

# SETTING UP A US AMITY TREATY COMPANY IN THAILAND

A US Amity Treaty Company permits American citizens and companies to hold majority shares (over 51%) in a Thai Limited Company. The US Amity Treaty also enabled American companies to engage in business on the same basis as Thai companies, and are exempt from most of the restrictions of foreign investment imposed by the Alien Business Law of 1972.

## WHAT IS THE US-THAI TREATY OF AMITY?

The US-Thai Treaty of Amity, also known as the Treaty of Amity and Economic Relations between the Kingdom of Thailand and the United States of America was signed on May 29, 1966 to give special rights and benefits to American citizens who wish to establish their businesses in Thailand.

Whilst a US Amity Treaty Company enjoyed significant advantage over other foreign nationals or companies, US Treaty of Amity Company are not allowed to engage in the following activities which are reserved for companies that are owned by majority Thai shareholders.

- Communications
- Transportation;
- Fiduciary functions
- Banking involving depository functions;
- Land Ownership, Exploitation of land or
- Other natural resources; and
- Domestic trade in indigenous agricultural products.

# FUNDAMENTAL REQUIREMENTS OF A US AMITY TREATY COMPANY

- A minimum of 51% of shares must be held by American citizens or an American sole proprietorship, partnership, representative office, branch office, joint venture or limited company.
- A minimum of 50% of directors must be American citizen(s).
- The ultimate beneficiary of the company must be American.

**THB145,000**  
(USD4,185)

## The total fee to Setting up a US Treaty of Amity Company in Thailand

Inclusive of all professional, legal, gov't, translation fees and the fee to Obtain Treaty of Amity Certification Letter from the US Embassy

## SCOPE OF SERVICES INCLUDED

Setting up a Thai Corporation, 1 year of VAT Approved Virtual Office, Assistant in obtaining the Treaty of Amity Certification Letter from the US Embassy, Converting your Thai Corporation into a US Treaty of Amity Company.

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| → Company Name Search & Reservation   | → Document preparation and apply for Certificate of Treaty of Amity from the US Embassy                           |
| → Drafting of Memorandum of Association & Submission of MOA to the Ministry of Commerce (DBD) | → Apply with Ministry of Commerce of Thailand to have your Thai Limited Company into a US Treaty of Amity Company |
| → 1 Year VAT Approved Virtual Office  | → Collect updated Company Documents from the Foreign Division, Ministry of Commerce, Thailand                     |
| → Collection of Original Company Documents and to translate it into English                   |   |

**7-8 weeks**

The entire process takes approximately

**THB 3mil**

The minimum registered capital