Notification of the Ministry of Labour

Prescription of work prohibited for migrant workers

By virtue of section 7 paragraph one of the Foreigners’ Working Management Emergency Decree B.E. 2560 as amended by the Foreigners’ Working Management Emergency Decree (No. 2) B.E. 2561, the Minister of Labour, upon the approval of the Committee on policies for migrant workers working management dated March 11, 2020, hereby issues the Notification as follows:

Clause 1. This Notification shall come into force upon the expiration of sixty days as from the date of its publication in the Government Gazette.

Clause 2. The work as prescribed in Annex One or as the law prescribes that the person performing such work shall be a Thai national is the work which migrant workers are completely prohibited from performing in any area throughout the Kingdom.

Clause 3. The work as prescribed in Annex Two is the work which migrant workers are prohibited from performing in any area throughout the Kingdom except in the case where migrant workers are allowed to work under international agreement or obligation which Thailand is obliged to under the provisions of law.

Clause 4. The work as prescribed in Annex Three is the work which migrant workers are prohibited from performing in any area throughout the Kingdom except in cases where skilled or semi-skilled migrant workers have employers.

Clause 5. The work as prescribed in Annex Four is the work which migrant workers are prohibited from performing in any area throughout the Kingdom except in cases where there are employers and the migrant workers are granted to enter into the Kingdom under the law on immigration under the agreement or memorandum of understanding which Thai government signed with foreign governments.

The employment of migrant workers under paragraph one shall be in accordance with the conditions as prescribed by the Director-General of the Department of Employment.

Clause 6. In the case where it is the work which the law prescribes that the person performing the work shall have a license or certified letter, migrant workers shall only apply for the work permit in cases where the license or certified letter has been granted under such law.

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Annex one

Work which Migrant workers shall be prohibited from performing

1. Wood carving;
2. Wood carving;
3. Driving motor vehicles or vehicles which do not use machinery or mechanical devices, except piloting aircraft internationally and forklifting;
4. Auction sale work;
5. Cutting or polishing precious or semi-precious stones;
6. Cloth weaving by hand;
7. Mat weaving or making utensils from reed, rattan, jute, hay, or bamboo;
8. Making rice paper by hand;
9. Lacquer work;
10. Making Thai musical instruments;
11. Niello work;
12. Goldsmith, silversmith, or gold/copper alloy smith work;
13. Stone work;
14. Making Thai dolls;
15. Making alms bowls;
16. Making silk products by hand;
17. Making Buddha images;
18. Making paper or cloth umbrellas;
19. Being an agent or representative except for agent or representative in international trading or investment;
20. Thai massage;
21. Rolling cigarette by hand;
22. Tour Guide or tour agent;
23. Hawking of goods;
24. Thai Typesetting by hands;
25. Unwinding and twisting silk by hand;
26. Clerical or secretarial work.
27. Providing legal services or engaging in legal work, except the followings:
   (a) arbitration work;
   (b) work relating to assisting or defending cases at arbitration level, provided the law governing the dispute under consideration by the arbitrators is not Thai law.
Annex two

Work which migrant workers are prohibited from performing in any area throughout the Kingdom except in the case where migrant workers are allowed to work under international agreement or obligation which Thailand is obliged to under the provisions of law

(1) control, inspect, perform or provide accounting services except the followings:
   (a) internal audit from time to time;
   (b) work under the internal agreement or obligations which Thailand is obliged to by which the Professional Council provides qualification certification.;
(2) work in the occupational field of engineering, civil engineering relating to consultation, project planning, design and calculation, construction control or production, inspection, system usage, research, testing, except in the case of engineering or control engineering professions under the MRA including other international agreements related to cross-border engineering or persons who have received the license to perform control engineering, in the field of civil engineering, under the law on engineering;
(3) work in the architecture relating to planning, designing, management and directing the construction, audit, or consultation except in the case of architect who have license to perform the profession under MRA including other international agreements related to cross-border engineering or persons who have received the license to perform controlled architect under the law on architect.
Annex three

Work which migrant workers are prohibited from performing in any area throughout the Kingdom except in cases where skilled or semi-skilled migrant workers have employers

(1) Agriculture, animal farming, forest, or fisheries;
(2) Bricklaying, woodwork, building;
(3) Mattress or duvet making;
(4) Knives making;
(5) Shoes making;
(6) Hat making;
(7) Ornament making;
(8) Molding or Pottery
Annex four

Work which migrant workers are prohibited from performing in any area throughout the Kingdom except in cases where there are employers and the migrant workers are granted to enter into the Kingdom under the law on immigration under the agreement or memorandum of understanding which Thai government signed with foreign governments

(1) Manual labour;
(2) Store seller