mae Hong Son, Yasothon, Yala, Roi Et, Ranong, Ratchaburi, Lopburi, Loei, Lampang, Lamphun, Si Sa Ket, Sakon Nakhon, Satun, Samutsongkhram, Sakaeo, Singburi, Sukhothai, Suphanburi, Surin, Nong Khai, Nong Bualumphu, Ang Thong, Amnat Charoen, Udon Thani, Uttaradit, Uthai Thani, and Ubon Ratchathani

“Homestay Thai” means temporary lodge which a house owner converts his property into rooms and provides necessary amenities to guests commercially in exchange for compensation. Homestay Thai must have no more than 4 rooms, no more than 20 guests and registered with Department of Tourism, The Ministry of Tourism and Sports.

“Non-hotel Accommodation” means an accommodation that is not a hotel according to the law on hotel.

The following income is exempted from personal income tax

21.1 Income equal to a payment made for guided – tour service provided by a person/company carrying on a business of guided tour, according to the law on guided tour, for travelling in any Secondary Provinces, for staying in a hotel under the law on hotel, for staying in a Homestay Thai or for staying in a Non-hotel Accommodation in any Secondary Provinces is deductible up to the amount actually paid but not exceeding 20,000 baht.

21.2 Income equal to a payment made for guided – tour service provided by a person/company carrying on a business of guided tour, according to the law on guided tour, for travelling in non-Secondary Provinces, for staying in a hotel under the law on hotel, for staying in a Homestay Thai or for staying in a Non-hotel Accommodation in any non-Secondary Provinces is deductible up to the amount actually paid but not exceeding 15,000 baht.

In the case where there is a payment made for guided – tour service provided by a person/company carrying on a business of guided tour, according to the law on guided tour, for staying in a hotel under the law on hotel, for staying in a Homestay Thai or for staying in a Non-hotel Accommodation for travelling in both Secondary Provinces and non-Secondary Provinces, the income equal to a payment made under both 21.1 and 21.2 must not exceed the amount specified thereunder and when combined must not exceed 20,000 baht.

The qualified amount must be paid from 30th April to 30th June 2019, according to rule and condition prescribed by the Notification of Director-General.

B. item 22. Education and sports equipment expense

If you purchase goods related to education and sport from VAT registered operators from 1st May to 30th June 2019, the amount actually paid but not exceeding 15,000 baht is granted to individuals for the deduction.

According to the rules and conditions prescribed in Ministerial Regulation No.345 (B.E. 2562), the goods for educational and sport shall be as follows:

Educational equipment (but not including electronic equipment);

Educational clothing;

Sports equipment; and/or

Sports clothing.

B. item 23. Purchase of OTOP Goods

The actual amount paid for the purchase of OTOP goods from 30th April to 30th June 2019 can be deducted equal to the amount paid during that period, but not exceeding 15,000 baht according to rule, method, and condition prescribed by the Notification of Director-General.

The OTOP goods qualified for this deductibility must be the goods registered with Community Development Department in accordance with the Ministerial Regulation No. 346 B.C. 2562.

B. Item 24. Purchase of Books and Electronic Books (e-Books) Expense

In case of purchasing books or e-Books, the payment must be made to a company or juristic partnership carrying business in Thailand and the taxpayer must provide a tax invoice issued under Section 86/4 of the Revenue Code or a receipt with the items specified under Section 105 Bis of the Revenue Code along with the name and surname of the taxpayer, as the case

maybe. The income equal to the afore-mentioned payment is deductible up to the amount actually paid but not exceeding 15,000 baht. The qualified amount must be paid from 1st January to 31st December 2019, according to rule and condition prescribed by the Notification of Director-General.

However, this amount together with the amount paid for certain books and e-books from 1st to 16th January 2019, a deduction for which was granted under the Ministerial Regulation No. 341 must not exceed 15,000 baht.

B. item 25. First time home buyer expense (Ministerial Regulation No. 348 (B.E. 2562))

The amount paid for the purchase of immovable property for your residential purpose, i.e. a building with land or a condominium unit, is deductible from your assessable income, but not exceeding 200,000 baht. However, the amount is deductible only if you meet all of the following conditions.

1. The purchased immovable property must have a value of no more than five million baht.

2. You must have paid the amount of purchase in accordance with what mentioned above and has registered the transfer of ownership over the immovable property during the dates 30th April 2019 and 31th December 2019.

3. You must not have had prior ownership in any immovable property that is a building with land or a condominium unit for residential purpose.

4. You must be named as the owner of the purchased immovable property for a consecutive period of not less than five years from the registration date of the transfer of ownership. Nevertheless, this condition shall not apply in cases that you pass away or in the case that the immovable property is completely diminished (Ministerial Regulation No. 348 (B.E. 2562))

B. item 26. Total

Enter the sum of balances from B. item 1. – B. item 25., and include this amount in C. item 2..

Page 1 of ๓.๓.๓.๙4 – C. Tax Computation

To arrive at your tax payable, C. will help you through the calculation in numerical order.

There are two methods that can be used to calculate Personal Income Tax based on “net income” and “gross income”. Whichever method results in the higher amount of tax due, that method is applied.

(1) Computation of Net-Income Tax

In computing tax liability by using the Net-Income Tax 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 progressive tax rates will be applied to any income left from all deductions.

(2) Computation of Gross-Income Tax

If you have assessable income under Section 40(5) to 40(8) more than 120,000 baht during January and June 2019, you are not only required to compute your personal income tax liability using the Net-Income Tax method in (1), but also, using the Gross-Income Tax method as follows:

$$\text{Assessable gross income} \times 0.005 = \text{tax liability}$$

C. item 1. Income after deduction of expenses

The first step is to deduct all tax deductible expenses from your assessable income. If you have completed A., you have already done so. Enter the sum of the amount from A. item 1. to item 7. in C. item 1 and Additional Form of Assessable Income under Section 40 (5) – (8) (if any)

C. Item 2. Less allowance

The amount from B. item 26. shall be deducted from the amount filled in C. item 1.. Enter the amount from B. item 26. in C. item 2..

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

Enter the result of C. item 1. minus C. item 2..

C. item 4. Less contribution to education/sports/others

1. Contribution to education

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:

1.1 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.

1.2 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.

1.3 Educational institutions must be listed under the Notification of the Ministry of Education.

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

Please contact your Area Revenue Office or Area Revenue Branch Office for more information.

2. A qualified amount of deduction from donation

An actual donation can be double deducted but it is capped at 10% of C. item 3.

And must be in accordance with the following rules:

2.1 Donation to the Safe and Creative Media Development Fund and funds relating to art, culture, archives and archaeology according to the Royal Decree No.615 B.E.2559

2.2 Donation to the Justice Fund according to the Royal Decree No.651 B.E.2561

2.3 Donation to government hospitals from 1 January B.E.2561 onwards according to the Royal Decree No.663 B.E.2561 and the Notification of the Director-General No.10 dated 8 January B.E.2562

2.4 Donation to the Science and Technology Development Fund, Legal Research Support Fund, Metrology Systems Development Fund and the Public Health System Development Fund during the effective date of such law to 31st December B.E. 2562 according to Royal Decree No. 668 B.E. 2561 and the Notification of the Director-General concerning income tax (No.336) dated 25 February B.E.2562

2.5 Donation to Equitable Education Fund during 14th May 2018 to 31st December 2020 according to Royal Decree No. 682 B.E. 2562 and the rules, procedures and conditions as prescribed by the Director General of the Revenue Department.

3. Donation to support educational institution via e-Donation

Donation to support educational institution via e-Donation must be made during 1st January 2019 to 31st December 2019.

3.1 For individual, an actual donation can be double deducted from the assessable income after deductions and allowances under Section 47 (1) (2) (3) (4) (5) or (6) of the Revenue Code. The total of this deduction, with an aggregation of donations to qualified educational projects, is capped at 10% of the assessable income after deductions and allowances.

The exemption above shall be in accordance with the rules, procedures and conditions as prescribed by the Director General of the Revenue Department.

“Educational institution” means the public institution, the private school under the law on private school. However, it does not include non-formal school under the law on private school and private university under the law on private university.

“e-Donation” means the system which generates and retains information on donation in an electronic form in order to be an evidence

Such information is being used as an evidence for using tax privileges in accordance with the Revenue Code.

3.2 Income derived from a transfer of property, a sale of goods or entering into an instrument related to a donation to educational institution according to 3.1. The transferor must not deduct the cost of the property or goods which get a tax exemption as an expense in calculating personal income tax. This is for the donation made during 1st January 2019 to 31st December 2019 and shall be in accordance with the rules, procedures and conditions as prescribed by the Director General of the Revenue Department.

For individual who uses this e-Donation tax privilege, such individual must not exercise the income tax exemption privilege granted by Royal Decree No. 420 B.E. 2547

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

Enter the result of C. item 3. minus C. item 4.

C. item 6. Less other donation (Charitable Donations)

If you have made a charitable donation, which is not to support education, you may be entitled to a deduction.

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

1. Temples,
2. Thai Red Cross Society,
3. Public hospitals,
4. Educational institutions (public or private),
5. Government agencies (for the donation to the nation's natural disaster victims),
6. Charitable institutions, government employee welfare, or funds, etc. as prescribed by the Ministry of Finance.

The qualified amount is as follows:

1. The actual amount you donated, and
2. The maximum amount is 10 % of C. item 5..

C. item 7. Net income

Enter the result of C. item 5. minus C. item 6.. This is your “net income”. The progressive tax rate will be applied to the net income to determine your income tax.

C. item 8. Tax computed on income from C. Item 7.

Please refer to the section “(1) Computation of Net-Income Tax” above on how to compute tax based on net income from C. item 7. using the following personal income tax rate:

PERSONAL INCOME TAX RATES FOR 2019

Net Income (baht)	Rate (%)	Amount of Tax
0 – 150,000	Exempt	-
150,001 – 300,000	5	5% of the amount over 150,000
300,001 – 500,000	10	7,500 + 10% of the amount over 300,000
500,001 – 750,000	15	27,500 + 15% of the amount over 500,000
750,001 – 1,000,000	20	65,000 + 20% of the amount over 750,000
1,000,001 – 2,000,000	25	115,000 + 25% of the amount over 1,000,000
2,000,001 – 5,000,000	30	365,000 + 30% of the amount over 2,000,000
Exceeding 5,000,000	35	1,265,000 + 35% of the amount over 5,000,000

Enter the result in C. item 8..

C. item 9. Tax computed from gross assessable income exceeding 120,000 baht

If your gross assessable income under Section 40(5) - (8) is 120,000 baht or above during January and June 2019, your tax payable is the greater of C. item 8. or C. item 9.. The tax on gross income is a flat-rate tax on your assessable income before deducting any expenses or allowances.

Add up your assessable income (before taking any deductions) from A. item 1. to item 4, and A item 7, if not exempted, the capital gains from A. item 5. and 6..

Multiply the combined amount of assessable income by 0.005. The result should then be filled in C. item 9.. If the result is less than 5,000 baht, your tax payable is the amount in C. item 8..

Note: For income received in the Temporary Development Area (please refer to C. item 11. in this instruction), you may choose to pay flat-rate tax of 0.01%. If so, please do not include such income in the tax calculation methods described above.

C. item 10. Tax payable

As stated above, your tax payable may be tax on gross income if the following conditions apply:

- a. Your total combined assessable income under Section 40(5) - (8) is at least 120,000 baht, and
- b. The amount you filled in C. item 9. is at least 5,000 baht, and
- c. The amount you filled in C. item 9. is higher than the result in C. item 8.

If tax on gross income applies to you, please fill in the amount of C. item 9. in C. item 10.. Otherwise, please fill in the amount in C. item 8..

C. item 11. Tax payable from the form “Income Declaration in Temporary Development Area”

If you have earned income in Temporary Development Area, you may choose to pay flat-rate tax of 0.01%. If so, such income shall not be filled in A. item 1. to item 7., but it should be filled in the form “Income Declaration in Temporary Development Area” for income derived in Temporary Development Area, instead. The final tax calculated in that form must be filled in C. item 11..

Temporary Development Area is the following provinces:

1. Naratiwat
2. Pattanee
3. Sa-Tul
4. Yala
5. Songkhla (only in the following districts: Jana, Natawee, Sabahyoi, and Tepa)

C. item 12. Total tax payable

Add up the amount in C. item 10. and C. item 11. and enter the result.

C. item 13. Tax Exemption for first time home buyer (old scheme)

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:

1. The price of the first residence you bought is not more than 5,000,000 baht.

2. You paid for the residence and the residence was transferred during 2012.
3. Your maximum amount of tax exemption is equal to 10% of the purchase price.
4. 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.
5. You have never owned a residence before.
6. You must own the residence for at least 5 years counting from the date of transfer.
7. The residence has never been transferred (wholly or partly) to anyone.
8. You have never claimed for:
 - A deduction for residence mortgage interest in B. 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 on 1st 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 2014, the tax exemption of 60,000 baht must be applied in 2014, 2015, 2016, 2017 and 2018. If in any year, the amount of your tax payable is less than 60,000 baht, you do not get a refund.

C. item 14. Tax payable

Deduct the amount entered in C. item 12. by C. item 13.. Enter the result only if the amount in C. item 12. is higher than C. item 13..

C. item 15. Plus tax payable

Enter the result in A. item 8. (if any)

C. item 16. Withholding tax credit

When you received income during 1st January and 30th June 2019, 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 the picture below. 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.

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

(A) WHEN TO FILE?

For income received during January and June 2018, you must file ภ.ง.ด.94 and pay tax (if any) during 1st July and 30th September 2019, during the official office hours.

(B) WHERE TO FILE?

You may file ภ.ง.ด.94 according to one of the following methods:

1. File the return at an Area Revenue Branch Office.
2. If you are a resident of Bangkok, you can file a tax return by registered mail attaching a 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 1st July and 30th September 2019 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. Electronic card: at every Area Revenue Branch Office except:
 - (1) Area Revenue Branch Office in Uthai Thani Province which is Mueng Huai Khot Area Revenue Branch Office
 - (2) Area Revenue Branch Office in Trat Province which is Ko Kut Area Revenue Branch Office
 - (3) Area Revenue Branch Offices in Kanchanaburi Province which are Si Sawat Area Revenue Branch Office and Sai Yok Area Revenue Branch Office
 - (4) Area Revenue Branch Office in Chiang Rai Province which is Maefaluang Area Revenue Branch Office
 - (5) Area Revenue Branch Office in Udon Thani Province which is Nayoong Area Revenue Branch Office
 - (6) Area Revenue Branch Office in Khonkaen Province which is Waeng Yai Area Revenue Branch Office
 - (7) Area Revenue Branch Office in Sakon Nakhon Province which is Phon Na Kaeo Area Revenue Branch Office
 - (8) Area Revenue Branch Offices in Pattani Province which are Panare Area Revenue Branch Office, Thung Yang Daeng Area Revenue Branch Office, Mai Kaen Area Revenue Branch Office,

Kapho Area Revenue Branch Office, Mae Lan Area Revenue Branch Office, and Mayo Area Revenue Branch Office

(9) Area Revenue Branch Offices in Narathiwat Province which are Chanae Area Revenue Branch Office and Cho-airong Area Revenue Branch Office

(10) Area Revenue Branch Offices in Yala Province which are Than To Area Revenue Branch Office and Kabang Area Revenue Branch Office

2. 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”**

3. Other electronic methods as will be indicated by the Revenue Department

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	30 th September	1/3 amount of tax + ภ.จ.ด. 94 tax return
2 nd	31 st October	1/3 amount of tax
3 rd	30 th November	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 บ.จ.35.

CAUTION:

If tax payable is not paid within 30th September 2018, a surcharge of 1.5% per month (fraction of a month equals a month) of the total tax due will be charged. A criminal fine up to 2,000 baht may also be charged.

For more information please contact RD Intelligence Centre Tel: 1161

Appendix

Table Illustrating Deductible Rate of Necessary and Reasonable Actual Expenses Incurred for Income under Section 40(8)

	Assessable income	Deductible Rate (%)
1.	Performance of drama, movie film, radio or television performers, singers, musicians, professional sportsmen or performers for any kind of entertainment (a) for the portion not exceeding 300,000 baht (b) for the portion exceeding 300,000 baht	60 40
2.	Sale of land on installment or sale of land by way of hire-purchase	60
3.	Collection of commissions or charges from gambling, contest or games	60
4.	Taking, development, printing or enlargement of photographs, movie films, including sale of accessories	60
5.	Business of dockyard, shipyard or ship repair other than repair of machinery, mechanical devices	60
6.	Shoe making and making of genuine leather or synthetic leather products, including sale of accessories	60
7.	Tailoring, sewing, knitting, embroidering of clothing or other things, including sale of accessories	60
8.	Making, decoration or repair of household furniture, including sale of accessories	60
9.	Hotel or restaurant business or preparation of food or beverage for sale	60
10.	Hair perming, cutting and styling or body styling	60
11.	Making of soap, shampoo or cosmetics	60
12.	Literature production	60
13.	Trading in silverware, gold, precious metal alloys, diamonds, precious gems or other	60
14.	Business of clinic under the law governing clinics, but only a clinic with patient beds for overnight stay, including medical treatment and sale of medicines	60
15.	Stone milling or rock crushing	60
16.	Forestry, rubber or perennial plantation	60
17.	Transportation or provision of hired service by vehicle	60

	Assessable income	Deductible Rate (%)
18.	Block and seal making, printing or binding of books, documents, including sale of accessories	60
19.	Mining	60
20.	Making of beverages under the law governing beverage tax	60
21.	Making of ceramics, glazed wares, cement products or potteries	60
22.	Generation or distribution of electricity	60
23.	Ice making	60
24.	Making of glue, starch glue or other similar articles and making of powder of various kinds other than cosmetics	60
25.	Making of balloons, glass wares, plastic goods or finished rubber products	60
26.	Laundry or dyeing	60
27.	Sale of goods other than those listed in other items where the seller is not a manufacturer	60
28.	Prizes received by horse owners from racing their horses	60
29.	Acceptance of price of redemption for redeeming property sold with right of redemption or acquisition of absolute ownership in property sold with right of redemption	60
30.	Rubber smoking, making of rubber sheets or other kinds of rubber which are not finished rubber products	60
31.	Leather tanning	60
32.	Making of sugar or sugar molasses	60
33.	Fishery	60
34.	Sawmill business	60
35.	Oil refinery or extraction	60
36.	Sale by way of hire-purchase of movable properties not falling under Section 40 (5) of the Revenue Code	60
37.	Rice mill business	60
38.	Agriculture in the category of seasonal plant and grain farming	60
39.	Tobacco steaming or curing	60

	Assessable income	Deductible Rate (%)
40.	Raising of all kinds of animals, including sale of by-products	60
41.	Animal slaughter for sale, including sale of by products	60
42.	Salt farming	60
43.	Sale of ships or vessels of six tons or over, steamers or motor boats of five tons or over or floating rafts	60
44.	For other types of income, please deduct actual expense.	