

**No. 55373\***

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**Poland  
and  
Thailand**

**Agreement between the Government of the Republic of Poland and the Government of the Kingdom of Thailand for the promotion and protection of investments. Bangkok, 18 December 1992**

**Entry into force:** *10 August 1993 by notification, in accordance with article 13*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *Poland, 20 September 2018*

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**Pologne  
et  
Thaïlande**

**Accord entre le Gouvernement de la République de Pologne et le Gouvernement du Royaume de Thaïlande relatif à la promotion et à la protection des investissements. Bangkok, 18 décembre 1992**

**Entrée en vigueur :** *10 août 1993 par notification, conformément à l'article 13*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Pologne, 20 septembre 2018*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT**  
**BETWEEN**  
**THE GOVERNMENT OF THE REPUBLIC OF POLAND**  
**AND**  
**THE GOVERNMENT OF THE KINGDOM OF THAILAND**  
**FOR THE PROMOTION AND PROTECTION OF INVESTMENTS**

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The Government of the Republic of Poland and the Government of the Kingdom of Thailand (hereinafter referred to as "the Contracting Parties"),

**DESIRING** to intensify economic cooperation to the mutual benefit of both countries,

**INTENDING** to create favourable conditions for investments by nationals and companies of one Contracting Party in the territory of the other Contracting Party, and

**RECOGNIZING** that the encouragement and protection of investments on the basis of this Agreement stimulates business initiative in this field,

**HAVE** agreed as follows:

**ARTICLE 1**  
**DEFINITIONS**

For the purpose of this Agreement:

1. the term "investments" means any kind of assets as recognized by the law and regulations of the respective Contracting Parties, invested by nationals or companies of one Contracting Party, provided that they have been made in accordance with the law and regulations of the other Contracting Party, and shall include in particular, though not exclusively:

(a) movable and immovable property and any other property rights such as mortgages, liens or pledges,

(b) shares, stocks, bonds, debentures of companies wherever incorporated or interests in the property of such company,

(c) claims to money or to any performance under contract having financial value,

(d) intellectual and industrial property rights, including rights with respect to copyrights, patents, trademarks, trade names, industrial designs, trade secrets, technical processes, know-how and goodwill,

(e) business concessions of financial value necessary for conducting economic activities, conferred by law or under contract, including concessions to search for, cultivate, extract or exploit natural resources;

2. any change in the form of an investment, shall not affect its character as an investment provided that such change has also been approved under Article 2;

3. the term "national" means any natural person who possesses the nationality of either Contracting Party in accordance with the law in force in the territory of that Contracting Party;

4. the term "company" means any juridical person incorporated or constituted under the law in force in the territory of either Contracting Party whether or not with limited liability and whether or not for pecuniary profit;

5. the term "territory" means the territory of the Republic of Poland, or the territory of the Kingdom of Thailand, as well as the maritime areas adjacent to the coast of the State concerned, to the extent to which that state may exercise sovereign rights or jurisdiction in those areas according to international law;

6. the term "returns" means the amounts yielded by an investment, and in particular, though not exclusively, includes profit, interest, capital gains, dividends, royalties or other incomes;

7. the term "expropriation" shall also include acts of sovereign power which are tantamount to expropriation, as well as measures of nationalization.

**ARTICLE 2**

**PROMOTION AND PROTECTION OF INVESTMENTS**

1. The benefits of this Agreement shall apply only in cases where the investment of capital by the nationals and companies of one Contracting Party in the territory of the other Contracting Party has been specifically approved in writing by the competent authority of the latter Contracting Party.

2. Nationals and companies of either Contracting Party shall be free to apply for such approval in respect of any investment of capital whether made before or after the entry into force of this Agreement.

3. When granting approval in respect of any investment the approving Contracting Party shall be free to lay down appropriate conditions.

4. Each Contracting Party shall, having regard to its plans and policies, encourage and facilitate the investments of capital in its territory by the nationals and companies of the other Contracting Party.

5. Investments of nationals or companies of one Contracting Party in the territory of the other Contracting Party shall enjoy the most constant protection and security under the law of the latter Contracting Party.