

## Obtaining a resident's permit or visa in Thailand

With the Thai government making several announcements regarding residents' visas over the past few months, MBMG Group's Legal Team believes now is an opportune moment to explain the different types of permit or visa.

As well as education and marriage, there are four other main types of visa which allow you to reside in Thailand: Permanent Residence, Retirement, Business and Investment visas. These vary in terms of qualification criteria, length of validity and how long they take to issue.

### *Permanent Residence Permit*

If you have had possession of a 1-year renewable visa for at least each of the last three years, you could apply to be a permanent resident. Of course, it's not as simple as that: you have to have obtained those renewable visas through investment, work or having a Dependent Visa. Furthermore, you need to have had a work permit for at least three years, as well as having been paying tax in Thailand. You must also speak, read and write fluent Thai: in fact you'll have to go through an interview entirely in the language.

Should you meet these stringent criteria, you should also be well-prepared and extremely patient. Applications can only be made inside the window designated by the Immigration Bureau, and are restricted to a pre-determined annual quota per country. Plus, you may have to wait a long time before a permit is granted: the timeline depends on the current policy of the Immigration Commission and the Ministry of Interior. MBMG Group Legal Team has seen cases in which it has taken up to five years to grant a permit.

There are two fees which you have to pay the government for the permit: the first on application (THB 7,600) and the second, much more expensive payment (currently at THB 191,400), is due once the application is approved.

### *Retirement Visa*

The Retirement (Non-immigrant "O") Visa, to give its full title, is for foreigners who are over 50 and have held a minimum of THB 800,000 in their bank account for at least the past 3 months; or transfer a retirement income of at least THB 65,000 into Thailand every month.

This visa is renewable annually and to obtain it you'll have to pay an initial fee of THB 1,900 and, once received, you'll have to apply for a re-entry permit. MBMG Group Legal Team sees this as a relatively cheap and easy method of obtaining a resident's visa; however it does mean that you cannot earn a wage in Thailand.

### *Business Visa*

If you work for, or have an official job offer from, a company registered in Thailand, you could qualify for the Business (Non-immigrant "B") Visa. For this to be considered, the firm itself has to have a registered capital of at least THB 2 million. It also has to have four times as many Thai staff on its books as it has foreign staff – that means four Thai people to one foreigner's work permit. The initial fee is also THB 1,900 but you'll also have to pay for two re-entry permits: one valid for the 30-day period during which the application is being considered; the other when the visa is granted. If you apply for the Business Visa, you will be granted a 30-day visa during the consideration process. Once issued, your visa will be valid for 1 year from the date of application.

MBMG Group Legal Team considers a Business Visa very narrow, in terms of the scope in which you can work in Thailand. Plus, the application process is complicated and requires a lot of documentation.

### *Investment Visa*

Another way of obtaining a 1-year renewable visa is by transferring at least THB 10 million into Thailand. This can be done in the form of investing in a condominium; placing the money in a Thai bank account; buying government or state-run company bonds: or a combination of some or all of those three.

The fees and the process are the same as those of the Business Visa. Whilst an Investment Visa application requires a lot of documentation, in MBMG Group Legal Team's experience, it is usually a smaller amount than that needed for the Business Visa. You should also note that if you are granted an Investment Visa, you will not be allowed to work or earn a salary in Thailand.

### *Which visa is best?*

Given all the different criteria, costs and restrictions there is no *one-size-fits-all* solution. Finding the best visa for you really depends on your circumstances and reasons for wanting to live in Thailand. MBMG Group Legal Team can help you decide which type of visa suits you best. Furthermore, the Team has put together a Note including a table which sets out the qualification criteria, costs, timeframes and the advantages/disadvantages of each of the above types of visa.

For further information please contact us by e-mail at [info@mbmg-group.com](mailto:info@mbmg-group.com) or call +66 2 665 2536.

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