

Announcement of The National Innovation Agency (Public Organization)

Subject: Certification of Targeted company operating in an industry
with government support (Capital Gains Tax)

Pursuant to the Royal Decree Issued under the Revenue Code Governing Tax Exemption (No. 750) B.E. 2565 (2022), Sections 4, 5, and 7, as published in the Government Gazette on 13 June 2022, and the Notification of the Director-General of the Revenue Department on Income Tax (No. 428) prescribing the rules, procedures, and conditions for income tax exemption for investment in target companies engaged in businesses supported by the State, Clause 2, which designates the National Innovation Agency (Public Organization) as the certifying authority for businesses supported by the State operating in target industries as announced by the National Competitiveness Enhancement Policy Committee for Targeted Industries, and which develop or apply technology or innovation as an essential part of their business operations;

By virtue of Section 28 (3) of the Royal Decree Establishing the National Innovation Agency (Public Organization) B.E. 2552 (2009), the Director of the National Innovation Agency hereby revokes the Announcement of the National Innovation Agency (Public Organization) Re: Certification of Target Companies Engaged in Businesses Supported by the State (Capital Gains Tax) dated 22 May B.E. 2566 (2023), and issues this Announcement as follows:

Article 1: Definitions

In this announcement:

"Agency" means the National Innovation Agency (Public Organization)

"Executive Director" means the Executive Director of the National Innovation Agency

/"Working Committee"...

"Working Committee" means the Working Committee for Consideration and Certification of Qualification for Smart Visa and Targeted company operating in an industry with government support (Capital Gains Tax)

"Businesses with government support" means businesses operating in targeted industries as announced by the National Competitiveness Enhancement Policy Committee for Targeted Industries, which develop or apply technology or innovation as an essential part of their business operations and are certified by an agency designated by the Director-General of the Revenue Department.

"Targeted Industries" means the target industries specified in the Notification of the National Competitiveness Enhancement Policy Committee for Targeted Industries No. 1/2561 regarding the amendment of the categories of target industries under Notification No. 1/2560, including any of the following:

- (1) Next-Generation Automotive Industry
- (2) Intelligent Electronics Industry
- (3) High-Quality Tourism Industry
- (4) Agriculture and Biotechnology Industry
- (5) High Value-Added Food Processing Industry
- (6) Robotics Industry
- (7) Aviation Industry
- (8) Biofuels and Biochemicals Industry
- (9) Digital Industry
- (10) Comprehensive Medical Industry
- (11) Defense Industry
- (12) Industries that directly and significantly support the Circular Economy, such as waste-to-energy production and water resource management
- (13) Human Resource Development and Research and Development for Target Industries
- (14) Other target industries consistent with the 20-Year National Strategy, as approved by the National Competitiveness Enhancement Policy Committee for Targeted Industries

/“Targeted company...”

“Targeted company operating in an industry with government support” means a company or juristic partnership established under Thai law, operating in targeted industries supported by the government, which develops or applies technology or innovation as an essential part of its business operations, in accordance with the following criteria:

- (1) A business that uses technology as a core basis in its production or service processes according to the prescribed list of technologies, or a business that applies advanced or frontier technologies in its production or service processes, as deemed appropriate for support and certification by the Agency on a case-by-case basis;
- (2) A business under (1) must exhibit one of the following characteristics:
 - (2.1) Improvement, modification, or development of technology for application in the production or service processes of the core business, where technology is indispensable and without which the business cannot operate;
 - (2.2) Improvement, modification, or development of technology that results in a significant increase in the value of products or services.

“Advanced or Frontier Technology” means technology derived from application and development that leads to the creation of competitive advantage.

“Certified Target Company” means a company or juristic partnership established under Thai law, operating in target industries supported by the State, and certified by the Agency.

“Application Form” means the application form for certification as a Targeted company operating in an industry with government support (Capital Gains Tax) prescribed by the National Innovation Agency (Public Organization).

/Article 2...

Article 2: Qualifications

A targeted company seeking certification must possess the following qualifications and must not have any prohibited characteristics:

- (1) Be established as a juristic person under Thai law;
- (2) Have business objectives consistent with government support industries as announced by the National Competitiveness Enhancement Policy Committee for Targeted Industries, and develop or apply technology or innovation as an essential part of its operations in accordance with Clause 1;
- (3) Not be bankrupt, placed under receivership by a court order, or ordered to cease business operations;
- (4) Not be in the process of dissolution and not be listed as an abandoned contractor by the Comptroller General's Department.

Article 3: Documents Required for Certification Application

Applicants shall submit the following documents in electronic format:

- (1) Application form for certification prescribed by the Agency;
- (2) Certificate of juristic person registration issued within three (3) months prior to the application date;
- (3) List of shareholders (Form BorJor.5 or HorSor.2, as applicable) issued within three (3) months prior to the application date;
- (4) Value Added Tax Registration Certificate (PorPor.20), if any;
- (5) Audited financial statements for the preceding two (2) fiscal years;
- (6) Documents evidencing alignment with the core technology used in business operations, or lawful rights to use third-party technology, such as contracts, ownership documents, or licenses (if any);
- (7) One-page Executive Summary;
- (8) Business overview (Pitch Deck) in Thai or English, comprising:
 - (8.1) Business problem and background;
 - (8.2) Product or service information;

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- (8.3) Target customers and competitive landscape;
- (8.4) Technology forming the basis of production or service delivery;
- (8.5) Revenue model and proportion of revenue derived from technology;
- (8.6) Financial projections;
- (8.7) Company profile;
- (8.8) Names and positions of executives, management, and shareholders;
- (8.9) Fundraising history (if any);
- (9) Proof of payment of the application fee.

Article 4: Payment of Fees

Applicants shall remit the certification fee to the Agency's bank account as follows:

Bank: Krung Thai Bank Public Company Limited

Account Name: National Innovation Agency (Public Organization)

Account Number: 980-1-39088-3

The Agency shall issue an official receipt upon receipt of valid proof of payment.

Article 5: Certification Fee

The certification fee shall be THB 2,500 (Two Thousand Five Hundred Baht Only) per application, inclusive of Value Added Tax (VAT).

The fee shall be non-refundable in all cases.

Article 6: Fee for Amendment or Renewal

Certified target companies requesting amendments, renewal, or other changes arising from restructuring or operational adjustments shall submit an application and pay an additional fee of THB 1,500 (One Thousand Five Hundred Baht Only) per request, inclusive of VAT.

/During...

During the amendment or renewal process, the company shall not be entitled to claim income tax exemption benefits under Sections 4, 5, and 7 of Royal Decree No. 750 B.E. 2565.

Article 7: Submission of Applications

Applications, together with supporting documents and proof of payment, shall be submitted in electronic format via email at cgt@nia.or.th or through other channels as prescribed by the Agency.

Where submitted documents are incomplete, the Agency shall notify the applicant to provide additional documents within the prescribed period. Failure to comply shall be deemed a waiver of the right to have such documents considered in that review round. Applicants wishing to proceed must submit a new application and pay the prescribed fee.

Article 8: Application Period

The Agency shall accept applications between the 1st and 10th day of each month. Applications submitted outside the prescribed period shall be considered in the subsequent review round.

Article 9: Announcement of Certified Target Companies

The Agency shall announce the list of certified target companies through online or other channels as prescribed by the Agency within thirty (30) days from the date of receipt of complete documentation.

The Agency shall directly submit the list to the Revenue Department. Certified companies are not required to obtain a separate certification letter.

Article 10: Consideration of Applications

The Agency shall appoint a Working Committee with the following duties:

(1) Prescribing guidelines and issuing announcements on certification;

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- (2) Considering and certifying target companies;
- (3) Submitting recommendations to the Executive Director for approval;
- (4) Performing other related duties as assigned.

Article 11: Utilization of Income Tax Exemption Benefits

Certified target companies may apply for income tax exemption benefits with the Revenue Department within five (5) years from the date of announcement by the Agency, but not later than 30 June B.E. 2575 (2032), in accordance with Royal Decree No. 750 B.E. 2565 and notifications issued by the Director-General of the Revenue Department.

Certified companies shall not apply for certification from any other agency.

Article 12: Utilization Beyond the Prescribed Period

Where a company fails to apply within the prescribed period, it may submit an application for renewal subject to an additional fee of THB 1,500 per request, inclusive of VAT, in accordance with Clause 6.

Article 13: Revocation of Certification

Certification may be revoked if the company:

- (1) Lacks required qualifications or possesses prohibited characteristics, in accordance with Clause 2;
- (2) Has reached the expiration of the certification period;
- (3) Submits false information or engages in fraudulent conduct to obtain certification;
- (4) Is subject to complaints, disputes, or unlawful or fraudulent conduct that may cause damage to the Agency.

Article 14: A company whose certification has been revoked may file an appeal with the Agency within thirty (30) days from the date of revocation. The Agency reserves the right to consider appeals on a case-by-case basis.

/Transitional...

Transitional Provision

Article 15: Companies seeking retroactive certification in order to exercise benefits under this Announcement shall submit supporting documents, including contracts, documents, or evidence of participation in Agency-supported programs or similar government programs approved by the Agency.

Announced on 9 June 2026

A handwritten signature in blue ink, appearing to be 'Krithpaka Boonfueng', is centered on the page.

(Miss Krithpaka Boonfueng)

Executive Director of the National Innovation Agency