

Independent Study Paper Title : The Problem of Exemption Excise Tax from the Yacht
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ABSTRACT

At presently, the Yacht is a popularity business in Thailand and the number of Yachts coming to the territory of Thailand is increasing. Thailand has to lose more revenue from the announcement of the Ministry of Finance number 70 issued on 19 February B.E. 2547. The objective of this study is aimed at analyzing the problem of the Exemption Tax on a Yacht in Thailand, in order to discover the proper method to revise and make proper laws concerning the yacht business. At this moment, the yacht business does not a duty to pay excise tax. It is pay only the customs tariff tax which the rate is very low.

It is found that the definition provided under the excise tax law is unclear and unfair and it has caused a problem in interpreting the law and collecting excise tax on the yacht business. It is essential to enact and revise the law to solve these problems. Therefore, the law should adopt the approach to collect excise tax on the yacht by dividing the types and sizes of the yachts in different rates. The method that was used in the research is the comparison between the principle of collecting excise tax and luxury tax theory, under Thai law, the announcement of the ministerial regulation of the Ministry of Finance and the provisions of laws in foreign countries such as the general principle of collecting excise tax in India and Greece.

The recommendations are to define the term “Yacht” in Excise Tariff Act B.E. 2527 and to amend the same definition in Custom Tariff Act B.E. 2527. In addition, the ministerial regulation of the Ministry of Finance No. 65 should be brought back and applied in case of imposing tax on yacht.