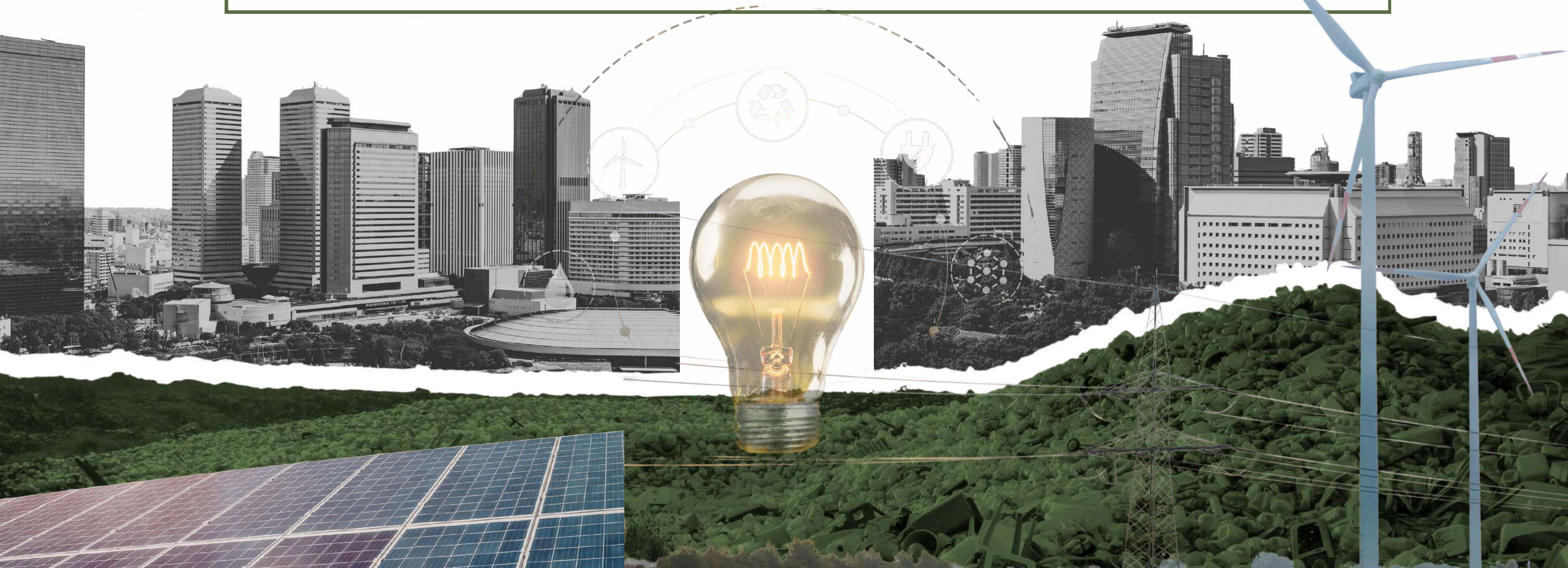


# ENERGY TRANSITION IN THAILAND: LEGAL DEVELOPMENT



## TOPIC

- 1 Regulatory frameworks affecting renewable energy, EV infrastructure and green building projects
- 2 Investment structures and incentives relevant to foreign companies entering Thailand's green sector



# DRAFT CLIMATE CHANGE ACT

- This Act is Thailand's first comprehensive legal framework specifically addressing climate change
- The draft was approved by the Cabinet on 2 December 2025.
- Designed to support Thailand's commitments under the United Nations Framework Convention on Climate Change (UNFCCC)

## National Climate Targets

- Carbon Neutrality by 2050
- Net Zero Greenhouse Gas Emissions by 2050

29/9/2025 Thailand Prime Minister announced policy change from 2065 to be within 2050

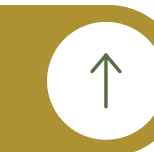
- Greenhouse Gases (GHGs) refer to gases that contribute to the greenhouse effect, for example, Carbon dioxide (CO<sub>2</sub>), Methane (CH<sub>4</sub>), Nitrous oxide (N<sub>2</sub>O), Hydrofluorocarbons (HFCs) etc.

*Note: Emission thresholds and requirement for report submission will be specified in secondary legislation.*

## Key Business Obligation

- Companies meeting defined criteria must prepare a **Greenhouse Gas Inventory** (GHG Inventory)
- Emissions data must be reported to the Department of Climate Change and Environment (to be set up under this Act)





## Carbon Tax

- Collected from manufacturers or importers of products causing GHG listed in the Act

For example,

- Gasoline (Octane 91): Carbon tax THB 80 per liter
- Kerosene: Carbon tax THB 100 per liter



## Thailand Emissions Trading System (TH-ETS)

- **Cap-and-Trade Mechanism**
  - If a factory emits GHG less than prescribed limit, it will earn carbon credit and can sell carbon credit to a factory exceeding limit in order to receive emission allowance



+

# KEY CLIMATE POLICY INSTRUMENTS

↑

## Climate Fund (set up under the Act)



- Support low-carbon investments to government and private sectors

- Low-Interest Green Loans



# SOLAR ROOFTOP REGULATORY RELAXATION

Ministerial Regulation No. 72 (2025) under the Building Control Act B.E. 2522  
**Effective: 28 December 2025**

## KEY PROVISIONS

- **No building modification permit required**
  - Applies to rooftop solar installations with combined panel and mounting weight  $\leq 20 \text{ kg/m}^2$
- **Applies to all building types**
  - Including residential homes and commercial buildings
- **No structural certification by a civil engineer required**
  - Reduces professional fees and installation costs
- **Grid connection approval still required**
  - Must follow procedures with the Metropolitan Electricity Authority (MEA) or Provincial Electricity Authority (PEA)

The Cabinet approved in principle the **Draft Solar Energy Promotion Act**, on 29 July 2025, which aims to promote the use of solar power generation in residential and business buildings in Thailand.

- Establishes procedures for notifying the installation of solar power generation systems for self-consumption to the Department of Alternative Energy Development and Efficiency.
- Introduces standards for installation safety, management of end-of-life solar equipment, and data collection to support long-term national energy planning.



## THAILAND'S 30@30 POLICY

Introduced by Energy Policy and Planning Office (EPPO),  
Ministry of Energy

Thailand's 30@30 policy is the country's flagship strategy to accelerate the transition to **zero-emission vehicles (ZEVs)** and position Thailand as a **regional electric vehicle (EV) production hub**.

### Key Targets

- 30% of total vehicle production to be ZEVs by 2030
- Development of 12,000 public fast-charging points
- Establishment of 1,450 battery swapping stations for electric motorcycles

Currently it is under development for relevant laws and regulations to support the implementation of the policy and the growth of the electric vehicle ecosystem.



# BOI SMART & SUSTAINABLE INDUSTRY

The Thailand Board of Investment promotes the Smart & Sustainable Industry initiative to transform Thailand's manufacturing and service sectors toward advanced, technology-driven and environmentally sustainable industries.

## **SUSTAINABILITY: Environmentally Responsible Production**

- Promotion of energy efficiency and renewable energy use
- Reduction of environmental impacts and industrial waste
- Upgrading operations to meet international sustainability standards, such as: GAP, FSC, PEFC, ISO 22000

## **The measure applies to:**

1. New project applying for BOI or existing activities in operation, whether BOI- or non-BOI-promoted projects, which project is under the scope of investment promotion at the time of application submission.
2. In the case of a BOI-promoted project applying for promotional incentives under this measure, the corporate income tax exemption benefits must have expired, or the project has not been granted corporate income tax exemption.
3. Except for some activities, such as TISO, IBC, IPO, and co-working space businesses are ineligible for investment promotion under this measure.
4. The projects must have investment capital of at least 1 million baht, excluding the cost of land and working capital.



# BOI SMART & SUSTAINABLE INDUSTRY



## RENEWABLE ENERGY EFFICIENCY MEASURES



To encourage efficient renewable energy use, the BOI has updated promotion conditions (only for existing project):

- Investment must include **machinery upgrades to enable renewable energy use** (Solar PV installation is not eligible), although solar equipment still be counted as part of the total investment value.
- A maximum cap is set for corporate income tax exemption for investments in Battery Energy Storage Systems (BESS) and BESS inverters.
  - The eligible investment value for tax exemption is limited to THB 12 million per 1 megawatt (MW) of electricity generation capacity.

### Investment Incentives

Companies upgrading existing projects may receive:

- **Corporate income tax exemption for 3 years**
- Tax exemption cap of **50% – 100% of investment value**
- Exemption of Import Duty on Machinery

Additional incentives for Thai SMEs

- Corporate income tax exemption for 5 years
- Tax exemption cap of 100% of efficiency improvement investment



**Wissen & Co Ltd.**  
LAWYERS

**THANK YOU**

---

**Wissen & Co Limited (Lawyers)**

Lumpini Tower, Level 17, Rama IV Road,  
Bangkok, Thailand 10120

Email:

**wissen@wissenandco.com**

**wichien.h@wissenandco.com**

 [www.wissenandco.com](http://www.wissenandco.com)

**SCAN FOR MORE INFO**

