Legal article

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Thailand's remittance tax: the 2026 state of play

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> This article is general legal information, not a legal opinion on any specific matter. Each matter must be assessed on its own facts and evidence. The latest online version is at https://retireinthailandadvisory.com/foreign-remittance-tax-thailand.html

Key points

- **Residence is a day count, not a visa type.** Section 41 paragraph 3 of the Revenue Code deems anyone present in Thailand for 180 days or more in a tax year a resident for that year.
- **Tax bites on remittance, not on earning.** Section 41 paragraph 2 taxes a resident's foreign employment, business or property income upon its being brought into Thailand.
- **The year-after loophole is gone.** For income brought into Thailand from 1 January 2024, Order Por. 161/2566 taxes it in the year it is brought in, not only in the year it is earned.
- **Pre-2024 money is grandfathered.** Order Por. 162/2566 keeps foreign income derived before 1 January 2024 outside the new treatment, which makes your 31 December 2023 statements worth archiving permanently.
- **The relief everyone is waiting for is still a proposal.** As of September 2026 no instrument exempting income remitted in the year it is earned, or the following year, has been published in the Royal Gazette.

- **The LTR route is real law.** Section 5 of Royal Decree No. 743 exempts foreign income from a previous tax year that a Long-Term Resident visa holder in the Wealthy Global Citizen, Wealthy Pensioner or Work-from-Thailand Professional category brings into Thailand.

The rule since 1 January 2024

Section 41 paragraph 2 of the Revenue Code taxes a resident on foreign employment, business or property income upon bringing it into Thailand, and paragraph 3 makes anyone present 180 days or more in a tax year a resident. Orders Por. 161/2566 and 162/2566 set how that now applies.

Under Revenue Department orders Por. 161/2566 and 162/2566, a Thai tax resident (180+ days in the year) who earns foreign-sourced income from 2024 onward owes Thai tax on that income **when it is remitted into Thailand, in any year**. The old loophole (wait until the following calendar year, remit tax-free) is gone. Two anchors survived:

- **Pre-2024 income and savings are exempt** when remitted, Por. 162/2566 grandfathers everything earned before 1 January 2024.
- **Non-residents are out of scope**, income earned in a year you spent under 180 days in Thailand is never caught, whenever remitted.

The proposed relaxation, announced, not enacted

The exemption for foreign income remitted in the year it is earned, or the next one, remains a draft. As of September 2026 nothing has replaced section 41 of the Revenue Code or orders Por. 161/2566 and 162/2566, so the test is unchanged: publication in the Royal Gazette.

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The Revenue Department has floated an exemption for foreign income **remitted in the year it is earned or the immediately following year**, intended to encourage money to flow into Thailand rather than wait offshore. As of September 2026 it has **not been published in the Royal Gazette**. Our advice to clients is simple: plan under current law; treat the proposal as upside, not as a plan. For a scenario-by-scenario answer, see should you remit money to Thailand now or wait.

If you read that "the remittance tax is dead", check whether the source is describing the draft or enacted law. If a rule matters to your money, the test is simple: is it in the Royal Gazette? If not, it is not law.

What counts as a remittance

Section 41 paragraph 2 of the Revenue Code turns on the act of bringing assessable income into Thailand, not on the channel used. Bank transfers are the clear case; ATM withdrawals against a foreign account and card spending settled from post-2023 income sit on the same statutory wording.

- Bank transfers into a Thai account, obviously.
- ATM withdrawals in Thailand from foreign accounts.
- On a strict reading, foreign credit-card spending in Thailand settled from post-2023 income, enforcement here is still developing, but the exposure is real for large, regular spending.
- Bringing in cash beyond documented amounts.

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Planning moves that work (and are legal)

Every lawful move here works on one of the two limbs of section 41 of the Revenue Code: the source and year of the income, or whether you were resident in the year it arose. Section 5 of Royal Decree No. 743 adds a third route for qualifying Long-Term Resident holders.

1. **Segregate the pre-2024 pot.** One offshore account holding documented pre-2024 capital; remit from it first. Your 31 Dec 2023 statements are the evidence, archive them permanently.
2. **Time big remittances with care.** The Revenue Department's Q&A on Orders Por. 161/2566 and 162/2566 confirms one point: foreign income that arises in a tax year when you were not resident (under 180 days in Thailand) is not taxed, even if you bring it in later. Other timing cases, such as bringing in income earned while resident during a later year when you are not resident, have no clear official guidance yet, so take advice on your own facts before relying on them. Planning to bring in ฿5M+ for a condo? See buying a condo.
3. **Use your treaty.** Foreign tax already paid is often creditable; some pensions are protected entirely, country guide; the UK State Pension is not (UK State Pension in Thailand).
4. **Qualify for the LTR.** Royal Decree 743 exempts foreign income from previous tax years that Wealthy Pensioner holders bring into Thailand, the clean structural fix if your income clears the bar.
5. **File, even when the answer is zero.** The filing record is what protects you in later years, as the Revenue Department receives more financial account information from abroad under the Common Reporting Standard.

Common questions

These questions come up in every remittance plan. Each answer follows from section 41 of the Revenue Code and the two Revenue Department orders that implement it, Por. 161/2566 and Por. 162/2566, rather than from any of the proposals still waiting to be published.

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Is the Thai remittance tax abolished in 2026?

No. A draft rule exempting foreign income remitted in the year it is earned or the following year has been announced, but as of mid-2026 it has not been published in the Royal Gazette and is not law. The rules applied since 1 January 2024 remain in force: foreign income earned while Thai tax resident is assessable when remitted.

Are credit card payments and ATM withdrawals in Thailand remittances?

Potentially yes. Spending foreign funds in Thailand, including ATM withdrawals from a foreign account and, on a strict reading, credit card spending settled from foreign income, can constitute remittance of assessable income. Enforcement practice is still developing; keep records and take advice on material amounts.

How do I prove money I remit is pre-2024 savings?

Keep a statement showing your account balances as of 31 December 2023. Remittances traceable to that documented pot are exempt. Best practice is a segregated account holding pre-2024 capital, remitted from first, so tracing stays clean.

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