



Retirement Law and the Mandatory Retirement Age of 65 in Thailand: A Comparison with Japan

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Abstract

Thailand and Japan are both facing rapid demographic change, declining birth rates, and increasing pressure on public pension systems. In Thailand, recent legal and policy discussions have focused on extending the mandatory retirement age of civil servants from 60 to 65. This reform has increasingly been considered a reasonable policy response to labor shortages and the need to retain experienced personnel in public administration. Japan, as one of the most aged societies in the world, has long developed a different approach that combines mandatory retirement, reemployment systems, and incentives for older workers to continue working. This article examines the legal framework of mandatory retirement in Thailand, with particular attention to the proposal to raise the retirement age to 65. It analyzes the historical development of retirement rules, current legal provisions, and the policy reasons behind retirement-age reform. The article also examines Japan's retirement system, focusing on the Act on Employment Security of Elderly Persons and the reemployment, or *shokutaku*, system. Through comparative analysis, this article highlights key differences between the two countries in terms of legal structure, employment status after retirement, and the flexibility of labor policy. This article argues that Thailand should extend the retirement age to 65 in response to demographic aging and potential labor shortages in the public sector. Although such reform may raise certain concerns, demographic changes and developments in comparative legal systems suggest that this policy direction is reasonable. Nevertheless, the extension should be implemented together with appropriate supporting measures and a carefully designed legal framework in order to maintain a proper balance between administrative efficiency and the protection of public officials' rights. In this respect, retirement age reform should also take into account the institutional and social context of Thailand. A carefully designed legal framework would help ensure that such reform contributes not only to administrative efficiency but also to the long-term sustainability of the public administration system and the further development of the legal structure governing public employment.

Keywords: Retirement Age Law; Mandatory Retirement; Reemployment System



Introduction

Population aging is one of the important social changes in the twenty-first century (United Nations, 2023, p. 1). Many countries in Asia, including Thailand and Japan, have adopted or revised laws about retirement age in order to respond to demographic change, labor shortage, and increasing demand for social welfare (OECD, 2019, p. 23). In the context of public law, these reforms raise important questions concerning the legal status of civil servants, whose employment relationship with the state is regulated primarily by statutory and administrative rules rather than ordinary labor contracts (Sugeno, 2019, p. 401). The determination of retirement age is therefore not only a labor policy issue but also a matter closely connected to the institutional structure of the civil service system. In Thailand, recent discussion has focused on extending the retirement age from 60 to 65 for public officials as part of broader administrative and labor reform (Office of the Civil Service Commission Thailand, 2022, p. 5). Japan, on the other hand, has used a combination of mandatory retirement, reemployment systems, and incentives for older-age work for many decades (Wada, personal communication, January 26, 2026), because Japan is one of the most aged societies in the world (OECD, 2018a, p. 15).

In the Japanese context, retirement is not controlled by one single statutory age that applies to all workers. Instead, the legal framework separates pension eligibility, company retirement rules, and statutory duties that aim to secure continued employment opportunities for older workers. Japanese labor law allows employers to set a mandatory retirement age through internal company rules. However, in general, this age cannot be lower than 60. More importantly, the law requires employers to introduce measures that allow employees to continue working at least until the age of 65. In legal terms, retirement generally means the end of employment when a person reaches the age set by law. However, different legal systems may organize this concept in different ways, such as through mandatory retirement rules, pension eligibility, or reemployment arrangements. This legal structure shows Japan's policy direction, which tries to balance labor force retention with flexibility for companies, instead of relying only on a simple extension of retirement age (Wada, personal communication, January 26, 2026).

This article studies Thailand's retirement law with focus on the age of 65, examines its legal development, and compares it with Japanese policies in order to find lessons that may be useful for Thailand. The issue of mandatory retirement age has become more important in many countries as demographic change affects the structure of national labor forces (United Nations, 2023, p. 2). Thailand, like many aging societies, is considering reform to extend the retirement age for public officials from 60 to 65. This policy direction reflects wider concerns about labor shortage, pension sustainability, and the need to keep



experienced personnel in public administration (Office of the Civil Service Commission, 2022, p. 6). Japan, as one of the fastest aging countries in the world, provides an important point of comparison because of its long experience in adjusting retirement and reemployment policies under demographic pressure (OECD, 2018a, p. 11). However, extending the retirement age is not only a policy choice but also raises important legal issues in the structure of the Thai civil service system. The current legal framework was originally designed based on a fixed retirement age of 60 (Civil Service Act, 2008). This age is part of the balance between recruitment, promotion, and career progression within the bureaucracy (Office of the Civil Service Commission, 2009). Changing this age may therefore affect how the merit system works and may also affect promotion opportunities for younger officials. These concerns show a broader limitation in the current legal framework, because Thai law has not clearly developed mechanisms to balance workforce retention, fairness between generations, and administrative efficiency.

Therefore, the debate on extending the retirement age to 65 is not only a demographic or administrative policy issue. It is also a legal question about how the civil service system should be structured to maintain both institutional continuity and fairness in public employment. This essay examines Thailand's legal framework on retirement of civil servants, analyzes the reasons for extending the mandatory retirement age to 65, and compares Thailand's approach with Japan's more flexible retirement system.

Legal Framework of Mandatory Retirement in Thailand

1. Historical Development

Thailand has traditionally set the mandatory retirement age for civil servants at 60. This practice has existed since the middle of the twentieth century and has been supported by various laws, regulations, and Cabinet resolutions (Office of the Civil Service Commission, 2009, p. 45). With rapid demographic change, increasing number of older persons, and declining fertility rate, the government started to study the possibility of extending the retirement age beyond 60 (National Economic and Social Development Council, 2019, p. 32).

From an administrative law perspective, the retirement age is closely related to the legal status of civil servants as state officials. Unlike private employment, the service of civil servants is governed by legal rules that regulate entry into service, promotion, discipline, and retirement. Therefore, changing the retirement age affects not only labor participation but also the organization of the bureaucracy and the balance between different generations within the civil service system. In this sense, retirement age is not only a technical rule about ending employment but also an important structural element of the administrative system (OECD, 2020).

2. Current Legal Provisions

The retirement system in Thailand is mainly governed by the Civil Service Act B.E. 2551 (2008), the Civil Service Regulations on Retirement, and additional Cabinet resolutions that allow extension of retirement age for some professional groups (Civil Service Act, 2008). Under current law, civil servants must retire at the end of the fiscal year in which they reach the age of 60. However, proposals have been made to increase the retirement age to 65. These proposals are mainly based on labor shortage, longer life expectancy, the need to keep skilled personnel, and concern about long-term sustainability of pension funds (Office of the Civil Service Commission, 2022, p. 7).

In Thailand, the mandatory retirement age for civil servants has historically been 60. This standard was developed at a time when life expectancy and demographic conditions were very different from the present situation. The main legal instrument is the Civil Service Act B.E. 2551 (2008), which defines the term of service and requires civil servants to retire at the end of the fiscal year when they turn 60 (Civil Service Act, 2008, sec. 107). During the past decade, several government studies and Cabinet resolutions have suggested raising the retirement age to 65 due to rapid population aging. Thailand's fertility rate has fallen below replacement level, while life expectancy continues to rise. This situation leads to a shrinking labor force and higher financial pressure on public pension systems (United Nations, 2023, p. 4). In some professions, such as university lecturers, medical specialists, and expert-level positions, the law already allows extension beyond the age of 60. These exceptions show that the state recognizes the importance of keeping skilled and experienced personnel for institutional stability (Ministry of Higher Education, Science, Research and Innovation, 2021, p. 3).

However, the current legal framework mainly treats the extension of the retirement age as an exception for some professional groups (Office of the Civil Service Commission, 2022, p. 7), rather than as part of a clear structural design of the civil service system. From an analytical perspective, this shows a limitation in Thai administrative law because the system mainly focuses on changing the retirement age number, without clearly establishing legal criteria to justify continued service. As a result, extending service may appear more like a policy tool to deal with fiscal or labor shortages, rather than a mechanism based on administrative law principles related to the effectiveness and accountability of public officials.

3. Rationale for Setting Retirement at 65

The proposal to set 65 as the standard retirement age is linked to several policy objectives. These include extending the working life of experienced employees, reducing financial pressure on pension systems, increasing labor participation of older persons, and

maintaining institutional knowledge within government agencies (OECD, 2018b, p. 21). In addition, population aging around the world has encouraged many governments to reconsider traditional retirement ages that were set when people lived shorter lives (World Bank, 2016, p. 89).

The reasons for extending the retirement age to 65 are complex. Policymakers view this reform as a way to maintain the public workforce by delaying the exit of experienced civil servants who have important institutional knowledge. Extending retirement age may also reduce pension expenditure in the long term, because civil servants contribute for a longer period and start receiving benefits later. This policy direction is consistent with international trends, as many countries have already increased their retirement age to respond to demographic and fiscal challenges (OECD, 2023, p. 14). However, concerns remain about balance between senior officials and younger workers, especially the possible reduction of promotion opportunities for younger generations. Therefore, adjustment of promotion systems, workload distribution, and performance evaluation is necessary to ensure fairness and efficiency (International Labor Organization (ILO), 2020, p. 37).

Impacts of Increasing Thailand's Retirement Age

1. Economic Implications

Increasing the retirement age increases labor supply, especially in sectors that face labor shortage, such as healthcare, law, engineering, and education (OECD, 2018b, p. 19). It may also reduce public spending on pension payments because civil servants contribute for a longer time and receive benefits later (World Bank, 2019, p. 41). However, there are concerns about fewer job opportunities for younger workers, slower career advancement, and higher health-related costs for older employees (ILO, 2020, p. 22).

From a legal policy perspective, the economic justification for extending the retirement age should also be considered through the principle of value for money in public administration. Extending the service of senior officials may bring economic benefits only if their continued employment contributes effectively to administrative performance and institutional capacity. Therefore, economic considerations should be examined together with legal and institutional factors to determine whether the continued service of older officials truly benefits public administration.

Empirical evidence also shows the increasing importance of retirement age reform in Thailand. According to demographic projections, Thailand is expected to become a super-aged society within the next two decades, with more than 28 percent of the population aged 60 and above by 2040 (United Nations, 2023, p. 8). At the same time, the working-age population is expected to decline steadily because fertility rates remain low. Labor force

projections show that the proportion of workers aged over 55 will increase significantly, while the number of younger workers entering the labor market will continue to decrease. These demographic trends suggest that keeping experienced workers, including civil servants, may become an increasingly important part of national labor policy.

2. Administrative and Institutional Effects

Older civil servants can provide valuable experience and institutional continuity. However, the government must also provide updated training, improve workplace conditions, and ensure fair promotion and performance evaluation systems. If such measures are not in place, extending retirement age may create conflict between different age groups within the civil service (OECD, 2020, p. 54).

From an administrative perspective, extending the retirement age changes the internal structure of public organizations (OECD, 2018b, p. 19). Senior officials who remain in service longer may help preserve institutional memory and policy consistency. At the same time, without clear rules on role adjustment and responsibility sharing, younger officials may experience delays in promotion and limited career development opportunities (OECD, 2020, p. 58). This situation may reduce motivation and create tension within public institutions.

From an institutional viewpoint, retirement age reform requires changes beyond individual employment decisions. Public agencies may need to redesign job positions, introduce flexible working arrangements, and revise evaluation criteria to reflect differences in age, capacity, and workload. Without such institutional adaptation, the extension of retirement age may weaken administrative efficiency rather than strengthen it (World Bank, 2019, p. 41). Therefore, administrative reform and human resource management reform must develop together in order to support retirement-age extension in a balanced and sustainable way.

From a legal analysis perspective, this model may help balance two important considerations in administrative law: the interest of the state in maintaining institutional stability and administrative efficiency, and the individual rights of civil servants regarding equal opportunities for career advancement. If retirement age reform allows senior officials to remain indefinitely in positions of administrative authority without structural adjustment, it may create tension with the merit-based promotion system in the civil service (Office of the Civil Service Commission, 2009). In contrast, a legally structured transition toward advisory or specialist roles could preserve valuable expertise while maintaining fair promotion opportunities for younger officials.

Empirical studies on aging workforces also show that productivity outcomes depend on organizational structure and job design. In public administration, experienced officials often have significant institutional knowledge and policy expertise that can help maintain

administrative continuity. However, if organizational structures remain the same, a longer tenure of senior officials may slow generational turnover within bureaucratic hierarchies. Labor market projections in several OECD countries show that aging public-sector workforces may require institutional redesign in order to maintain both efficiency and generational balance (OECD, 2020, p. 61).

From a legal standpoint, these institutional issues are directly related to the structure of civil service law. The Civil Service Act establishes a hierarchical system of recruitment, promotion, and retirement that aims to maintain both merit-based advancement and administrative continuity. If the retirement age is extended without adjusting the legal framework that governs promotion and role allocation, the reform may create structural tension within the merit system. In this sense, retirement age reform should be analyzed not only as a personnel management policy but also as a legal issue related to the design of public employment institutions under administrative law.

3. Social Impacts

Older workers who continue working can remain socially active and reduce dependency (United Nations, 2023, p. 6). However, retirement 65 may still be insufficient for people who want to work longer. This situation shows the need for post-retirement employment arrangements (ILO, 2018, p. 33).

From a social perspective, continued employment allows older workers to maintain social participation and a sense of purpose. Remaining active in the workforce may reduce social isolation and support mental well-being, especially in aging societies where traditional family support structures are weakening. Continued work can also lessen dependence on public welfare systems and family members, thereby reducing social and fiscal pressure.

At the same time, a fixed retirement age, even at 65, may not reflect the different abilities and preferences of older workers. Some individuals remain healthy and productive well beyond this age and may wish to continue working in some form. Without appropriate post-retirement employment options, such as part-time work, advisory roles, or contract-based arrangements, these workers may be forced to exit the labor market despite their willingness and ability to contribute. This highlights the importance of developing flexible post-retirement employment pathways that respond not only to economic needs but also to broader social inclusion and active-aging objectives.

Demographic data also help explain the social context in which retirement-age reform takes place. Thailand's life expectancy has increased significantly over the past decades, rising from about 70 years in the early 1990s to more than 77 years in recent estimates (World Bank, 2022). As people live longer, the traditional idea that workers should leave the

labor market at a fixed age becomes less consistent with the reality that many people remain healthy and able to work for a longer time.

However, the legal framework governing civil service employment must balance this social reality with institutional considerations. Under administrative law principles, public employment is not only a matter of personal choice but also a system designed to ensure effective public administration and fair career progression within the bureaucracy. Therefore, retirement-age policy must balance the interests of older officials who want to continue working with the structural need for renewal and mobility within the civil service system.

4. Japan's Retirement System

4.1 Overview

Japan is widely known as an advanced aging society, with more than 28 percent of its population aged 65 or older (Statistics Bureau of Japan, 2024, p. 24). To respond to labor shortage and economic pressure, Japan has developed a system that combines mandatory retirement, guaranteed reemployment until 65, and incentives for work until 70 (Wada, personal communication, January 26, 2026).

One important feature of Japan's retirement system is that there is no single legally fixed retirement age (Wada, personal communication, January 26, 2026). Many companies traditionally set retirement at 60, but this practice is not required by statute. It is allowed through company work rules (Wada, personal communication, January 26, 2026). The main legal restriction is found in the Act on Employment Security of Elderly Persons (EESA) (Act on Employment Security of Elderly Persons, 2021). This law limits how retirement ages can be set and requires employers to secure continued employment opportunities for older workers (Sugeno, 2019, p. 401). This approach shifts the legal focus from forced exit from employment to regulated continuation of work (Nakakubo, 2014, p. 331). Japan's retirement system is based on the Elderly Employment Stabilization Act (EESA) and guidelines issued by the Ministry of Health, Labor and Welfare (Ministry of Health, Labor and Welfare, 2022a, p. 2).

From a legal perspective, the Act on Employment Security of Elderly Persons (EESA) is the main law that regulates the employment of older workers in Japan (Sugeno, 2019, p. 401). The law requires employers to provide continued employment opportunities for workers until at least the age of 65 (Sugeno, 2019, p. 401, OECD, 2018, p. 15). Employers must choose one of several legal measures, such as raising the retirement age, introducing a continuous employment system, or abolishing mandatory retirement. These obligations are monitored by administrative authorities, and if employers do not comply, they may receive administrative guidance, public disclosure measures, or other supervisory actions from the Ministry of Health, Labor and Welfare. Under this framework, Japanese law does not prohibit

mandatory retirement itself, but it regulates the conditions under which retirement can occur and requires employers to ensure opportunities for continued employment.

This legal structure reflects an important policy direction. Instead of removing retirement completely, the law regulates the transition between different stages of employment in later working life. The statutory framework therefore combines retirement rules, reemployment arrangements, and policies that promote continued work as parts of one institutional system aimed at maintaining employment stability in an aging society.

4.2 Mandatory Retirement at 60

Many Japanese companies traditionally apply a retirement age of 60. This age is not imposed by law, but it is allowed under labor contracts and company regulations. However, employers are now required to provide opportunities for continued employment until at least 65 (Wada, personal communication, January 26, 2026). These obligations are imposed by the Act on Employment Security of Elderly Persons, which aims to prevent the sudden exclusion of older workers from the labor market. As a result, while companies may maintain a formal retirement age of 60, they must provide alternative employment arrangements after retirement, such as reemployment under fixed-term contracts or continued employment systems (Ministry of Health, Labor and Welfare, 2022a, p. 2).

From a legal perspective, basically, retirement under the law does not always mean that a person really stops working. Mandatory retirement at 60 no longer necessarily means complete withdrawal from work, but rather a transition to a different employment status (Wada, personal communication, January 26, 2026). This approach allows companies to adjust employment conditions while still complying with statutory requirements to support employment stability for older workers (OECD, 2018a, p. 15). At the same time, it reflects Japan's broader policy objective of balancing labor market flexibility with protection for aging workers.

In legal terms, the mandatory retirement age of 60 works as the starting point of a transition within Japan's employment system. The retirement rule formally ends the original employment contract, but the EESA requires employers to make sure that workers who want to continue working have access to reemployment opportunities (Sugeno, 2019, p. 401). As a result, retirement at 60 does not mean a complete end to work (OECD, 2018a, p. 15). Instead, it works as a legal mechanism that leads to the next stage of employment arrangements.

This design shows a cause-and-effect relationship in Japan's employment policy. The traditional retirement age of 60 provides the basis for restructuring employment conditions, while the obligation to provide continued employment ensures that workers are not suddenly pushed out of the labor market. Together, these elements form an integrated

legal framework that balances labor market flexibility with employment security for older workers.

4.3 Reemployment System (Shokutaku)

Under the EESA, employers must choose one of three options: raising retirement age to 65, introducing a continuous employment system until 65, or abolishing mandatory retirement. Most companies choose the reemployment option. Under this system, employees formally retire at 60 and are then rehired under new contracts with changed wages and responsibilities (Wada, personal communication, January 26, 2026).

From a legal perspective, the shokutaku reemployment system creates a clear separation between employment before retirement and employment after retirement. Even if job duties remain similar, the legal status of workers changes. This usually involves fixed-term contracts and adjusted wages (Wada, personal communication, January 26, 2026). Japanese courts and labor authorities have increasingly reviewed these arrangements, especially when wage reduction is very large without clear change in duties (Supreme Court of Japan, 2018). This trend shows increasing concern for fairness and proportionality, while flexibility is still maintained. Japanese courts have played an important role in reviewing the fairness of post-retirement employment arrangements. In several cases, including decisions of the Supreme Court of Japan in 2018 (Supreme Court of Japan, 2018), the courts examined whether large reductions in wages after retirement were justified by changes in employment status and job responsibilities. These decisions applied ideas similar to proportionality and fairness in employment conditions. The courts emphasized that wage reductions should be reasonably related to differences in duties, responsibilities, and contractual status. When wage reductions were considered too large without clear justification, the courts were more willing to closely examine employer practices.

This judicial approach shows that although Japanese law allows significant contractual flexibility after retirement, this flexibility is not unlimited. Judicial review works as an important safeguard to ensure that changes in employment conditions remain proportionate and consistent with general principles of fairness in labor law.

First, the shokutaku system allows companies to keep experienced workers while controlling labor costs. By changing employment status after retirement, employers can adjust salary levels and working conditions to better match the role and capacity of older workers. For companies, this system provides flexibility and helps reduce the financial burden that would arise if workers remained under the same permanent employment conditions until a later age (OECD, 2020, p. 54).

Second, for workers, reemployment under shokutaku creates both opportunities and challenges. On the one hand, older workers can continue working, maintain income, and

remain socially active. On the other hand, they often face lower wages, less job security, and limited access to benefits compared to regular employees. This situation has raised concerns about unequal treatment, especially when the work performed after retirement is almost the same as before. As a result, the legal discussion in Japan increasingly focuses on how to balance employment flexibility with basic fairness for older workers (ILO, 2020, p. 22).

The shokutaku system also shows how Japan combines several policy goals within its legal framework. By clearly separating employment before retirement from reemployment after retirement (Wada, personal communication, January 26, 2026), the system allows employers to adjust wages, responsibilities, and working conditions to better match the capacity of older workers. At the same time, the availability of reemployment opportunities helps older people remain active in the labor market. In this way, the system supports both economic efficiency and social inclusion.

From a comparative legal perspective, this model suggests that continued employment can be organized through contractual flexibility rather than simply extending the statutory retirement age. The Japanese approach shows that allowing fixed term reemployment contracts with modified conditions can be a practical way to balance fiscal sustainability, administrative efficiency, and the need to retain experienced personnel.

4.4 Policies Toward Employment up to 70

Japan has recently amended its laws to encourage voluntary measures that support work until 70. These measures include continued employment, subcontracting, and participation in community or social enterprise activities (Ministry of Health, Labor and Welfare, 2021, p. 4). These reforms reflect Japan's long-term strategy to maintain economic activity in the context of population decline (OECD, 2018a, p. 29).

Japan has further expanded policies to encourage work until 70. Amendments to employment law promote continued employment, contract-based work, and participation in community activities for older persons (Ministry of Health, Labor and Welfare, 2022b, p. 112). These policies reflect Japan's broader active-aging approach, which sees older workers as contributors rather than dependents.

Recent policy reforms that encourage employment up to the age of 70 represent (OECD, 2018) the next stage of Japan's strategy for an aging workforce. These reforms build on the earlier framework that links retirement at 60 with guaranteed employment opportunities until 65. In practice, Japan's employment policy now works through a gradual process: retirement at 60 marks the transition to reemployment arrangements, continued employment measures provide opportunities until 65, and newer policy incentives encourage voluntary work participation up to 70 (OECD, 2018).

From the perspective of comparative administrative law, this approach may offer useful lessons for Thailand. Instead of simply extending the statutory retirement age, legal reform could allow government agencies to hire retired officials under fixed term reemployment contracts with adjusted duties and remuneration. This kind of contractual flexibility could help balance fiscal sustainability with the need to retain experienced personnel, while still maintaining opportunities for career advancement within the civil service hierarchy.

5. Comparative Analysis: Thailand and Japan

Comparison between Thailand and Japan shows clear differences in legal structure and institutional design of retirement systems. Thailand's system focuses on a fixed mandatory retirement age in the civil service, based on a traditional administrative model where full employment ends clearly at retirement. Even though proposals exist to extend retirement age to 65, the system still focuses on age-based exit rather than gradual transition.

Japan's approach is more flexible. Instead of relying on one retirement age, Japan allows company-based retirement and at the same time requires continued employment opportunities. The legal focus is on employment continuity rather than retirement age itself (Wada, personal communication, January 26, 2026). As a result, retirement becomes a formal legal step but not the end of economic activity.

There are also differences in employment status and remuneration after retirement. In Thailand, extending retirement age usually means continuing full civil service status. In Japan, reemployment usually involves new legal status with fixed-term contracts and adjusted wages (Wada, personal communication, January 26, 2026). Although this may cause concern about income security, it gives flexibility and reduces fiscal burden.

Cultural factors also influence these systems. Japanese labor policy developed together with social values that support working at older age. In Thailand, retirement has traditionally been seen as withdrawal from work, especially in the public sector. These differences affect both legal design and public expectation.

From a structural perspective, the comparison between Thailand and Japan can be explained through several key legal dimensions. First, in terms of retirement structure, Thailand mainly relies on a single statutory retirement age in the civil service system. In contrast, Japan uses a staged framework that combines mandatory retirement, reemployment arrangements, and policies that encourage continued work at older ages (Sugeno, 2019, p. 401, OECD, 2018, p. 15). Second, regarding legal status after retirement, Thailand generally keeps full civil service status until retirement, while Japan creates a separate employment status after retirement through fixed term reemployment contracts (Nakakubo, 2014, pp. 331–333). Third, in terms of fiscal and administrative flexibility,

Thailand's system usually keeps stable employment conditions until retirement, while Japan allows adjustments in wages and job responsibilities after retirement in order to balance labor retention with fiscal sustainability. These structural differences show that retirement systems can be designed either as a fixed exit rule or as a regulated transition between different forms of employment.

More broadly, Japan's experience shows that effective retirement reform requires coordination across different legal areas. Japan's system does not treat retirement policy separately, but connects retirement rules with labor law, social security arrangements, and employment policies for older workers. For Thailand, this suggests that retirement reform should go beyond simply borrowing foreign models. Instead, it should aim for a harmonized legal reform that connects civil service law with broader labor and social security policies. This could help create a more coherent framework for extending working life while maintaining administrative efficiency and fiscal sustainability.

6. Lessons Thailand Can Learn from Japan

Japan's experience shows that extending retirement age alone is not enough to deal with population aging. Effective reform needs an integrated legal framework that combines retirement rules with post-retirement employment mechanisms.

Thailand could benefit from a more flexible system that allows retired civil servants to continue working under modified conditions. A legally regulated reemployment system could help keep experience while controlling salary and pension costs. Japan's gradual reform approach also provides lessons, because it allows institutions and workers to adjust over time.

Japan's focus on fairness and proportionality in reemployment conditions is also important. If Thailand introduces similar systems, clear legal standards are necessary to ensure equity and transparency. Japan also shows the importance of coordinating retirement reform with labor law, social security law, and public employment policy.

Based on the comparative analysis in this article, several lessons can be learned from Japan's experience.

Lesson 1 Flexible Retirement Transition

Japan's system shows that retirement does not have to be a single point of exit from public employment. Instead, retirement can work as a transition between full employment and reduced participation in the workforce. A flexible retirement transition, such as progressive retirement or a gradual reduction of responsibilities, can help institutions keep experienced personnel while still allowing promotion opportunities for younger officials.

Lesson 2 Legal Framework for Reemployment

Another important lesson is the need for a clear legal framework for post-retirement reemployment. In Japan, the reemployment system creates a new contractual relationship after retirement, usually through fixed term contracts with adjusted wages and responsibilities. This legal structure gives flexibility to employers while still providing continued employment opportunities for older workers. For Thailand, adopting a similar framework could help balance the retention of experienced civil servants with fiscal sustainability and administrative efficiency.

Lesson 3 Integration with Pension and Social Policy

Japan's experience also shows that retirement reform should not be treated as a separate change in employment policy. Instead, it should be coordinated with pension systems, labor market policies, and broader social security arrangements. Aligning retirement rules with pension policy can help ensure that longer working lives remain financially sustainable for both employees and the state.

To apply these lessons in practice, Thailand may consider several legislative proposals. First, the Civil Service Act could be amended to allow government agencies to hire retired officials under fixed-term reemployment contracts with modified duties and remuneration. This system would create a legal basis for post-retirement service while keeping flexibility for administrative management.

Second, pension law may need to be adjusted to reflect longer working lives. Changes to pension eligibility, contribution periods, or benefit structures could help maintain fiscal sustainability while encouraging older officials to continue working.

Third, Thailand could establish a centralized mechanism to evaluate the competency and suitability of officials who wish to continue service beyond the traditional retirement age. This body could apply clear criteria related to professional performance, physical ability, and institutional needs, so that extended service supports the public interest rather than simply delaying pension payments.

By combining these legal reforms with a gradual transition strategy, Thailand could develop a retirement system that balances administrative efficiency, fiscal sustainability, and fairness between generations within the civil service.

7. Challenges and Considerations for Thailand

To summarize the main comparative points discussed in the previous sections, the following table shows the key structural differences between Thailand and Japan in the regulation of retirement and postretirement employment. This comparison helps explain the institutional context in which retirement reform may be considered in Thailand.

Table 1. Comparative Structure of Retirement Systems in Thailand and Japan

Legal Dimension	Thailand	Japan
Retirement structure	Fixed mandatory retirement age (60) within civil service law	Mandatory retirement commonly at 60, followed by legally required employment opportunities
Post-retirement employment	Limited and usually exceptional	Institutionalized reemployment system (shokutaku)
Legal status after retirement	Full civil service status until retirement	New contractual status after retirement
Wage structure after retirement	Generally unchanged if retirement age extended	Adjusted wages under fixed-term contracts
Policy direction	Age-based exit from service	Gradual transition toward extended working life
Legal integration	Civil service rules dominate	Integrated framework linking labor law, pension policy, and employment policy

This comparison shows that the main difference between the two systems is not only the retirement age but also the broader institutional design that regulates how employment changes in later working life. Despite potential benefits, retirement reform in Thailand faces many challenges. Extending retirement age may limit promotion opportunities for younger officials and require reform of career structures. Fiscal sustainability is also a concern, because extended employment may increase salary and healthcare costs without proper pension reform.

Health differences among older workers must also be considered. Not all civil servants can or want to work longer. Therefore, flexibility is necessary. Cultural attitudes toward retirement are also important, because legal reform alone cannot change social perception.

Thailand must also avoid inconsistency between laws. Retirement reform must be coordinated with administrative, pension, and labor laws. Different occupational groups may require different approaches, especially for physically demanding jobs. Finally, public acceptance is essential. If reform is seen only as a fiscal policy, resistance may arise. Japan's experience shows that reform is more successful when it is understood as beneficial for both individuals and society.

In summary, the main challenges facing Thailand can be understood in three interrelated dimensions: institutional adaptation, fiscal sustainability, and social acceptance. First, institutional adaptation requires adjustments to civil service law and personnel

management systems to accommodate longer working lives without blocking promotion opportunities for younger officials. Second, fiscal sustainability requires coordination between retirement policy and pension reform to ensure that extended employment does not create unintended financial burdens for the state. Third, social acceptance is necessary to ensure that retirement reform is perceived not merely as a fiscal measure but as a balanced policy that benefits both public administration and older workers.

8. Conclusion

Retirement-age reform is an important legal issue for modern administrative states facing population aging. In Thailand, extending the mandatory retirement age from 60 to 65 is a major legal reform that affects efficiency, fiscal responsibility, and equality in public service. While demographic and labor reasons support reform, its success depends on the coherence of the legal framework.

Thailand's current retirement system is still based on a rigid age-based model. Although extending retirement age may reduce short-term labor shortage, it does not fully solve structural problems related to promotion, pension, and equal treatment. Japan's experience provides a more developed legal model by regulating the effects of retirement rather than removing it.

From a legal point of view, retirement reform in Thailand should be understood as a broader reform of public employment law. Extension of retirement age should be supported by clear rules on post-retirement employment, proportional wages, and procedural fairness. Without these elements, legal certainty and trust in public administration may be weakened.

In conclusion, Thailand should go beyond simply changing retirement age numbers and develop a comprehensive legal framework that supports longer working lives while protecting administrative integrity. By creating flexible post-retirement options and coordinating relevant laws, Thailand can develop a retirement system that is sustainable, fair, and suitable for an aging society.

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