

## **Royal Decree on the Management of Alien Worker B.E. 2560**

Enforcement Date: 23 July 2017

- ▶ Comprise of articles related to individual's rights and freedom for the systematically and efficiency of the management and  
employment of alien worker.
- ▶ Focusing on protection, facilitation for both employer and alien worker, as well as impose stronger penalties on employer who  
violates the law to prevent the labor trafficking.
- ▶ Under Section 7, Minister, with approval from the committee, can notify any filed of job or career prohibited for an alien worker  
at anywhere, anytime, and with any conditions.
- ▶ Set up the Policy Committee for the Management of Alien Worker to make policy and control the management and employment  
of alien worker.

The followings shall be repealed:

1. Working of Alien Act B.E. 2551
2. Royal Ordinance on Bringing Migrant Workers to Work with Employees in Thailand B.E. 2559

### **Major Revised Contents**

Chapter 7: Supervisions

- ▶ The registrar and the competent official shall have the power to search, if there is a reasonable ground to suspect that there is  
an alien working illegally in that place, or to search and rescue alien worker who might be abused by any activity that violate  
this Royal Decree.
- The search and inspection must be conduct with a warrant of the court, unless there is a reasonable ground to believe that if  
delay the search an alien worker will be abused, transferred, or hidden and the witness or evidences will be moved, hidden,

changed form, or destroyed.

- ▶ The registrar and the competent official shall have power to seize any document or evidence related to work, bringing an alien

worker to work in the Kingdom, if there is a reasonable ground to believe that there is a violation to this Royal Decree.

## Chapter 8: Penalties

- ▶ Fines are imposed at progressive rate (more workers, higher fine)

- ▶ Contains stronger punishments:

- Employer

- Whoever employs an alien worker to engage in any prohibited job or career, or employs an alien worker who does not have

working permit; or whoever employs an alien worker that does not have permit to work for him/her shall be liable to a fine

raging as high as 400,000 to 800,000 THB per one alien.

- Whoever employs an alien worker to engage in any work different from what specified on the permit shall be liable to a fine

not exceeding 400,000 THB per one alien.

- Alien Worker

- Whoever engages in any work without permission or engage in any work under prohibited categories shall be liable to the

imprisonment for a term of not exceeding 5 years or fine from 2,000 – 100,000 THB, or both.

- Whoever engages in the work that necessarily and urgently required an alien worker without informing the registrar shall be

liable to a fine from 20,000 – 100,000 THB.

- Whoever engage in any work different from what specified on the permit shall be liable to a fine not exceeding 100,000 THB.

- To prevent human trafficking activities:

- Any employer who keeps or seizes the work permit or any personal document of alien worker shall be liable to the

imprisonment of not exceeding 6 months or a fine not exceeding 100,000 THB, or both.

- Any person who misleads others that he/she has permission to bring an alien worker to work in the Kingdom shall be

liable to the imprisonment for a term of 3 to 10 years or a fine from 600,000 – 1,000,000 THB per one alien or both.

- Whoever bring an alien worker to work in the Kingdom without receiving permission from Director General of Department

of Employment shall be liable to the imprisonment for a term of 1 to 3 years or a fine from 200,000 – 600,000 THB, or both.

► The new Royal Decree B.E. 2560 also increase the channels for alien worker to report if they are being abused or receive

unfair treatment from their employers or anyone who permitted to bring an alien worker to work in the Kingdom.