

## Chinapat Visuttipat

Partner

ONE Law Office Limited

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## Experience

Chinapat has more than 30 years of experience in being a professional legal and tax advisor on corporate & tax laws, finance & securities regulations as well as M&A, IPO, property fund, REITs, family business, private equity fund, venture capital, hotel & property, offshore incorporation and major business law practices including business contracts. He also has more than 18 years of experience as a public speaker and in-house training on commercial contract, tax planning and tax risk management, family business, hotel/apartment, franchise, and family business as well as a visiting lecturer on tax and intellectual property programs for both Bachelor's and Master's Degrees in the state/private universities and business associations. Moreover, he provides the exclusive and intensive lecture to the Association of Investment Management Companies (AIMC), Thai Financial Planners Association (TFPA), the Stock Exchange of Thailand (SET), The Federation of Accounting Professions (FAP), Commercial Banks, Life Insurance Companies and Business Associations.

Chinapat also assists the business sector as the "Sub-Tax Committee" (Revenue Tax) under the Thai Chamber of Commerce/Board of Trade of Thailand, Working Team (Legal Advisor) of the Land Bank Administration Institute (Public Organization) and he is appointed to act as the Tax Conciliator of the Central Tax Court as well as the "Audit Committee" in the listed companies of The Stock Market

2020 – Present	Partner, ONE Law Office Limited and ONE Law Club Limited
2015 – 2019	Partner, SCL Tax Consultants Limited and Siam City Law Offices Limited
2010 – 2014	Partner, HNP Legal Ltd (Kompass Law Limited)
2008 – 2010	Legal & Tax Director, Management Committee of Dusit Thani Public Company Limited
2007 - 2008	Senior Associate reporting to Managing Partner of PBS LAW Limited

2003 - 2007	Tax Manager reporting to Senior Partners, Tax and Legal Services of BDO Richfield Advisory Limited
1999 - 2003	Assistant Tax Manager, Tax & Legal Services KPMG Advisory (Thailand) Limited
1996 – 1999	Senior lawyer, Special Contracts and Technical Division, Legal Office of Industrial Finance Corporation of Thailand (IFCT)
1992 – 1996	Assistant Manager, Contracts Division Legal Office of Poonpipat Finance and Securities Public Company Limited

## Client Focus

- TAX / VAT / INTERNATIONAL TAX
- M&A / JOINT VENTURE
- TRANSACTION PLANNING
- COMMERCIAL CONTRACTS
- PROPERTY DEVELOPMENT & MANAGEMENT
- IPO & REIT
- OUTBOUND INVESTMENT
- FAMILY BUSINESS

## Industries

- Pharmaceutical
- Healthcare
- Food, Drink & Consumer Goods
- Real Estate
- Capital Markets
- Financial Services
- Hotel & Leisure
- Logistics
- Retail
- Technology

## Professional Contributions

2003 - 2005: Visiting lecturer on “Fundamental of Taxation”, University of Rajamangala Technology Borpitpimuk Mahamek (Bangkok)

2007 – 2008: Legal and Tax Advisor of Thai Ship Owners Association, Thai Factoring Business Association and Leasing Business Association

2008: Member of Sub-Committee (Ministry of Labor) to draft the enacting Maritime Labor Law in ratification of the Maritime Labor Convention 2006

2010 - Present: Visiting lecturer in the Master’s Degree of Law Program (Major: Taxation), Faculty of Law, Ramkhamhang University (Bangkok) on subjects: (1) Taxation on financial instrument and transactions and (2) Comparative Tax Law Theory

2009 - Present: Visiting lecturer in Executive Program for Hotel Management on (1) Contracts for Hotel Operation and (2) Hotel Taxation, Dusit Thani College (Bangkok)

2011 - Present: Member of Sub-Tax Committee (Revenue Tax) under the Tax Committee of the Board of Trade of Thailand

2011 - Present: Tax Mediator under the jurisdiction of the Central Tax Court

2012 - Present: Visiting lecturer on “Taxation” of the Bachelor’s Degree program, Faculty of Commerce and Accounting, Thammasat University

2012 - Present: Regular speaker on “Franchise Taxation” of the SMEs Franchise Development Program, Ministry of Commerce

2012 - Present: Graduate Member of the Thai Institute of Directors – IOD

2013 - Present: Fellow Member of the Thai Institute of Directors – IOD

2013: Extraordinary Committee to revise the Thai Revenue Code, House of MPs (Members of Parliament)

2013: Thesis advisor at Ramkhamhang University: 2 theses in relation to tax problems of property fund and real estate investment trust (REIT)

2013: Thesis advisor at Thammasat University: Topic: “Tax problems of taxable income of virtual money in online game”

2013: Thesis committee at Ramkhamhang University: 2 Topics: “Customs problems and AEC taxation”

2013 - Present: Regular speaker on (1) “REIT, Property Fund, Infrastructure Fund”, (2) “Tax Planning and Wealth Management”, (3) “Tax Avoidance and Risk of Tax Evasion”, (4) “Offshore Investment and AEC Comparison”, (5) “Family Business Restructure and Succession Planing” (6)

“Private Data Protection Law” for (a) the Association of Investment Management Companies (AIMC) and (b) the Thai Financial Planner Association (TFPA)

2014 - Present: Visiting lecturer on “Intellectual Property” and “Trademark” of the Master Degree program (Business Laws), Faculty of Law, Ramkhamhang University

2014 - Present: Visiting lecturer on “International Tax: Case Study” of the Bachelor’s Degree program, Faculty of Law, Mae Fah Luang State University (Chiangrai)

2014: Visiting lecturer on “International Tax” of the Master Degree program, Faculty of Accounting and Commerce, Sripatum University

2014 - Present: Visiting lecturer on “Convention for Avoidance of Double Taxation” and “Tax Audit and Tax Assessment” of the Master Degree Program, Faculty of Accounting, University of Thai Chamber of Commerce

2014 - Present: Legal and Tax Advisor of (1) Drug Shops Association and (2) Thai Herb Production Association (3) Thai Investor Association

2015 - Present: Visiting Lecturer on (1) “Tax on Business Cycle”, Graduate Diploma of Tax Laws (2) “Double Tax Agreement”, Master Degree of Law, and (3) “Basic Income Tax”, International Program of Bachelor Degree of Law. Thammasat University, Bangkok

2015 - Present: Visiting Lecturer on “Business Laws: Tax issues related to commercial contracts”, International Program of Law Degree”, Faculty of Laws. Chulalongkorn University, Bangkok

#### Independent Director & Audit Committee in The Listed Companies

(1)	Asian Corporate Development Plc.	2015 - 2016
(2)	JKN Global Media Plc.	2017 - 2018
(3)	Origin Property Plc.	2016 - Present
(4)	SHERA Plc.	2016 - Present
(5)	Abatek International Co., Ltd.	2016 – Present
(6)	TQM Insurance Broker Plc.	2018 – Present

## Professional Activities

### International and Local Publications

- 1) “Outsourcing and Tax Implications” Thai tax article published in Laws Digest Journal, Volume 54, 200
- 2) “Focus on tax when drafting contracts” exclusive interview with Nina Suebsukcharoen, a column published in Your Money, Bangkok Post dated 21 November 2005
- 3) “Rule changes unlikely to trouble any businesses employing expats” exclusive interview with Nina Suebsukcharoen, a column published in Your Money: Immigration/Visa Regulations, Bangkok Post dated 16 October 2006
- 4) “Promotion expenses paid to third-party supplier as part of franchise fee”, International Tax Review: A Euromoney Publishing, May 2010. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 5) “Dividend season passes by”, International Tax Review: A Euromoney Publishing, June 2010. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 6) “Rethinking Regional Operating Headquarter in Thailand”, International Tax Review: A Euromoney Publishing, July/August 2010. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 7) “Tax dimensions of royalties in Thailand”, International Tax Review: A Euromoney Publishing, September 2010. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 8) “Return of property fund in Thailand”, International Tax Review: Asia Focus, A Euromoney Publishing, September 2010. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 9) “Interpretation on royalties analyzed to mitigate tax risks”, Taxand’s Take of September 2010 [www.taxand.com](http://www.taxand.com)
- 10) “Deemed franchise fee interpreted against tax planning affecting multinationals”, Taxand’s Take of November 2010 [www.taxand.com](http://www.taxand.com)
- 11) “Time to revise cross-border franchise contract”, International Tax Review: A Euromoney Publishing, January 2011. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 12) “Mistakes When Hiring Foreign Staff”, International Tax Review: A Euromoney Publishing, February 2011. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 13) “Tax consequences of managing the franchise agreement in the new era”, Modern Management Journal of Sukhothai Thammathirat Open University, 8th Year, No. 2, January – June 2011
- 14) “The International Comparative Guide to: Corporate Tax 2011 – A practical cross-border insight to corporate tax work (Thailand Part)” published by Global Legal Group [www.glgroup.co.uk](http://www.glgroup.co.uk) and [www.ICLG.co.uk](http://www.ICLG.co.uk)

- 15) "Laws and Sale Agent of Life Insurance" exclusive interview in Biz Record a column published in part of Insurance Business, SENTANGNAKKHAAY (Way of Sale Agent) Newspaper, 1 February 2011
- 16) "Thin capitalization rule under consideration", International Tax Review: A Euromoney Publishing, April 2011. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 17) "Substance Over Form: ABB Subsidies", Taxand's Take of July 2011 [www.taxand.com](http://www.taxand.com)
- 18) "How tax affects reorganisation in Thailand", International Tax Review: Asia Focus, A Euromoney Publishing, September 2011. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 19) "Recent tax development in Thailand", International Tax Review: World Tax 2012, A Euromoney Publishing, September 2011. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 20) "Profit Remittance Tax: Halliburton's case", Taxand's Take of September 2011 [www.taxand.com](http://www.taxand.com)
- 21) "Interesting Trend of Anti-avoidance in Thailand", Expert Guide of Corporate Live Wire, October 2011 [www.corporatelivewire.com](http://www.corporatelivewire.com)
- 22) "Recent cases of anti-avoidance against MNCs in Thailand", International Tax Review: A Euromoney Publishing, November 2011. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 23) "Non-deductible expenses against Diageo", Taxand's Take of November 2011 [www.taxand.com](http://www.taxand.com)
- 24) "AEC and Thai tax competition", International Tax Review: A Euromoney Publishing, December 2011/January 2012. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 25) "Reduction of the Corporate Tax Rates: What it Means for Businesses?" Taxand's Take of January 2012 [www.taxand.com](http://www.taxand.com)
- 26) "Legal and tax problems in relation to property fund", Law Journal, Faculty of Law, Assumption University, 3rd Year, Volume 1/2555
- 27) "ANTI-TAX AVOIDANCE RULES UNDER CONSIDERATION" Taxand Weekly News, 11 May 2012 [www.taxand.com](http://www.taxand.com)
- 28) "ELECTRONIC TAX RETURNS INTRODUCED" Taxand Weekly News, 18 May 2012 [www.taxand.com](http://www.taxand.com)
- 29) "NEW TAX TREATIES UNDER NEGOTIATION" Taxand Weekly News, 25 May 2012 [www.taxand.com](http://www.taxand.com)
- 30) "SUBSTANCE OVER FORM AGAINST SHARE PREMIUM" Taxand Weekly News, 1 June 2012 [www.taxand.com](http://www.taxand.com)

- 31) "BE CAUTIOUS AROUND CROSS-BORDER TRANSACTIONS" Taxand Weekly News, 22 June 2012 [www.taxand.com](http://www.taxand.com)
- 32) "Recent tax dispute of indirect tax in Thailand" Asia Tax Development in Asia-Pacific Focus, Bloomberg BNA (Online Tax Journal) July 2012
- 33) "TRUSTS TRANSACTIONS: TAX EXEMPT IN CAPITAL MARKET" Taxand Weekly News, 6 July 2012 [www.taxand.com](http://www.taxand.com)
- 34) "Thailand: A review of anti-tax avoidance measures" Asia-Pacific Focus, Bloomberg BNA (Online Tax Journal), Vol. 12, No. 10, 17 September 2012
- 35) "ADVANTAGE OF TAX EXEMPTION OF OFFSHORE DIVIDEND" Taxand's Take of March 2013 [www.taxand.com](http://www.taxand.com)
- 36) "REITs Implementation in Thailand", International Tax Review: Asia Focus, A Euromoney Publishing, September 2013. [www.internationaltaxreview.com](http://www.internationaltaxreview.com)
- 37) "Recent Development of Royalties Tax Dispute in Thailand: 2 new cases of Esso and Thai Tank Terminal", Expert Guide of Corporate Live Wire, September 2013 [www.corporativewire.com](http://www.corporativewire.com)
- 38) "Royalties Tax Interpretation: Thai Tank Terminal" Taxand Weekly News, 27 September 2013 [www.taxand.com](http://www.taxand.com) and republished in Thomson Reuters' Taxnet Pro
- 39) "Esso Case: Cost Allocation – Royalties tax dispute in Thailand" Taxand Weekly News, 4 October 2013 [www.taxand.com](http://www.taxand.com) and republished in Thomson Reuters' Taxnet Pro
- 40) "Philips Case: Deemed royalties on marketing fee" Taxand Weekly News, 11 October 2013 [www.taxand.com](http://www.taxand.com)
- 41) "Discrepancy of royalties tax interpretation" Taxand's Take of November 2013 [www.taxand.com](http://www.taxand.com) and republished in [www.bnatax.com](http://www.bnatax.com)
- 42) "Recent tax ruling on VAT of E-Book downloading" Taxand Weekly News, 8 November 2013 [www.taxand.com](http://www.taxand.com)
- 43) "The non-tax neutrality of new personal income tax rates" Taxand Weekly News, 22 November 2013 [www.taxand.com](http://www.taxand.com)
- 44) "How to derive funds from Thai subsidiaries" Taxand Weekly News, 12 December 2013 [www.taxand.com](http://www.taxand.com)
- 45) "New tax interpretation on classification of income derived by Regional Operating Headquarter (ROH) in Thailand" Taxand Weekly News, 10 January 2014 [www.taxand.com](http://www.taxand.com). Also published in Thomson Reuters' Taxnet Pro, 9 January 2014
- 46) "OEM Tax Risks on VAT" Taxand Weekly News, 31 January 2014 [www.taxand.com](http://www.taxand.com)

47) “Strategic Tax Planning for Japanese Investment in Thailand” Taxand Weekly News, 14 February 2014 [www.taxand.com](http://www.taxand.com)

48) “VAT Agent may trigger a permanent establishment (PE) in Thailand” Taxand Weekly News, 6 March 2014 [www.taxand.com](http://www.taxand.com). Also republished in Bloomberg BNA.

49) “Success Story: Victory of taxpayer on intra-company guarantee” Taxand Weekly News, 21 March 2014 [www.taxand.com](http://www.taxand.com).

50) “VAT Agent may trigger a permanent establishment (PE) in Thailand and tax impact against MNCs ” Full Tax Analysis Article for IBFD, September 2014. [www.ibfd.org](http://www.ibfd.org)

51) “Share Premium Come To The End”: Singapore-Thai Chamber of Commerce (February Journal of 2016)

## Presentations and Public Speaking

Co-speakers and leader in tax / legal seminars and conferences as well as in-house trainings over 500 past events in Thailand and outside Thailand during 2005 – 2019 in relation to Tax, Property, Franchise, M&A and Joint Venture, Cross-border Transactions, Commercial Contracts, Employment, Family Business Governance & Wealth Planning, IPO, REIT and infrastructure fund, Corporate Risk Management

## Professional Affiliations

2004 Lawyer’s license to practice laws

## Education

2004: Master’s Degree of Laws (LL.M.) (Laws of Taxation), 2004. Thammasat University, Bangkok

1992: Graduate Diploma of Business Law, 1992. Thammasat University, Bangkok

1990: Bachelor’s Degree of Laws (LL.B.), 1990. Thammasat University, Bangkok

2012: Director Certificate Program (Graduate Member-DCP 162/2012). The Thai Institute of Directors (IOD)

2013: Director Diploma Program (Fellow Member – 36/2013). The Thai Institute of Directors (IOD)