



Regulations relating to the exchange of information

The following report may be of interest to:

All clients

Summary:

Under Section 10 ter of the Revenue Code (which was introduced under the Revenue Code Amendment Act No. 54), the Director-General of the Revenue Department is authorised to exchange information acquired by virtue of his office so as to comply with the provisions of double taxation agreements or other international agreements as well as for the promotion of international relations and collaboration on the prevention of fiscal evasion. The exchange of information must be in accordance with the regulations which will be notified by the Minister. Details of the Revenue Code Amendment Act were included in our [Tax Insight No. 37/2021](#).

The regulations relating to the exchange of information were notified on 30 November 2021 and are effective from 9 November 2021 onwards.

Under the regulations, the Director-General of the Revenue Department is authorised to proceed with the exchange of information according to the following international agreements:

- (1) an agreement or a convention on avoidance of double taxation and prevention of tax evasion that the Government of Thailand has made with a foreign government
- (2) an agreement on avoidance of double taxation and prevention of tax evasion that the Economic and Trade Office of Thailand has made with an economic and trade office of a foreign country, or
- (3) the Convention on Mutual Administrative Assistance in Tax Matters (MAC) that the Government of Thailand is a party to.



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There are three types of exchange of information, as follows:

1. Exchange of information on request, whereby the competent authority of a foreign government requests that the competent authority of Thailand exchanges information under the treaty or convention between the parties.
2. Exchange of information without request, which includes an exchange according to Action 5, Counter Harmful Tax Practices, of the Inclusive Framework on Base Erosion and Profit Shifting, of which Thailand is a member.
3. Automatic exchange of Information, which would take place under an international agreement between the competent authority on the exchange of country-by-country reports that the competent authority of Thailand has entered into for the exchange of country-by-country reports.



For further information, please contact:

Your regular PwC contact person