



Newsletter No. 57 (EN)

**The Thai Social Security System**

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## I. Governing Law

The Social Security Scheme is operated according to the Social Security Act B.E. 2533 (1990) and its Amendments B.E. 2537 (1994), B.E. 2542 (1999) and B.E. 2558 (2015). The latest amendment came into effect on 20 October 2015.

## II. Members

In accordance with the laws concerned, despite the nationality of the person, a business entity which has at least one employee is obliged to subscribe to the system. Without any exception, subscribers, whether foreigners or Thais, will enjoy all the same benefits under the scheme.

There are some exceptions under Section 4 of the Social Security Act, such as government officials, officials of foreign governments or international organisations, teachers in private schools, or students or medical interns in schools or hospitals.

## III. Contributions

The current rate of contributions to the Social Security Fund is 5% of the employee's gross salary per month. These contributions are paid by both the employer and the employee (5% each). The 5% contribution will be vested in 3 sub-funds in the following percentage; 1.5% for sickness/ disability/ death/ childbirth fund, 0.5% for unemployment fund, and 3% for child support/ old age fund. A supplement of 2.75% is paid by the government. In total, the contribution to the Fund is 12.75 % per month.

The employee's contribution is deducted from the salary. The monthly remuneration on which the above rates apply is capped at

THB 15,000. In other words, the maximum amount to be deducted is THB 750. In addition to the employee's contribution, the employer pays its contribution under the same scheme as the employee. Both contributions must be submitted to the Social Security Office within the 15<sup>th</sup> day of the following month or submitted via e-Payment within the 22<sup>nd</sup> day of the following month (effective for a total of 24 months, from January 2022 to December 2023).

## IV. Benefits

All below benefits will be awarded in case the employee uses a hospital shown in the medical card issued by the Social Security Office.

### ➤ Accident, sickness, childbirth, dental treatment

In case of accident or sickness of an insured person who has contributed to the Fund for at least three months within the foregoing 15 months, governmental medical service is free of charge, except extra facilities required by the employee himself (e.g. room and meal), aesthetic treatment without medical needs, experimental treatment, examination beyond necessity, services after hospitalisation, infertility treatment, artificial insemination and eye glasses. The employee is also entitled to additional compensation for health promotion and disease prevention expenses. Furthermore, under the Universal Coverage for Emergency Patients (UCEP) program, the insured person has the right to receive free medical expenses for 3 days at a nearby hospital, including government and private hospitals, in case of an injury or emergency sickness. In case medical treatments beyond critical stage are still required after those 3 days, the insured person who has been treated in a private hospital will be transferred to a

government hospital where his social security is registered. The UCEP scheme includes treatment for COVID-19 as well.

As compensation for the loss of income resulting from accident or sickness, the employee receives 50% of his salary (which is capped at THB 15,000) for a maximum of 90 days per incident. Prior to being eligible for compensation payment, the employee must use all of his paid sick leave (30 days per calendar year) under the Labour Protection Act first.

In case of childbirth, an insured person who has contributed to the Fund for at least 5 months within the foregoing 15 months is eligible to receive THB 15,000 per child for an unlimited number of children. If both parents are insured persons, the benefit can only be used by one person. Additionally, the insured person is also eligible for a pregnancy test and antenatal care expenses in the amount of THB 1,500. In case of miscarriage after at least 28 weeks of pregnancy (approx. 7 months), the insured person is still eligible to receive a flat fee of THB 15,000.

A female insured person who is pregnant is entitled to the childbirth allowance, only for the 1<sup>st</sup> and 2<sup>nd</sup> child, at the rate of 50% of her salary (which again is capped at THB 15,000) for a maximum of 90 days.

For dental treatment, the applicant is eligible to reimbursement for the following medical treatment: extraction of teeth, filling teeth, wisdom teeth surgery, and removal of dental plaque up to THB 900 per year. Additionally, the applicant is also entitled to reimbursement for acrylic-based partial overdenture for up to five teeth at a cost not exceeding THB 1,300, and overdenture for more than 5 teeth at a cost not exceeding THB 1,500. Moreover, in case of acrylic-based full dentures, an insured person is entitled to the reimbursement of not more than THB 2,400 for a full set of upper or lower dentures, THB 4,400 for both upper and lower dentures.

## ➤ **Disability**

For an insured person who has contributed to the Fund for at least three months within the foregoing 15 months, medical services in case of disability are free at governmental hospitals. In case of private hospitals, the medical service is free of charge up to the amount of THB 2,000 per month for the Outpatient Department and up to THB 4,000 for the Inpatient Department. Transportation fee for receiving medical treatment is provided in the amount of THB 500 per month (flat rate). Other additional costs have to be paid by the employee. For severe disability, the compensation for the loss of income (50% of the monthly salary capped at THB 15,000) is not limited to a certain period of time.

## ➤ **Death**

With at least one-month contribution within the foregoing 6 months, in case of death, the family or any other person specified by the insured person is entitled to funeral expenses up to an amount of THB 50,000, paid by the Social Security Fund. If the employee has paid contributions to the Fund for at least 36 months but less than 120 months, his family or any other person specified by the employee will get a one-time payment amounting to two times of his last monthly salary. If the employee contributed to the Fund for 120 months or more, his family or any other specified person will get a one-time payment of six times of his last monthly salary.

## ➤ **Children**

With at least 12 months contribution within the foregoing 36 months, the child allowance of THB 800 per child (only legitimate child, not including adopted child or legitimate child who is relinquished for adoption) per month for a maximum of three children under the age of 6 years is granted for the insured person. If both parents are insured persons, the benefit can only be used by one person.

## ➤ Pension benefits

With regard to pension benefits, each period of time in which contributions to the social security system have been made needs to be looked at separately.

Employees who have paid contributions for less than 180 months do not receive retirement pay.

- If they paid contributions for less than 12 months and are 55 years of age or become disabled, they get a one-time payment amounting to the sum of the contributions they have made to the social security system.
- In case the insured person paid contributions for 12 months or more, he will receive a payment equal to the sum of his own contributions, plus employer and state contributions to the social security system, along with additional benefits/interest as determined by the Social Security Office (e.g. 2021: 2.75% per year). In the case of death, their families receive the money.

An employee who has paid contributions for at least 180 months will receive retirement pay, which is 20% of the average monthly salary (capped at THB 15,000) for the last 60 months plus 1.5% of the average monthly salary multiplied by the number of years he has paid contributions for over 180 months.

If the employee dies before receiving any retirement pay, his family will receive the sum of the contributions to the social security system made by him and by his employer. If he has already received retirement pay for less than 60 months, his family will get a one-time payment amounting to ten retirement payments.

Prior to the 2015 amendment, non-Thai nationals who ceased to be insured and did not wish to reside in Thailand were not entitled to pension benefits. Since the 2015 amendment, non-Thai nationals can claim pension benefits even if they do not reside in Thailand.

## ➤ Unemployment benefits

In the case of unemployment, the former employee (who has paid contributions for more than six months, within foregoing 15 months) receives 30% of his average salary (again capped at THB 15,000) for a maximum of 90 days if he resigned or the contract has expired, and 50% of his average salary for up to 180 days in case of termination. However, the employee who was terminated due to serious misconduct will not be entitled to the unemployment benefits.

Employees are also covered if the employer has temporarily ceased its business operation due to force majeure and the employee has yet to be terminated. The cases of force majeure indicated by the Social Security Office may change from time to time if an unavoidable catastrophe occurs in Thailand at the time of the event (e.g. closure due to COVID-19 prevention measures).

## IV. Voluntary Contribution

Besides the compulsory contribution to the Social Security Fund for employees as mentioned above, a person can make voluntary contributions to the Social Security Fund in order to be insured and gain benefits from the fund in the following cases.

### ➤ Continued payment of former employees (Section 39)

The law allows a person who ceases to be an employee but wishes to continue to be in the fund to make voluntary contributions to the Fund (Section 39 of the Social Security Act) to maintain his/her benefits under the fund. Though this type of insured person can still enjoy social security benefits (e.g. sickness, death, pension, etc.), they are not entitled to unemployment benefits, as their employment status has already ceased. The contribution rate is 9% from the capped amount of THB 4,800. In other words, the maximum amount to be paid is THB 432.

➤ **Freelancer/self-employed (Section 40)**

A non-employee (e.g. freelancer, self-employed, or business entrepreneur) can register himself in the social security system and make voluntary contributions.

This type of insured person can choose one of the following contribution schemes currently offered by the Social Security Office:

- Contribution of THB 70 per month (not entitled to pension, unemployment, and child allowance benefits);

- Contribution of THB 100 per month (not entitled to unemployment and child-allowance benefits);
- Contribution of THB 300 per month (not entitled to unemployment benefits).

Please note that the amount of benefit payments depends on the contribution scheme.

*We hope that the information provided in this newsletter was helpful for you.  
If you have any further questions, please do not hesitate to contact us.*

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