

CHAPTER 20 IMMIGRATION

In this Chapter, we consider the law and practice related to obtaining visas, retirement visas, residence permits and Thai nationality.

In general, visa required In general, any foreigner wishing to enter Thailand is required to obtain a visa in advance from a Thai Embassy or Consulate.

No visa in advance required Nationals of certain countries do not require a visa, if they enter Thailand for the purpose of tourism, for a period of up to 30 days, in accordance with regulations. The countries are Australia, Austria, Belgium, Brazil (90 days), Bahrain, Brunei, Canada, Denmark, Finland, France, Germany, Greece, Hong Kong SAR, Iceland, Indonesia, Ireland, Israel, Italy, Japan, South Korea (90 days), Kuwait, Luxembourg, Malaysia, Monaco, Netherlands, New Zealand, Norway, Oman, Peru (90 days), Philippines, Portugal, Qatar, Singapore, Spain, South Africa, Sweden, Switzerland, Turkey, United Arab Emirates, United Kingdom, United States of America, Vietnam.

Note that this exemption does not apply to foreigners holding travel documents for aliens, issued by any of the countries above.

Foreigners entering Thailand under the above visa exemption scheme should possess adequate financial means, currently 10,000 Baht for a single entrant and 20,000 Baht for a family.

Extension of temporary entry Nationals of the above countries who enter Thailand under the Tourist Visa Exemption category may re-enter and stay in Thailand for a cumulative duration of stay of not exceeding 90 days within any 6-month period from the date of first entry. When the 90 days has been reached, they will not be permitted to re-enter under this visa category, for a period of 90 days.

Countries with bilateral agreements Nationals of countries that have bilateral agreements with Thailand on exemption of visa requirements as follows:

Countries which have concluded agreements on the exemption of visa requirements for holders of diplomatic or official or service/special passports with Thailand and permitted to stay for a period of not exceeding 30 or 90 days:

- 30 days - Cambodia, China, Laos, Mongolia, Myanmar, Oman, Vietnam.
- 90 days - Argentina, Austria, Belgium, Bhutan, Brazil, Chile, Costa Rica, Croatia, Czech Republic, Germany, Hungary, India, Italy, Israel, Japan, Korea (ROK), Lichtenstein, Luxembourg, Malaysia, Mexico, Netherlands,

Nepal, Peru, Philippines, Poland, Rumania, Russia, Singapore, Slovakia, South Africa, Switzerland, Tunisia, Turkey.

Countries which have concluded agreements on the exemption of visa requirements for holders of ordinary passports with Thailand and permitted to stay for a period of not exceeding 30 or 90 days

- 30 days - Laos, Vietnam, Hong Kong SAR, Macau SAR.
- 90 days -Argentina, Brazil, Chile, Korea (ROK), Peru.

Note that nationals of countries which hold Agreements on Visa Exemption Requirements with Thailand who intend to work or stay in Thailand beyond the period referred to in the agreement must apply for an appropriate visa before entry into Thailand in order to submit an application for a work permit or otherwise.

Visa on arrival Nationals of certain countries may apply for a visa upon arrival in Thailand. Travellers with this type of visa are permitted to enter and stay in Thailand for a period not exceeding 15 days. They must present evidence of means and a return ticket. Application for extension not normally permitted. The 20 countries are: Bhutan, China, Taiwan, Cyprus, Czech Republic, Estonia, Hungary, India, Kazakhstan, India, Latvia, Lichtenstein, Lithuania, Maldives, Mauritius, Oman, Poland, Russian Federation, Saudi Arabia, Slovakia, Slovenia, and Ukraine.

Visa application to be submitted in advance Nationals of certain countries are required to apply for a visa only at the Thai Embassy or Consulate in their home/residence country or at a designated Thai Embassy.

Procedure for visa application To apply for a visa, a foreigner must possess a valid passport or travel document and comply with general conditions In the Immigration Act (1979) and regulations. The applicant can be outside Thailand at the time of the application (except for visa on arrival).

Application to be made in person In general, applicants must apply for a visa in person. Thai embassies and consulates in some countries may also accept applications sent via representatives, authorized travel agents or by post.

Period of visa/period of stay The period of visa validity is different from the period of stay. The visa validity is a period during which a visa can be used to enter Thailand. Generally, the validity of a visa is 3 months, but in some cases, visas are issued valid for six months or one year. The validity of a visa is granted by the Embassy or Consulate-General and shown in the visa. The period of stay permitted depends on the type of visa and is granted by an immigration officer upon arrival at the port of entry.

Travellers who wish to stay longer than the initial period permitted may apply for an extension of stay at offices of the Immigration Bureau.

APEC Travel Card holders Holders of APEC travel cards may enter Thailand temporarily for business for up to 90 days.

Overstaying A person who overstays his visa for a short period must pay a fine of Baht 200 per day at the airport, subject to a maximum fine amount of Baht 20,000. A person who overstays his visa for an extended period may be taken to a District Court by the immigration authorities and fined. The fine is normally reduced by half, if the person pleads guilty. Where the fine cannot be paid, and in certain other cases, imprisonment may be imposed.

Entry to carry our urgent and essential work A visa does not allow the holder to work in Thailand. There is an exception where a person can apply to the Labour Department for permission to do urgent and essential work for a period of 15 days only (see previous Chapter); or apply for a work permit from the Ministry of Commerce to work for a Representative Office established in accordance with Ministry of Commerce regulations.

Non-immigrant visas A person wishing to stay in Thailand for more than 60 days should normally apply for a non-immigrant visa, since this type of visa permits a initial stay of 90 days and a further application may be made to extend the stay for up to one, and in some cases, for two years.

A non-immigrant visa may be applied for at a Thai embassy or consulate. A Non - Immigrant B Visa is issued to applicants who wish to enter Thailand to work or to do business.

Categories of Non-immigrant visa The commonest types of non-immigrant visas are those related to:

1. Foreigners coming for employment
2. Investment visas
3. Dependants of applicants under (1) and (2)
4. Foreigners who are married to a Thai or have other specified relationships
5. Foreigners coming for retirement.

Permitted period of stay Holders of Non Immigrant B Visas are entitled to stay in Thailand for 90 days. An extension of stay for up to one year measured from the date of arrival in Thailand can be applied for, as below.

Application for visa extension The requirements for a visa extension and documents to be submitted in particular cases, are as set out in the table below:

Cases	Basis for Consideration	Documents Required
<p>7.1 In the case of business such as employment with a company or partnership, etc.: Permission will be granted for not more than one year at a time.</p>	<p>(1) The alien must have a temporary visa (NON-IM); and</p> <p>(2) The alien must have an income consistent with that set out in the Income Table attached hereto; and</p> <p>(3) The business concerned must have a registered capital of not less than Baht 2 million, fully paid-up; and</p> <p>(4) The business concerned must have duly submitted its audited balance sheet as at the end of the latest fiscal year, showing a sound financial condition with total shareholders' equity of not less than Baht 1 million; and</p> <p>(5) The business concerned must have duly submitted its audited income statement showing the results of its business operation in the past year ending the same date as the balance sheet. The total earnings shown therein shall not be less than the total amount expected to be paid for salaries, wages and all other benefits due to all the aliens required to file the applications who are employed by the business concerned for the following fiscal year; and</p> <p>(6) The business concerned has a need to employ the</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Certificate of employment in the form prescribed by the Immigration Bureau 4. Copy of work permit 5. Proof of corporate formation, e.g., certificate of incorporation of company or partnership certified by the Registrar within the previous 6 months 6. Copy of list of shareholders certified by the Registrar within the previous 6 months 7. Copy of the latest balance sheet and income statement 8. Copy of the latest monthly withholding tax return showing the names of employees and the alien applicant, together with receipt 9. Copy of the latest income tax return of the alien applicant with receipt (if any) 10. Copy of the latest monthly social security contributions return filed with the Social Security Office (Form SAW PAW SAW 1-10)

	<p>alien; and</p> <p>(7) The business concerned must have a ratio of 1 alien to 4 Thai permanent employees; and</p> <p>(8) The following businesses are exempted from the requirements of clauses (3), (4), (5) and (6), and the ratio of aliens to Thai employees under clause (7) shall be reduced to 1:1.</p> <p>(a) International trade enterprise (Representative Office)</p> <p>(b) Regional Office</p> <p>(c) Multinational company (Branch Office)</p>	<p>11. Proof of the need of the business to employ the alien, e.g., no Thai candidate has applied after advertising a position</p> <p>12. Map showing the location of the business</p> <p>13. Any other proof required by the (a) Performance Follow-up Committee (b) attached to the Immigration Bureau</p> <p>14. The businesses set out in clause (8) are not required to show the documents set out in clauses 6, 7 and 11.</p>
<p>7.2 In the case of working for a government agency, public organization, state enterprise, or business organization whose capital is more than 50% owned by the state and/or government agency and/or state enterprise, or for an independent organization</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Confirmation has been given by and request has been made by the particular organization or establishment.</p>	<p>1. Application form</p> <p>2. Copy of the applicant's passport</p> <p>3. Copy of work permit</p> <p>4. Confirmation letter and request from a government agency in the level of department, public organization, state enterprise, or business organization whose capital</p>

<p>established by a specific Act: Permission will be granted for a period of not more than 1 year at a time.</p>		<p>is more than 50%-owned by the state and/or government agency and/or state enterprise or from an independent organization established by a specific Act</p> <p>5. For a business organization whose capital is more than 50%-owned by the state and/or government agency and/or state enterprise, a copy of list of shareholders is required.</p>
<p>7.3 In the case of tourists: Permission will be granted for not more than 30 days at a time but not exceeding 90 days in total, counting from the entry date.</p>	<p>(1) The alien has obtained a tourist visa; and</p> <p>(2) The alien must not be of the nationality or type restricted by the Performance Follow-up Committee attached to the Immigration Bureau.</p>	<p>1. Application form</p> <p>2. Copy of the applicant's passport</p>
<p>7.4 In the case of an investment of not less than Baht 3 Million: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) The alien entered Thailand before this Order came into force and has been continuously allowed to remain in Thailand in connection with an investment of not less than Baht 3 Million; and</p> <p>(3) Proof of money transfer to Thailand of not less than Baht 3 Million; and</p> <p>(4) Proof of investment to purchase a condominium from organization or government agency</p>	<p>1. Application form</p> <p>2. Copy of the applicant's passport</p> <p>3. Copy of proof of overseas bank transfer issued by a bank</p> <p>4. Copies of the condominium purchase agreement and the condominium ownership registration issued by the authority or government agency concerned (only in the case of condominium purchase); or</p> <p>5. Letter of confirmation of deposit issued by a bank</p>

	<p>concerned at a price of not less than Baht 3 Million; or</p> <p>(5) Proof of investment in the form of fixed deposit of not less than Baht 3 Million with a bank registered in Thailand with Thai shareholders comprising more than 50% of its shareholders; or</p> <p>(6) Proof of investment to purchase government or state enterprise bonds with a value of not less than Baht 3 Million; or</p> <p>(7) Proof of combined investments as set out in clauses (4), (5) or (6) having a total value of not less than Baht 3 Million.</p>	<p>and copy of bank book (only in the case of bank account deposit); or</p> <p>6. Copy of bond (only in the case of purchase of government or state enterprise bonds)</p>
<p>7.5 In the case of a teacher, professor or expert working at a state-owned educational institution: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Confirmation and request has been made by the particular educational institution.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Copy of work permit 4. Confirmation letter and request has been made by that educational institution giving the details of position, salary, and the employment term.
<p>7.6 In the case of a teacher, professor or expert working at a private educational institution: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) The particular educational institution holds a license from the competent authority to operate; and</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Copy of work permit 4. Copy of the license to establish an educational

	<p>(3) Confirmation and request has been made by the particular educational institution.</p>	<p>institution issued by the competent authority</p> <p>5. Confirmation letter and request has been made by that educational institution giving the details of position, salary, and the employment term.</p> <p>6. Only in the case of a teacher in a private school, copies of the teacher's license and the permit to place the teacher shall be submitted.</p>
<p>7.7 In the case of enrollment in a state-owned educational institution: Permission will be granted for a period as confirmed by the institution but shall not be more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Confirmation and request has been made by the particular educational institution.</p>	<p>1. Application form</p> <p>2. Copy of the applicant's passport</p> <p>3. Confirmation letter and request has been made by that educational institution giving in detail the number of years of study, the level/degree of education, and the academic performance of the applicant.</p>
<p>7.8 In the case of enrollment in a private educational institution: Permission will be granted for a period as confirmed by the institution but shall not be more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) The particular educational institution holds a license from the competent authority to operate; and</p> <p>(3) Confirmation and request has been made by that particular institution; and</p>	<p>1. Application form</p> <p>2. Copy of the applicant's passport</p> <p>3. Copy of the license to establish an educational institution issued by the competent authority</p> <p>4. Confirmation letter and request has been made by that educational institution, giving in detail the number of years of study, the</p>

	<p>(4) That particular institution is accredited by the competent authority (except in the case of enrollment in an international school or university)</p>	<p>level/degree of education, and the academic performance of the applicant.</p> <p>5. Certificate issued by a government agency at the level of department or equivalent or by Provincial Governor in charge of that particular institution (except in the case of enrollment in an international school or university)</p>
<p>7.9 In the case of a teacher apprentice or researcher at a university or research institution: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Confirmation and request has been made by the dean of that university or the head of that research institution.</p> <p>(3) In the case of a teacher apprentice or researcher at a private university or research institution, confirmation and request must be made by the government agency concerned.</p>	<p>1. Application form</p> <p>2. Copy of the applicant's passport</p> <p>3. Confirmation letter and request has been made by the dean of that university or the head of that research institution.</p> <p>4. Only in the case set out in clause (3), confirmation letter and request must be made by the government agency concerned.</p>

<p>7.10 In the case of a family member of an alien who has been permitted to stay temporarily in Thailand for study in an educational institution as set out in clauses 7.7 or 7.8 (applicable only to parents, spouse, children, adopted child or the child of his/her spouse): Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Proof of family relationship; and</p> <p>(3) In the case of spouse, the marital relationship shall be de jure (legitimate) and de facto; or</p> <p>(4) In the case of a child, adopted child or child of his/her spouse, the said person must not be married, must be living with the applicant, and must be less than 20 years of age; or</p> <p>(5) In the case of parents, there must be an account deposit with a local bank made in the name of father or mother of not less than Baht 500,000 as shown in bank account transactions for the past 3 months.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Copy of passport of the alien who has been permitted to study in Thailand. 4. Proof of family relationship, e.g., marriage certificate, birth certificate, registration of legitimate child, household registration certificate, proof of child adoption, or any other evidence issued by the competent authority or government agency 5. Only in the case set out in clause (5), certificate of bank account deposit from a local bank in Thailand and copy of bank book shall be submitted.
<p>7.11 In the case of mass media function: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Confirmation and request has been made by the Public Relations Department or the Information Department attached to the Ministry of Foreign Affairs.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Copy of work permit 4. Confirmation letter and request made by the Public Relations Department or by the Information Department attached to the Ministry of Foreign Affairs

<p>7.12 In the case of study of Buddhism or religious function: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Confirmation has been issued by the National Buddhism Office or the Prime Minister's Office or the Mahachulalongkorn University; and</p> <p>(3) Confirmation has been issued by the abbot of the temple where the applicant is studying or performing the religious function.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Confirmation letter issued by the National Buddhism Office or the Prime Minister's Office or the Mahachulalongkorn University 4. Confirmation letter issued by the abbot of the temple where the applicant is studying or performing the religious function
<p>7.13 In the case of a missionary: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Confirmation has been given by the Religious Affairs Department or by the National Buddhism Office; and</p> <p>(3) Confirmation and request has been made by the religious organization at which the applicant is stationed.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Confirmation letter issued by the Religious Affairs Department or the National Buddhism Office 4. Confirmation letter and request made by the religious organization at which the applicant is stationed
<p>7.14 In the case of a skilled worker or expert in medicine, nursing or other professional for transfer of technology and knowledge to Thais: Permission will be granted for a period of not more than 90 days at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Confirmation and request has been made by the organization or agency concerned.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Confirmation letter and request issued by the organization or agency concerned

<p>7.15 In the case of installation or repair of machines, aircraft or ocean vessels: Permission will be granted for a period of not more than 90 days at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and (2) Confirmation and request has been made by the organization or agency concerned.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Confirmation letter and request issued by the organization or agency concerned
<p>7.16 In the case of a performer in a show, entertainer, vocalist or musician performing at a hotel or engaged by a company in Thailand in the entertainment business with a registered capital of not less than Baht 20 Million, fully paid-up: Permission will be granted for a period of not more than 120 days at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and (2) Confirmation of employment given by a hotel or company engaged in the entertainment business in Thailand with a registered capital of not less than Baht 20 Million, fully paid-up.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Copy of work permit 4. Copy of the employment contract in respect of such position 5. Proof of corporate incorporation, e.g., directors/partnership certificate issued by the Registrar within the previous 6 months 6. Only in the case of a company engaged in the entertainment business, a copy of the list of shareholders certified by the Registrar within the previous 6 months shall be submitted. 7. Copy of the latest withholding tax return showing the name of the applicant, together with receipt 8. Copy of the latest personal income tax return filed by the applicant, with receipt (if any)

<p>7.17 In the case of a family member of a Thai (applicable only to parents, spouse, child, adopted child or child of his/her spouse): Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Proof of family relationship; and</p> <p>(3) In the case of a spouse, the marital relationship shall be de jure (legitimate) and de facto; or</p> <p>(4) In the case of a child, adopted child or child of his/her spouse, the said person must not be married, must be living with the family, and must be less than 20 years of age; or</p> <p>(5) In the case of a parent, the said person must be 50 years of age or over; or</p> <p>(6) In the case of an alien married to a Thai woman, any party or both must have a total income of not less than Baht 40,000 per month, except for aliens who entered Thailand before this Order came into force and granted a permit to stay in Thailand. If the alien does not have the minimum income above, he shall have an account deposit in Thailand in the name of either party or both of not less than Baht 400,000. Proof of account deposit for the previous 3 months is required.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Proof of family relationship, e.g., marriage certificate, birth certificate, registration of legitimate child, household registration certificate, proof of child adoption, or any other evidence issued by the authority or government agency concerned 4. Proof of Thai nationality of spouse, parents, child or adopted child such as identification card, household registration certificate or other document issued by the authority or government agency concerned 5. Only for clause (6), there shall be a letter of confirmation from a bank in Thailand and copy of bank book or proof of income of either party or both in the total amount of not less than Baht 40,000 per month, such as personal income tax return with receipt, proof of pension, proof of interest from bank account deposit or proof of other income from authority concerned.
<p>7.18 In the case of a family member of a permanent residence</p>	<p>(1) The alien has obtained a temporary visa (NON-IM);</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's

<p>permit holder (applicable only to parents, spouse, child, adopted child or child of his/her spouse): Permission will be granted for a period of not more than 1 year at a time.</p>	<p>and</p> <p>(2) Proof of family relationship; and</p> <p>(3) In the case of a spouse, the marital relationship shall be de jure (legitimate) and de facto; or</p> <p>(4) In the case of a child, adopted child or child of his/her spouse, the said person must not be married, must be living with the family, and must be less than 20 years of age; or</p> <p>(5) In the case of a parent, the said person must be 50 years of age or over.</p>	<p>passport</p> <p>3. Proof of family relationship, e.g., marriage certificate, birth certificate, registration of legitimate child, household registration certificate, proof of child adoption, or any other evidence issued by the authority or government agency concerned</p> <p>4. Copy of permanent residence permit and alien book</p>
<p>7.19 In the case of a family member of an alien who has been permitted temporary stay under clauses 7.1, 7.2, 7.4, 7.5, 7.6, 7.9, 7.11, 7.12, 7.13, 7.14, 7.15, 7.16, 7.20, 7.21, 7.25 or 7.28 of this Order (applicable only to parents, spouse, child, adopted child or child of his/her spouse): Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Proof of family relationship; and</p> <p>(3) In the case of a spouse, the marital relationship shall be de jure (legitimate) and de facto; or</p> <p>(4) In the case of a child, adopted child or child of his/her spouse, the said person must not be married, must be living with the family, and must be less than 20 years of age; or</p> <p>(5) In the case of a parent, the said person shall be 50 years of age or over.</p>	<p>1. Application form</p> <p>2. Copy of the applicant's passport</p> <p>3. Copy of the passport of alien who has been granted temporary stay</p> <p>4. Proof of family relationship, e.g., marriage certificate, birth certificate, registration of legitimate child, household registration certificate, proof of child adoption, or any other evidence issued by the authority or agency concerned</p>

<p>7.20 In the case of working for a public charity organization, private foreign organization, foundation, association, Foreign Chamber of Commerce, Thailand Board of Trade, or Thailand Federation of Industries:</p> <p>Permission will be granted for a period of not more than 1 year at a time. In the absence of the official confirmation set out in clause (3), permission will be granted for a period of not more than 90 days at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and</p> <p>(2) Confirmation and request has been made by the authorized officer or head of that organization; and/or</p> <p>(3) Confirmation and request has been made by the chief government officer (Grade 10 or equivalent and higher) who deals with that organization</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Copy of work permit 4. Copy of the operation license issued by the competent authority 5. Confirmation letter and request from that organization 6. List of the alien employees working in that organization 7. Only in the case set out in clause (3), confirmation letter and request issued by the chief of the government agency concerned
<p>7.22 In the case of visiting family or return of a former Thai national or a person whose father or mother is or once was a Thai:</p> <p>Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) Proof of original Thai nationality or of his/her parent being a Thai or once a Thai.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Copy of document proving his/her original Thai nationality or of his/her parent being a Thai or once a Thai
<p>7.23 In the case of an alien visiting a Thai spouse or child:</p> <p>Permission will be granted for a period of not more than 60 days at a time.</p>	<p>(1) Proof of relationship; and</p> <p>(2) In the case of a spouse, their marital relationship shall be de jure (legitimate) and de facto.</p>	<ol style="list-style-type: none"> 1. Application form 2. Copy of the applicant's passport 3. Copy of household registration certificate 4. Copy of the national ID card held by the Thai

		concerned 5. Copy of the marriage/birth certificate
7.24 In the case of medical treatment or convalescence or to look after a patient: Permission will be granted for a period of not more than 90 days at a time.	(1) Confirmation and request has been made by a physician responsible for the treatment. (2) In the case of looking after a patient, confirmation and request has been made by the physician responsible for the treatment or by an embassy or consulate. (3) For non-family members of the patient, permission shall be granted to not more than one person.	1. Application form 2. Copy of the applicant's passport 3. Confirmation letter and request from the physician responsible for the treatment 4. Only in the case of looking after a patient, confirmation letter and request from the physician responsible for the treatment or from the embassy/consulate must be provided.
7.25 In the case of litigation or judicial proceeding: Permission will be granted for a period of not more than 90 days at a time.	(1) Proof of involvement in litigation or judicial proceedings as complainant, the aggrieved party, accused, plaintiff, defendant or witness.	1. Application form 2. Copy of the applicant's passport 3. Confirmation letter from the inquiry officer in charge of the case or official letter or document from the authority concerned indicating that the applicant is involved in a case or judicial proceedings.
7.26 In the case of performing a duty or task for a government agency or an international organization: Permission will be granted for a period of not more than 90 days at a time.	(1) Confirmation and request has been made by a government agency at the level of department or equivalent, or police office or government agency attached to the Commissioner-General of the Royal Thai Police Headquarters, or the Army,	1. Application form 2. Copy of the applicant's passport 3. Confirmation letter and request issued by government agency at the level of department or equivalent, or police office

	Navy or Air Forces, or by the international organization.	or government agency attached to the Commissioner-General of the Royal Thai Police Headquarters, or the Army, Navy or Air Forces, or by the international organization
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Minimum wage benchmarks There are minimum wage benchmarks that an employed visa renewal applicant will be expected to fulfill. With effect from 1 October 2006, the following wage benchmarks will be applied;

Nationality	Minimum Income
1. European Countries, Australia, Canada, Japan, and U.S.A.	Baht 50,000/month
2. South Korea, Singapore, Taiwan and Hong Kong	Baht 45,000/month
3. Asian Countries, South America, Countries in Eastern Europe, Countries in Central America, Mexico, Turkey, Russia and South Africa	Baht 35,000/month
4. African Countries, Cambodia, Myanmar, Laos and Vietnam	Baht 25,000/month

Business approved visa (category 'B-A') A Business Approved Visa may be applied for at Thai Embassies or Consulates abroad, but approval must be given by the Immigration Bureau in Bangkok before a visa is issued to a qualified applicant.

The company in which the applicant will invest or do business with, can also apply for this type of visa at the Immigration Bureau. The holder of a B-A visa is permitted to stay for a period of one year from the date of arrival in Thailand.

Investment and business visa (category 'IB') This visa is issued to foreign employees working in projects promoted by the Board of Investment of Thailand (BOI). The project must benefit the country in the following ways:

- Produce goods for export
- Increase employment
- Utilize local raw materials
- Located in provincial areas

- Encourage technology transfer to Thai nationals
- Not damage existing domestic business

After entry, application must be made for a work permit (see chapter on Work Permits). An application for visa extension(s) can be made until such time as a decision is reached on the work permit application.

One Stop Service Centre Applicants who fall into certain categories can apply for expedited visas and work permits:

1. Foreigners who are executives or experts who have privileges under other laws e.g. Investment Promotion Act, Petroleum Act, Industrial Estates Authority of Thailand Act.
2. Investors - those investing not less than 2 million Baht can be granted a one year visa, if not less than 10 million Baht, a two year visa. The applicant must have his place of work in Bangkok only.
3. Foreigners who are executives and experts who work for a company with registered capital or total assets of not less than 30 million Baht.
4. Foreigners who are officials of a branch office of an overseas bank, the foreign banking office of an overseas bank, a provincial foreign banking office of an overseas bank and the representative office of a foreign bank which are certified by the Bank of Thailand.
5. Foreigners who work for the branch of a foreign business.
6. Foreigners who work on a necessary and urgent basis for a period for not longer than 15 days.

Those who do not qualify for this fast track service must follow the conventional visa application process as explained above, and for extensions as indicated below.

Place to submit applications for visa extension Applications for an extension of visa may be made at any immigration office in the area in which the applicant is living, or at the Immigration Bureau headquarters in Bangkok. The applicant must submit the documents required depending on the type of application submitted, together with his passport and photographs in the correct size and pay the required fee.

Retirement visas – in general A retirement visa can be applied for by a person aged 50 years or more. Holders of this type of visa will be permitted to stay in Thailand for one year and may not work while staying in Thailand (if they wish to work they must apply for a Non Immigrant B visa, see above). Applicants must

be able to show income of not less than 65,000 Baht per month or not less than 800,000 Baht deposited in a bank in Thailand for at least three months or annual income plus bank account deposit of not less than 800,000 Baht.

Where such a visa is granted, it will be valid for 12 months, and may be extended annually, provided the applicant complies with the same requirements. More liberal rules apply to retirees who entered Thailand before 21 October 1998.

Requirements to obtain a retirement visa An applicant for a retirement visa:

- must be aged 50 years or more on the date of submitting the application.
- must not be prohibited from entering Thailand under the Immigration Act (1979).
- has no criminal record in Thailand and the country of his/her nationality or residence.
- has nationality or residence in the country where his application is submitted.
- must supply a medical certificate to prove he does not have prohibited diseases, as indicated in regulations

A holder of a retirement visa is not allowed to work in Thailand. If he/she wishes to work, application must be made for a Non Immigrant visa, and also for a work permit.

Documents to be submitted Applicant must submit:

- A passport valid for not less than 18 months
- Three copies of visa application form
- Three passport-sized photos of the applicant taken within the past six months.
- A personal data form
- A bank statement showing a deposit of not less than 800,000 Baht or an income certificate (an original copy) with monthly income of not less than 65,000 Baht, or a deposit account plus monthly income, totalling not less than 800,000 Baht. The deposit must have been maintained for at least three months prior to the date of application.

- In case of the bank statement, a letter of guarantee from the bank (an original copy) is to be shown as well.
- Verification stating that the applicant has no criminal record, issued from the country of his/her nationality or residence (the verification is to be valid for not more than three months and should be notarized by a notary or the applicant's diplomatic/consular mission).
- A medical certificate issued from the country where the application is submitted, showing no prohibited diseases as indicated in regulations (this should be valid for not more than three months and should be notarized by a notary or the applicant's diplomatic/consular mission).

Spouse of retiree Where the applicant wishes to have his/her spouse to stay in Thailand, but the spouse is not qualified for an O-A visa, their marriage certificate must be produced as evidence and should be notarized by a notary or the applicant's diplomatic/consular mission (the spouse will be considered for a Category 0 visa).

Residence permits Applications for permanent residence may be submitted after a foreigner has been in Thailand for three years under a non-immigrant visa.

Criteria for obtaining a residence permit The Immigration Commission will consider the following criteria for granting a residence permit: the applicant's income, assets, knowledge, vocational ability, and family status in terms of connection with Thai nationals, matters of national security or other matters as deemed appropriate for current economic and social conditions.

Qualifications of applicants for a residence permit Applicants for a residence permit must comply with the following requirements:

- 1.1 Must hold a non-immigrant visa and was granted one-year visa extensions which show that prior to the date of application, the applicant have been staying in Thailand at least three consecutive years.
- 1.2 Applicants over 14 years of age are subject to a criminal record check.
- 1.3 Applicant must reveal information concerning his/her income, assets, knowledge, vocational ability, and family status in terms of connection with Thai nationals, matters of national security or other matters as deemed appropriate for consideration.

- 1.4 The applicant must be able to understand and speak Thai language.
A test is administered for this purpose.

Categories of application There are five categories of applicant, as follows:

- (1) Investment
- (2) Employment
- (3) Humanitarian reasons as follows:
 - (a) Spouse: To provide support or to be supported by a spouse who is a Thai national
 - (b) Child: To provide support or to be supported by a parent who is a Thai national,
 - (c) Parent: To provide support or to be supported by the applicant's child who is a Thai national,
 - (d) Spouse: To provide support or to be supported by the applicant's spouse who was granted a residence permit,
 - (e) Child: To provide support or to be supported by the applicant's parent who was granted a residence permit,
 - (f) Parent: To provide support or to be supported by the applicant's child who was granted a residence permit.
- (4) Experts,
- (5) Other circumstances, on a case by case basis.

Qualification of applicant in each category The qualifications required for applicants in each respective category above are as follows:

(1) Applications based on investment grounds:

- (a) The applicant must have brought in at least Baht 10 million to invest in Thailand certified by a letter issued by a commercial bank in Thailand showing evidence of remittance into Thailand, and
- (b) The investment made must be of in the interests of the national economy in one or more ways, as follows:
 - (i) Investment in a private or public company with documentary evidence certified by the authority concerned and such business must not be contrary to national peace and order, culture or public morality, or
 - (ii) Purchase of state-issued securities or state enterprise securities where the Ministry of Finance or Bank of Thailand is a guarantor. Documentary evidence of such acquisition is required.

- (iii) Investment in the stock market in ordinary shares, bonds, preference shares or investment units, etc. provided that such investment must be approved or certified by the Securities Exchange Commission. Documentary evidence of such assets must be furnished with the application.

At the end of September in each year, a foreigner granted a residence permit on this basis must submit documentary evidence of investment acquisition. This must be done for three consecutive years commencing from the date the residence permit is granted. The Immigration Commission may investigate the investment to ascertain whether it was made according to the criteria above.

If the investigation reveals that a foreigner granted a residence permit lacked the required qualifications, then the Immigration Commission will report the circumstances and submit an opinion to the Minister of Interior to revoke the permit.

(2) Applications based on employment:

(a) The applicant must hold the position of an executive such as President of Committee or Committee of juristic persons registered in Thailand, with capital of at least 10 million Baht and is an authorized signatory for such juristic person, for one year prior to the date of application. The applicant must earn at least 50,000 Baht per month for two consecutive years prior to the date of application and show tax returns, and

(b) The business in which the applicant works must be of in the interests of the national economy, i.e.:

- (i) International commerce, with exports valued in foreign currency in the past three years reaching a threshold of Baht 20 million on average. This must be certified by a letter issued by the commercial bank concerned or a company that provides loans to domestic manufacturing companies by bringing into Thailand, within the past three years, foreign currency of not less than Baht 100 million, or
- (ii) Tourism related business, which has brought into Thailand, at least 5,000 tourists on average in the past three years. This fact must be certified by a letter issued by the authority concerned, or
- (iii) Other types of business, where the applicant owns shares of at least 5 million Baht for a period of at least two years prior to the date of application.

Where the applicant lacks the criteria in (a) or (b) then the following requirements apply:

- (a) The applicant should be the holder of work permit for at least three consecutive years prior to the date of application, and
- (b) He has been working in the current company for at least one year prior to the date of application, and
- (c) He earns annually at least Baht 80,000 per month for at least two years prior to the date of application, or has been filing tax returns showing annual income of Baht 100,000 for at least two consecutive years prior to the date of application.

(3) Applications based on humanitarian reasons:

(a) *Spouse:* Where the purpose is to provide support or be supported by a spouse who is a Thai national:

(i) The support provider works in Thailand,

(ii) the parties must be legally married for at least two years before the date of application, and have biological children together. In a case of infertility, a medical certificate issued by the hospital is required. In a case of infertility without a certificate, the marriage must have been registered at least five years before the date of application,

(iii) One or both parties must earn enough to provide support or have annual income of at least Baht 30,000 per month on average, for at least two consecutive years before the date of application and evidence of tax returns is required,

(iv) the Thai national declares his intention to provide support or be supported by the applicant.

(b) Where the support provider is of the required age:

(i) on the date of application, the applicant must be at least 50 years old,

(ii) the applicant must be legally married for at least two years before the date of application, and

(iii) the support provider must earn annual income of at least Baht 65,000 per month on average, for at least two consecutive years prior to the date of application, and

(iv) the Thai national declares his intention to provide support or to receive support from the applicant.

(b) *Minor*: Where a minor applies for a residence permit to provide support or be supported by a parent who is a Thai national:

(i) A minor who wishes to provide support to a parent who is a Thai national:

- (1) must be a biological child, and
- (2) the applicant's father or mother must be at least 50 years old on the date of application, and
- (3) the support provider must earn annual income of at least 30,000 Baht per month on average for at least two consecutive years prior to the date of application and evidence of tax returns is required
- (4) the Thai national declares his intention to receive support from the applicant.

(ii) Where a minor wishes to be supported by a parent who is a Thai national:

- (1) the parent must be a biological parent and registration of parental status was made,
- (2) the minor must be aged under 20 and not married, provided that if the child is aged over 20, then justification for such parental support is required, such as studying for a bachelor's degree or equivalent, and such education commenced before the age of 20 and is continuing and documentary evidence is required, or the child is ill and cannot take care of itself where a medical certificate issued by a hospital is required, and
- (3) the support provider must earn annual income of at least Baht 30,000 per month on average for at least two consecutive years prior to the date of application and evidence of tax returns is required,
- (4) the Thai national declares his intention to receive support from the applicant.

(d) *Parent*: a parent wishes to provide support or be supported by a child who is a Thai national:

(i) Where a parent wishes to provide support to a child who is a Thai national:

- (1) the parent must be a biological parent and registration of parental status was made, and

- (2) the minor must be aged under 20 and not married but if on the date of application the child is over 20, then justification for receiving parental support is required, such as studying for a bachelor's degree or equivalent and such education commenced before the age of 20 and is continuing and documentary evidence is required, or the child is ill and cannot take care of itself and a medical certificate issued by the hospital is required, and
- (3) the support provider must earn annual income of at least Baht 30,000 per month on average for at least two consecutive years prior to the date of application and evidence of tax returns is required.

(ii) where a parent wishes to be supported by a child who is a Thai national:

- (1) the child must be a biological child, and
- (2) the parent must be aged 50 or more on the date of application, and
- (3) the support provider must earn annual income of at least Baht 30,000 per month on average for at least two consecutive years prior to the date of application and evidence of tax returns is required, and
- (4) the Thai national declares his intention to provide support to the applicant.

(e) *Where one spouse has a residence permit:* a spouse who wishes to provide support or be supported by his/her spouse who already has a residence permit:

- (1) the parties must be legally married for at least two years before the date of application, and
- (2) the first spouse has been granted a residence permit and declares his/her intention either to provide support or to be supported by the applicant, and
- (3) the support provider has the same qualifications as an applicant who wishes to invest or to work in Thailand (see above).

(f) *Where a parent has a residence permit:* a child who wishes to provide support or be supported by its parent to whom a residence permit was granted:

(i) where a child wishes to provide support to a parents to whom a residence permit was granted:

- (1) the child must be a biological child, and
- (2) either parent must be over 50 years old on the date of application, and

(3) either parent declares his/her intention to be supported by the applicant,
and

(4) the support provider has the same qualifications required for an applicant
who wishes to invest or to work in Thailand (see above).

(ii) where a child wishes to be supported by a parent to whom a residence permit
was granted:

(1) the child must be a biological child aged under 20 and not married but if on
the date of application submission the child is over 20, then justification for
being supported is required, such as studying for a bachelor's degree or
equivalent and such education had commenced before the child reached
20 and is continuing and documentary evidence is required, or the child is
ill and cannot take care of itself where a medical certificate issued by the
hospital is required,

(2) either parent declares his/her intention to provide support to the applicant,
and

(3) the support provider has the same qualifications as an applicant who
wishes to invest or to work in Thailand (see above).

(g) *Where a child has a residence permit* A parent who wishes to provide support
or be supported by a child to whom a residence permit was granted:

(i) where a parent wishes to provide support to a child to whom a residence
permit was granted:

(1) the child must be a biological child aged under 20 and not married but if on
the date of application, the child is over 20 then justification for being under
parental support is required, such as studying for a bachelor's degree or
equivalent and such education commenced before the age of 20 and is
continuing and documentary evidence is required, or the child is ill and
cannot take care of itself where a medical certificate issued by the hospital
is required,

(2) either parent declares his/her intention to provide support to the applicant,
and

(3) the support provider has the same qualifications required for an applicant
who wishes to invest or to work in Thailand (see above).

(ii) where a parent wishes to be supported by a child to whom a residence permit
was granted:

- (1) the child must be a biological child,
- (2) either parent must be over 50 years old on the date of application,
- (3) the support provider declares his/her intention to provide support to the applicant, and
- (4) the support provider has the same qualifications required for an applicant who wishes to invest or work in Thailand (see above).

4. *Experts*: An applicant who applies as an expert, must have the following qualifications:

- (1) he/she graduated with a minimum of a bachelor's degree and possesses special ability that is needed and is beneficial to Thailand,
- (2) he/she must be supported and officially certified by the authority concerned,
- (3) a certifying letter related to the applicant's employment in such position indicating, prior to the date of application, a period of at least three consecutive years in employment,

5. *Applicants in other circumstances*: The qualifications of applicants in other circumstances will be considered on a case by case basis:

- (1) A person who is beneficial to Thailand or the Thai Government or was selected by a national institution as a person whose performance creates benefit to Thailand or who works for an authority, and
- (2) A person who supplies certificates in the form of letter signed by at least a departmental authority, governor or civil servant of at least level 10 status, or a military officer holding the rank of general, air chief marshal, admiral, police general or political official in the position of minister, president of the national assembly, vice president of the national assembly, president of the senate or vice president of the senate or committee of a non-governmental organization under the constitution. Detail of the applicant's work is required to be furnished or,
- (3) A person with other qualifications, or the number of residence permits to be granted will be considered as appropriate by the Immigration Committee.

Principles to be applied Applicants must hold their qualifications on the date of application. Where the number of eligible applicants of a particular nationality is higher than its annual quota, then a ratio will be set for each category and the number of eligible applicants for such nationality.

Although an applicant may possess all stipulated qualifications but taking into account economic, political, and social factors, the Immigration Committee or Minister of Interior may decline to grant a residence permit and that decision is considered final.

Fees Fees were increased substantially a few years ago. The general fee for a residence permit application that is granted is now 200,000 Baht, reduced to 100,000 Baht where the applicant has a Thai spouse, and in other cases.

Practice Applications are subject to a quota on the basis of 100 persons per country per year. Applications are submitted once a year, normally in December. They are subject to a pre-approval process. Applications that are pre-approved are then considered again before final approval.

In 2006, only 115 applications for permanent residence were approved. In 2007, no applications were granted, since the military government in power at that time was about to resign.

The Board of Investment and the Immigration Bureau have special programmes for granting lifetime residence permits to certain investors.

Application for Thai nationality A foreigner who holds a residence permit and who has resided in Thailand for not less than five years, may apply for Thai nationality.

Criteria for applicants The criteria for applicants for Thai nationality are as follows:

1. Must be aged over 20 and be an adult under the laws of the country of which the applicant has current nationality.
2. Must be of good character.
3. Must be employed and have income as follows:
 - (a) an applicant working in Thailand must earn not less than Baht 80,000 per month or pay personal income tax in the year of application for nationality of at least 100,000 Baht, and must produce proof of payment of income tax for not less than three years.
 - (b) an applicant staying in Thailand for humanitarian reasons, e.g. being married to a Thai or having a child born in Thailand, must show income of at least 30,000 Baht per month and produce proof of payment of income tax for at least three years.

4. Has been resident in Thailand for a consecutive period of not less than five years prior to the date of application.
5. Can demonstrate adequate knowledge of Thai (both oral and written) and can sing the royal anthem and the Thai national anthem;
6. Must undergo an interview in Thai with an official.

Documents to be submitted The documents to be submitted are:

1. Alien Book (obtained when a residence permit was granted)
2. Certificate of permanent residence
3. Work Permit
4. Photographs of the applicant in a particular size
5. House registration book
6. Marriage certificate
7. Bank book of the applicant showing a deposit of not less than 50,000 Baht
8. Evidence of charitable donations
9. Receipts for payment of personal income tax for three years
10. Evidences regarding the applicant's business, e.g., certificate of incorporation, list of shareholders, etc.
11. Receipts for corporate income tax payment for 3 years. If the applicant is employed, a certificate from the employer confirming his position and monthly income.
12. Birth certificate, ID Card or Alien Book, Certificate of permanent residence or passport of the applicant's children
12. Educational certificates
13. Children's educational certificates
14. Two guarantees for the applicant's character and security

Change of name no longer required In the past, applicants for nationality were required to adopt a Thai language first and second name. This is no longer required, and applicants may retain their existing name.

Change of address All foreigners who change their addresses in Thailand must report such change to a local Immigration Office or police station.

Three month reporting requirement All foreigners, other than those holding residence permits, and including businessmen and employees holding non-immigrant visas and staying in Thailand for more than 90 days, must report and confirm their current address to the immigration authorities every 90 days, regardless of whether it has changed.

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