



Alien Requesting for Purchasing Land of Habitation under Section 96 bis of The Land Code (In the case of land is located in Bangkok area)

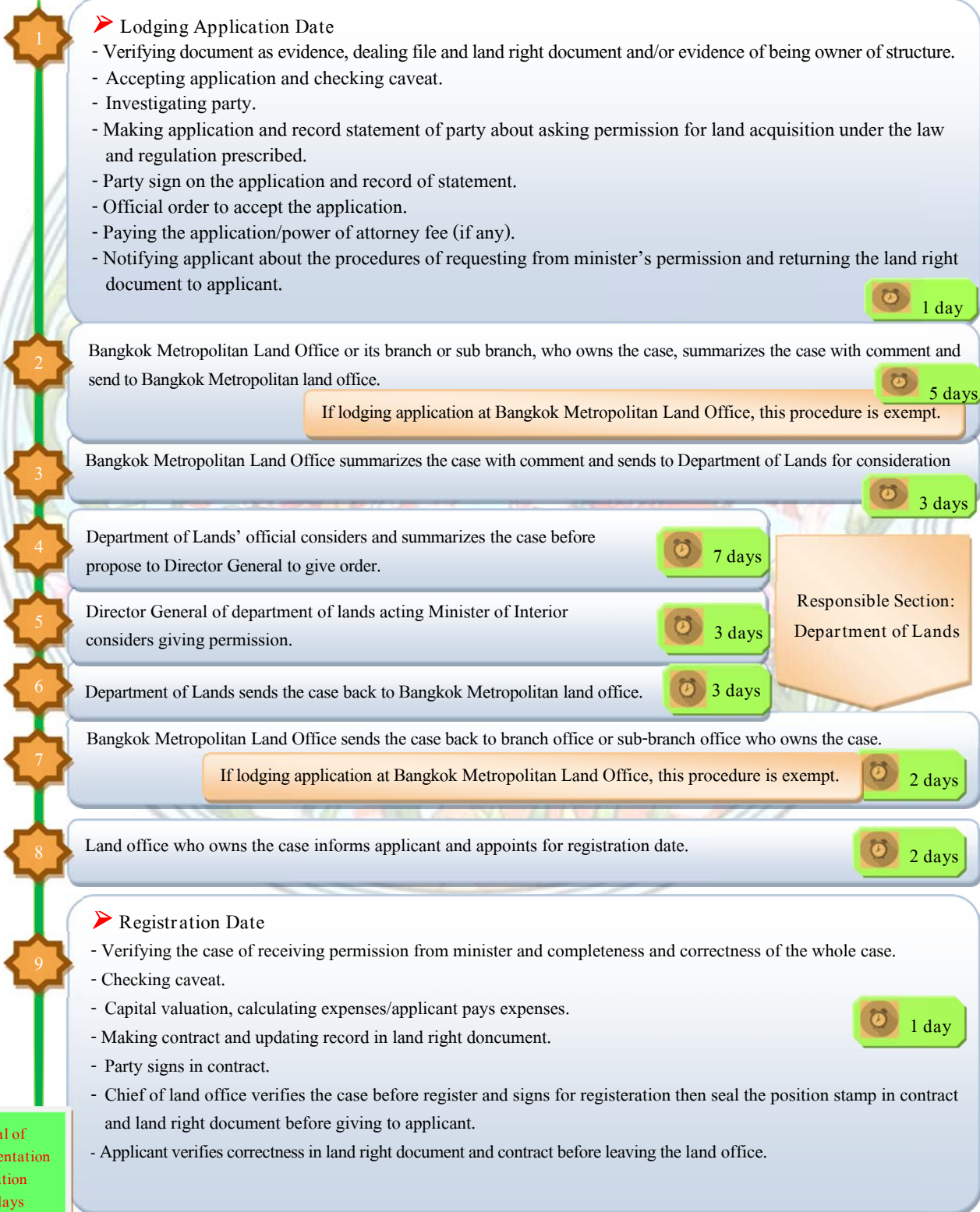


Procedures, Time, and Responsible Section



Consideration

Detail of Service Delivery Procedures





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List of Document as Evidence for Lodging Application

1. Document confirming authentic issued by government agency.
 - 1.1 Title Deed, certificate of utilization (original) (Department of Lands is the government agency who issued such document). Original 1 copy
 - 1.2 Identification card (original) (Department of Provincial Administration is the government agency who issued such document). In case transferor is natural person
Original 1 copy
Duplicate 1 copy
 - 1.3 Household registration (original) (Department of Provincial Administration is the government agency who issued such document). In case transferor is natural person
Original 1 copy
 - 1.4 Identification card and household registration (original) of committee who has power to conduct transaction instead of juristic person and seal of juristic person (in case of certificate of juristic person identified that document has to be sealed) and present example of signature of committee who has power to conduct transaction instead of juristic person. Original 1 copy
 - 1.5 Evidences concerning aliens:
 - 1) Passport that shows such alien's nationality or
 - 2) Certificate of residence according to Form Tor. Mor. 11, Tor. Mor. 15, or Tor. Mor. 17 which issued by Royal Thai Police or
 - 3) Alien identification card which issued by the local police station where such alien domiciles. In case transferor is juristic person
Original 1 copy
Duplicate 1 copy
2. Other document for additional lodging
 - 2.1 Evidence of structure owner. In the case of applicant did not receive structure which transferring together with the land, applicant shall has evidence of structure owner such as evidence which transferor asks for construction permit or if it is impossible to find, applicant is able to use the evidence of house number issuance to transferor instead or reliable official evidence which showed that applicant is authentic owner and etc. In case transferor is alien
Original 1 copy
Duplicate 1 copy
 - 2.2 Evidence from government agency shows the changing of first name or surname (in case of the name is not match with first name/surname in land right document) (Department of Provincial Administration is the government agency who issued such document). Original 1 copy
Duplicate 1 copy
In case transferor is natural person
 - 2.3 Marriage certificate (in case there are marriage) (Department of Provincial Administration is the government agency who issued such document). Original 1 copy
Duplicate 1 copy
In case transferor is natural person
 - 2.4 Letter of consent for spouse to conduct juristic act (original provided by applicant) together with identification card, copy of household registration of spouse and marriage certificate (copy which certified correctness) in case the transaction need such consent, for instance, it is marriage property but named with only one name. (If the spouse is lawfully married and it is marriage property) except spouse appears and gives consent to conduct juristic act by himself/herself. Original 1 copy
In case transferor is juristic person
 - 2.5 Death certificate of spouse (in case of spouse passed away) (original) (Department of Provincial Administration is the government agency who issued such document). Original 1 copy
Duplicate 1 copy
In case transferor is natural person
 - 2.6 Divorce certificate and divorce record (original) or original and copy of judgment or court order and certificate certify that the case is final shall be presented (in case of it is the property separation between spouses). (Department of Provincial Administration is the government agency who issued such document). Original 1 copy
Duplicate 1 copy
In case transferor is natural person
 - 2.7 Minutes of juristic person which had resolution to transfer or receive transfer of land or land and building with relevant detailed (in case of juristic person has only one committee, minutes of the meeting is not necessary, except juristic person regulation specified that there shall have the meeting of all shareholder, applicant shall present minutes of shareholder meeting) original and copy which certified correctness with a seal of juristic person, in case of certificate of juristic person specified that the document has to be sealed. (applicant provided it). Original 1 copy
Duplicate 1 copy
(In case transferor is juristic person)
 - 2.8 Evidence showing source of invested money: Evidence of bringing foreign currency into the Kingdom or Original 1 copy
Evidence of the source of funds invested may use one or more of the above items, but not less than forty million baht
 - 2.9 Evidence showing source of invested money: Evidence of withdraws money from foreign currency deposit account or Original 1 copy
Evidence of the source of funds invested may use one or more of the above items, but not less than forty million baht



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2. Other document for additional lodging (cont.)

2.10 Evidence showing source of invested money: Evidence of withdrawing money from non-resident Baht account for investment.

Original 1 copy

(Evidence of the source of funds invested may use one or more of the above items, but not less than forty million Baht)

2.11 Evidence concerning with investment: Investment certificate from a seller of bond and from bond (Thai government bond, Bank of Thailand bond, state owned enterprise bond, or bond which guaranteed capital or interest by Ministry of Finance).

Original 1 copy

(Evidence of the source of funds invested may use one or more of the above items, but not less than forty million Baht)

2.12 Evidence concerning with investment: Investment certificate from asset management company certified that applicant has invested in real estate mutual fund, real estate mutual fund for solving problem in financial institution system, or mutual fund for solving problem in financial institution system which established under the Law on Securities and stock Exchange and Investment Evidence in such mutual fund.

Original 1 copy

(Evidence of the source of funds invested may use one or more of the above items, but not less than forty million Baht)

2.13 Evidence concerning with investment: Investment evidence in capital stock of juristic person who received investment promotion under the Law on Investment Promotion, Certificate of being juristic person registration, list of shareholder of juristic person, and promotion show that such juristic person received investment promotion from Board of Investment.

Original 1 copy

(Evidence of the source of funds invested may use one or more of the above items, but not less than forty million Baht)

2.14 Evidence concerning with investment: Investment evidence in enterprise that Board of Investment announced to be the enterprise which is able to request for receiving investment promotion under the Law on Investment Promotion, Certificate of being juristic person registration, list of shareholder of juristic person, and letter of Board of Investment identified that operated enterprise of juristic person is able to ask for investment promotion.

Original 1 copy

(Evidence of the source of funds invested may use one or more of the above items, but not less than forty million Baht)

2.15 Certificate from Ministry of Defence or relevant agency certified land which requested for acquiring is located outside safety zone in military service under the Law on Safety Zone in Military Service.

Original 1 copy

2.16 Drafting map showing location of the land asked for permission (Provided by applicant).

Original 1 copy

2.17 In case of applicant has right in land while lodging application. Applicant shall show such land right document as well (original and copy that certified correctness).

Original 1 copy
Duplicate 1 copy

2.18 Power of attorney (Applicant prepare it) and identification card of proxy or copy of identification card and copy of household registration (photo copied) which proxy certify the correctness with identification card and copy of household registration of attorney (original and copy which certified the correctness) (In case of the person did not perform by himself/herself).

Original 1 copy

Remarks

1. If documents which showing to official were in foreign language, such document shall be translated and certified correctness by
 - 1.1 Thai people who graduated not less than bachelor's degree in the course that use the language that appeared in such documents as the language in institution or
 - 1.2 Teacher of institution of education who teaches language that appeared in such documents in education institution or
 - 1.3 Embassy or foreign consulate which is located in Thailand and such country use the language that appeared in such documents for official language or
 - 1.4 Thai embassy or consulate which is located in foreign country (under Ministerial Regulation (B.E. 2540) issued under the content in Administrative Procedure Act B.E. 2539).



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**Fee**

1. Application fee: 5 Baht/parcel
 2. Fee of request for alien acquisition of land: 500 Baht/person.
 3. Fee for permission: 100 Baht/rai. (Remark: fraction of a rai calculated as one rai).
 4. Selling fee: 2% of valuation price.
 5. Withholding tax
 - 1) Transferor is juristic person, pay 1% of the higher price between the valuation price and capital price of applicant which showing.
 - 2) Transferor is an natural person, the fee will be calculated from the valuation price according to the method specified in the Revenue Code
- Remark (withholding tax under No.2 the fee column is not able to fill as fact because the form is able to be filled only "Baht/Percentage".
6. Specific business tax
 - 1) Transferor is natural person, pay 3.3% (including local tax) of the higher price between valuation price and capital price that applicant showed.
 - 2) Transferor is juristic person, pay 3.3% (including local tax) of the higher price between valuation price and capital price that applicant showed.
 7. Stamp duty
 - 1) Transferor is natural person: 0.5% of higher price between valuation price and capital price that applicant showed. (if applicant has already paid the specific business tax, stamp duty is exempt).
 - 2) Transferor is juristic person, stamp duty is exempt.
 8. Stamp duty for duplicated document fee: in case there is making instrument which has the same content of original document and the person who makes instrument signed as the same as original document, applicant shall pay Stamp duty for duplicated document for 5 Baht.
 9. Proxy fee 20 Baht/case.
 10. Witness fee for witness 10 Baht/person.

**Relevant Laws**

1. Section 96 bis and Section 96 ter of the Land Code.
2. Ministerial Regulation prescribed rules, procedures and condition for acquisition of land for alien habitats B.E. 2545.
3. Department of Lands Regulations for acquisition of land for alien habitats B.E. 2545.
4. Order of Ministry of Interior No. 153/2546 Dated 21 April B.E. 2546.
5. Ministerial Regulation Volume 7 (B.E. 2497) issued under the content of Act Promulgation the Land Code B.E 2497.

**Service Delivery Channels**

Service Delivery Venue: Contact by yourself at Bangkok Metropolitan Land Office or its Branches or Sub Branches, where land and building or condominium unit is located.

Office Hours: Open Monday – Friday
(except public holiday)
08.30 – 16.30 hrs.

**Example of Form, Example and Filling in the form Manual**

Customer could check all categories of registration from official at every land offices or website: dol.go.th/registry.

**Contact/Complaint Channels**

1. Chief of Provincial/Branch/Sub Branch Land Office of the area that rendering such service.
 2. Complaint box of Provincial/Branch/Land Office.
 3. Department of Lands' Damrongdhama Center, Telephone Number: 0 2141 5678 – 9
 4. Complaint Section, Office of the Secretary of DOL, Telephone Number: 0 2141 5500 - 4, The Government Complex, 6th Floor, Commemorating His Majesty, Rattaphrasasanabhakti Building, Chaeng Wattana Road, Laksi District, Bangkok 10210
 5. Service Center of Office of the Permanent Secretary, Prime Minister Office P.O. box 1111, No. 1 Pissanulok Road, Dusit, Bangkok 10300/Hotline: 1111/www.1111.go.th
 6. Complaint Center of Corruption in Public Sector (Office of Public Sector Anti – Corruption Commission: PACC)
 - 1.No. 99 , Moo 4, Software Park Building, 2th Floor, Chaeng Wattana Road, Klong Klua Sub District, Pak Kret District, Nonthaburi 11120
 - 2.Hotline 1206/Telephone Number: 0 2502 6670 – 80 ext. 1900, 1904 – 7 Facsimile: 0 2502 6132
 3. www.pacc.go.th/www.facebook.com/PACC.GO.TH
- Complaint Center of International Investor (The Anti-Corruption Operation Center) Tel: +66 92 688 0777/line: Fad.pacc/Facebook: The Anti-Corruption Operation Center Email: Fad.pacc@gmail.com).