



Siam Legal International Provides Updated Legal Overview of the US Treaty of Amity for Thailand Business Operations in 2026

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Siam Legal International, a Bangkok-based law firm specializing in corporate and immigration law, has released an updated legal overview addressing the current status and implications of the US-Thailand Treaty of Amity for American businesses operating in Thailand during 2026.

The Treaty of Amity, which has remained in force since 1966, continues to provide American companies with significant advantages when establishing and operating businesses in Thailand. As Thailand's regulatory framework for foreign-owned businesses becomes increasingly structured and closely monitored, understanding the treaty's provisions has become essential for American investors seeking to enter the Southeast Asian market.

Under the treaty framework, qualifying US citizens and US-majority-owned companies receive national treatment status in Thailand, exempting them from certain Foreign Business Act ownership restrictions that

typically limit foreign ownership to 49 percent across most industries. As a result, American companies may lawfully hold a majority stake or complete ownership of their Thai operations, a privilege not extended to businesses from other nations.

"The Treaty of Amity remains one of the most valuable legal instruments for American businesses expanding into Southeast Asia, but the compliance landscape in 2026 requires careful navigation," said Rex Baay, spokesperson for Siam Legal International. "We're seeing increased scrutiny of foreign-owned and Amity-certified companies, particularly regarding operational substance, tax compliance, and employment structures. Proper setup and ongoing compliance have never been more critical."

The treaty permits American businesses to engage in most commercial activities while maintaining majority ownership. However, certain sectors remain excluded from treaty protections. These excluded sectors include communications, transportation, fiduciary services, banking involving depository functions, land ownership, and exploitation of natural resources. Additionally, treaty certification does not waive the requirement to obtain standard licenses, permits, or regulatory approvals required for specific business activities.

To qualify for treaty benefits, American companies must secure formal certification through a process involving both the US Commercial Service and Thailand's Ministry of Foreign Affairs. The certification process requires applicants to demonstrate proper ownership structures, maintain appropriate director composition, and provide detailed documentation proving US control of the business entity. Siam Legal International cautions that the use of nominee structures or improper shareholding arrangements may cause application rejection or subsequent enforcement action.

The firm emphasizes that Thailand's enforcement environment has evolved significantly, with authorities conducting closer reviews of foreign-owned business operations. This heightened review process extends beyond corporate registration and includes examining whether companies maintain genuine operational substance, tax compliance, and adhere to proper employment regulations for both foreign and Thai staff.

Siam Legal International assists American clients with Treaty of Amity structuring and certification, drawing on extensive experience in corporate formation and compliance support. The firm's services encompass initial eligibility assessment, business structuring advice, and complete registration with relevant Thai authorities. For those interested in learning more about the treaty's current implications, additional information can be found at https://pressadvantage.com/i_story/83378-siam-legal-international-highlights-treaty-of-amity-advantages-for-american-businesses-expanding-int.

Established as a full-service law firm in Bangkok, Siam Legal International maintains expertise across multiple practice areas, including corporate law, immigration, intellectual property, and commercial litigation. The firm's comprehensive understanding of Thai regulatory requirements and extensive experience with Treaty of Amity registrations have positioned it as a trusted advisor for American businesses navigating entry into the Thai market.

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Siam Legal International

American-managed Thailand law firm with 22+ years' experience. Experts in corporate setup, BOI, FBL, family & divorce, property, litigation, immigration, notary, wills, contracts & due diligence across Bangkok, Phuket, Pattaya & more.

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