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Article – Obtaining Thai Permanent Residency and Citizenship

Thailand has increasingly become one of the most sought-after destinations for expats to call home given its spectacular landscape, vibrant culture, and strong economic growth as one of Southeast Asia's major business hubs. For foreigners who are looking to make Thailand their permanent home, the Thai government has made it possible for foreigners to obtain Thai permanent residency ("PR") and citizenship.

Thai Permanent Residency¹

The Thai Permanent Residency Permit, also known as a Residence Visa or Permanent Visa, eases a number of restrictions facing foreigners who live and work in Thailand. The Permit allows the holder to stay in Thailand permanently without the need to apply for extensions of stay; purchase condominium units with local financing rather than using overseas funds; serve as directors of Thai public companies; and is a requisite to eventually becoming a naturalized Thai citizen.

In order to apply, an applicant must²:

- Have held a non-immigrant visa and have resided in Thailand for at least 3 consecutive years on the same non-immigrant visa at the time of application; and
- Qualify under one of the eligible five categories
 - o Investment Category
 - o Employment Category
 - o Humanity Category (Family)
 - o Expert Category (Academic)
 - o Other, as determined by the Immigration Bureau

To work, a PR holder is still required to maintain a work permit but do not have to renew their visa each year. Although the PR permit never expires, a re-entry permit is required where the PR holder wants to leave and return back to Thailand.

It is also worth noting that there is an annual quota for issued PR permits per nationality that is announced by the Ministry of Interior every year in the Government Gazette, usually 100 issued permits per nationality.

Thai Citizenship

Becoming a naturalized Thai citizen opens up all the possibilities that are restricted to foreigners and PR holders by giving full Thai citizenship rights including the entitlement to purchase land, properties, and businesses in your

¹ Michael Doyle, "What is the Procedure to Obtain a Permanent Residence Permit in Thailand?", *Thailand Investment Review* (Thailand Board of Investment: Aug 2009): http://www.boi.go.th/tir/issue/200908_19_7/94.htm.

² Notification of Immigration Commission Criteria and Conditions of Foreign National Residential's Permit Consideration dated December 26th B.E. 2546 (2003)



name; the right to live and work without permits or visas; and the right to apply for a Thai passport, which grants visa-free access to Southeast Asia, Singapore, and Japan among many others.

In order to qualify, an applicant must:³

- Be of legal age (at least 18 years old)
- Have no criminal record and be of good character (political and personal)
- Be gainfully employed
- Have resided in Thailand for at least 5 years prior to the application date
- Understand and communicate in the Thai language
- Obtain a score of at least 50 points on the immigration point system

For more information on the above, please contact Mr. Bastien Trelcat, Managing Partner (Southeast Asia) at Harvey Law Group: btrelcat@harveylawcorporation.com

About Harvey Law Group

Harvey Law Group (HLG) was founded in 1992 by Jean François Harvey. The firm has maintained a presence throughout Asia, North/South America, and the Middle East since early beginnings. Today it has evolved into a leading multinational immigration and business law firm with offices notably in Hong Kong, Bangkok, Ho Chi Minh City, Hanoi, Da Nang, Yangon, Manila, Montreal, Phnom Penh, Miami, Antigua & Barbuda, Dominica, Grenada, St. Kitts & Nevis, Paris and London. Along with a regional and international network, HLG has an extensive team that can provide exceptional support to a diverse global clientele.

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³ Thailand Nationality Act, s.10: <http://www.refworld.org/pdfid/506c08862.pdf>.