



Temple, Mosque, Christian Foundation Requesting for Land under Section 84 of the Land Code (In the case of land is located in other provinces area)

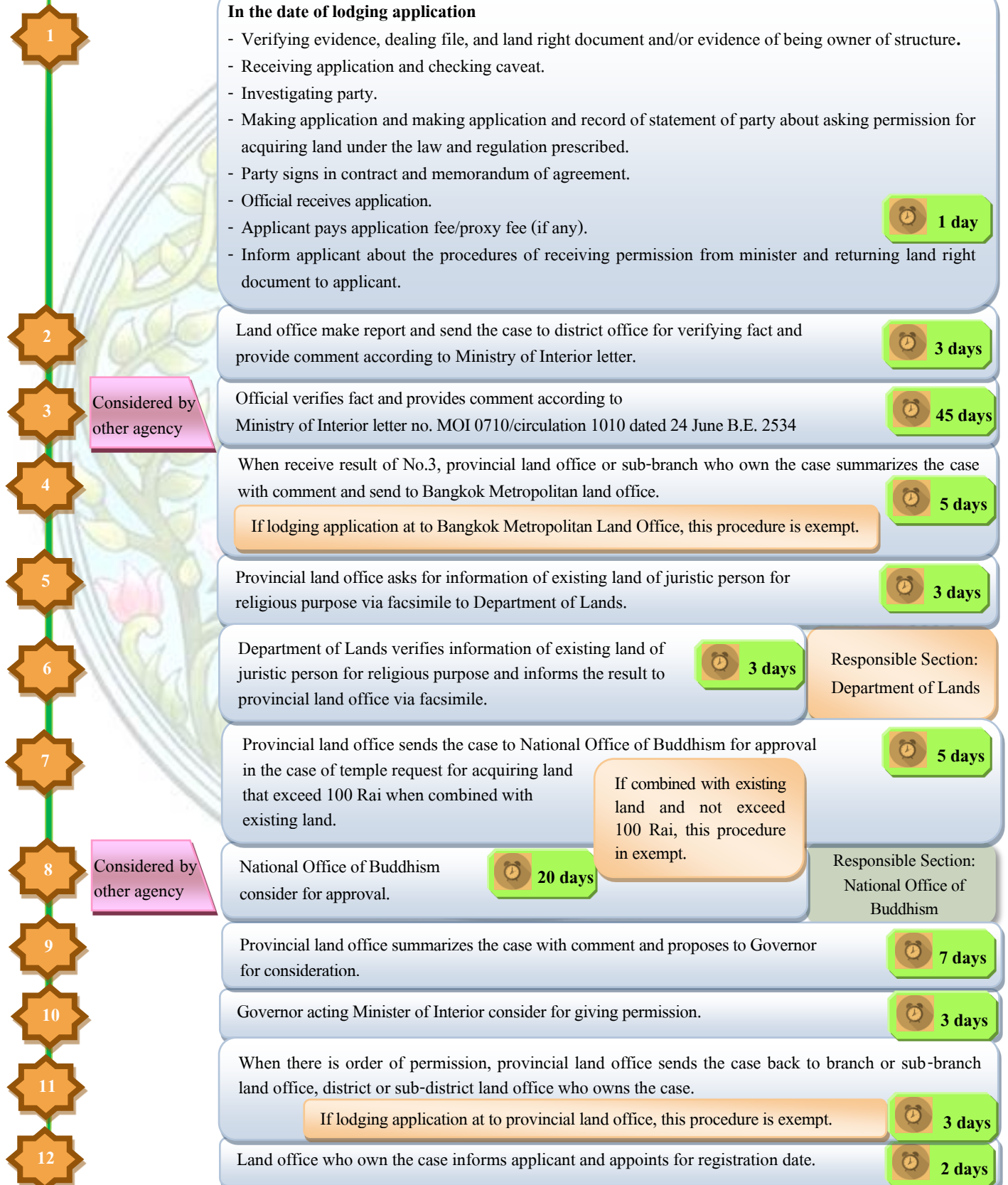


Procedures, Time, and Responsible Section



Consideration

Detail of Service Delivery Procedures





Temple, Mosque, Christian Foundation Requesting for Land under Section 84 of the Land Code (In the case of land is located in other provinces area)

13

**Total of
implementation
duration
101 days**

In the date of registration:

- Verifying the case of receiving permission from the Minister also completeness and correctness of the whole case.
- Checking caveat.
- Capital valuation, calculating expenses/ applicant pays expenses.
- Making contract and updating registration record in land right document.
- Party signs in contract.
- Chief of land office verifies the case before register and signs for registration then seal the position stamp in contract and land right document before giving to applicant.
- Applicant verifies correctness in land right document and contract before leaving land office.



1 day



List of Document as Evidence for Lodging Application

1. Document confirming authentic issued by government agency

1.1 Title Deed, Certificate of Utilization.

(Department of Lands is the government agency who issued such document)

Original 1 copy

1.2 Identification Card (Department of Provincial Administration is the government agency who issued such document)

(In case of transferor
is natural person)

Original 1 copy

1.3 Household Registration (original) (Department of Provincial Administration is the government agency who issued such document)

Original 1 copy

1.4 Identification card, 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 the document has to be sealed) and present example of signature of committee who has power to conduct transaction instead of juristic person (Department of Provincial Administration is the government agency who issued such document)

(In case of transferor
is juristic person)

Original 1 copy

1.5 Evidence of being juristic person

1. Notification evidence of receiving the bestow upon establishing temple (temple established under Sangha Administration Act R.E. 121) or
2. Notification evidence of establishing temple of Ministry of Education (temple established under Sangha Act B.E. 2484) or
3. In case of there is no evidence under clause 1. or 2., applicant shall use the following evidence;
 - (1) Certificate of temple condition or (2) Copy of temple registration
 - or (3) Temple history certified by official authority.

(In case of transferee
is temple)

Original 1 copy
Duplicate 1 copy

1.6 Graduation certificate of abbot or deputy.

1.7 Evidence of being juristic person:

1. Permission letter of establishing foundation.
2. Evidence of foundation registration which identified committee names at the back side from the first copy up to the latest updated.
3. Regulation or establishing of foundation instrument.
(Department of Provincial Administration is the government agency who issued such document)

(In case of
transferee is
foundation related
to Christendom)

Original 1 copy
Duplicate 1 copy

1.8 Identification card and household registration (original) of foundation

committee or a person assigned to be the person who conduct transaction instead of foundation and example of signature of committee who has power to conduct transaction instead of foundation (original and copy that certified correctness).

1.9 Evidence of being juristic person

1. Mosque registration.
2. Certificate showing mosque establishing registration.
3. Appointment of imam, kor-teb and bi-lan notification.
4. Appointment of mosque committee notification.

(In case of transferee
is Islamic mosque)

Original 1 copy
Duplicate 1 copy

(Department of Provincial Administration is the government agency who issued such document)



Temple, Mosque, Christian Foundation Requesting for Land under Section 84 of the Land Code (In the case of land is located in other provinces area)

1. Document confirming authentic issued by government agency (cont.)

- 1.10 Identification card and household registration (original) of mosque committee or a person assigned to be the person who conduct transaction instead of mosque and example of signature of committee who has power to conduct transaction instead of juristic person.

(In case of transferee is Islamic mosque)

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.

(Department of Provincial Administration is the government agency who issued such document).

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).

(In case of transferor is natural person)

Original 1 copy
Duplicate 1 copy

- 2.3 Marriage certificate (In case of there are marriage). (Department of Provincial Administration is the government agency who issued such document).

- 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.

(In case of transferor is natural person)

Original 1 copy
Duplicate 1 copy

- 2.5 Death certificate of spouse (In case of spouse passed away). (Department of Provincial Administration is the government agency who issued such document).

(In case of transferor is natural person)

Original 1 copy

- 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

- 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)

(In case of transferor is juristic person)

Original 1 copy
Duplicate 1 copy

- 2.8 List of shareholder name, in case of company limited or public company is also a shareholder, applicant shall present name list of shareholder showing nationality and amount of share of such shareholder together with 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. (Department of Business Development is the government agency who issued such document).

Original 1 copy

- 2.9 Evidence of bestow upon the land boundary to establish Buddhist temple.

(In case of transferee is temple)

Original 1 copy
Duplicate 1 copy

- 2.10 Evidence of abbot or deputy appointment.

- 2.11 Evidence of promoting to be superior (monk) (if there is a promotion).

(In case of transferee is temple)

Original 1 copy
Duplicate 1 copy

- 2.12 Total amount of the occupied land of temple together with copy of land right document of each land parcel for presenting to competent official (Applicant provided it).



Temple, Mosque, Christian Foundation Requesting for Land under Section 84 of the Land Code (In the case of land is located in other provinces area)

2. Other document for additional lodging. (cont.)

2.13 Connected map of prior occupied land parcel and land parcel which currently asked for permission land parcel (in case of expanding previous land parcel or it is doorway) (Applicant provided it).		
2.14 Income and expense account of operation in the past year (Applicant provided it).	(In case of transferee is temple)	Original 1 copy
2.15 Number of monk and novice (Applicant provided it).		Original 1 copy
2.16 Minutes of foundation committee which had resolution concerned with asked for permission land parcel or resolution concerned with land parcel which changed land utilization or resolution concerned with land parcel which will be changed area and intention of transferor in requesting for such land (Applicant provided it).	(In case of transferee is foundation related to Christendom)	Original 1 copy
2.17 Identification card and household registration (original) of foundation committee or a person assigned to be the person who conduct transaction instead of foundation and example of signature of committee who has power to conduct transaction instead of foundation (Department of Provincial Administration is the government agency who issued such document).		Original 1 copy
2.18 License to establish cemetery (In case of requesting for land to use as cemetery) (Department of Provincial Administration is the government agency who issued such document).	(In case of transferee is foundation related to Christendom)	Original 1 copy Duplicate 1 copy
2.19 Total amount of the prior occupied land of foundation together with copy of land right document of each land parcel for presenting to competent official (Applicant provided it).		
2.20 Connected map of prior occupied land parcel and land parcel which currently asked for permission land parcel (in case of expanding previous land parcel or it is doorway) (Applicant provided it).	(In case of transferee is foundation related to Christendom)	Original 1 copy
2.21 Income and expense account of operation in the past year (Applicant provided it).		Original 1 copy
2.22 Minutes of mosque committee which assigned whoever to have power to conduct transaction and committee has resolution concerned with asked for permission land parcel or resolution concerned with changing of intention in asking for permission in between submitting the case to minister. (Applicant provided it).	(In case of transferee is Islamic mosque)	Original 1 copy Duplicate 1 copy
2.23 Total amount of the occupied land of mosque together with copy of land right document of each land parcel for presenting to competent official (Applicant provided it).		
2.24 Connected map of prior occupied land parcel and land parcel which currently asked for permission land parcel (in case of expanding previous land parcel or it is doorway) (Applicant provided it).	(In case of transferee is Islamic mosque)	Original 1 copy
2.25 License to establish cemetery (In case of requesting for land to use as cemetery) (Department of Provincial Administration is the government agency who issued such document).		Original 1 copy
2.26 Income and expense account of operation in the past year (Applicant provided it).		Original 1 copy
2.27 Power of attorney (Applicant provide it) and identification card of proxy or copy of identification card and copy of household registration (photo copied) which proxy certifies 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 Duplicate 1 copy



Temple, Mosque, Christian Foundation Requesting for Land under Section 84 of the Land Code (In the case of land is located in other provinces area)



1. Application fee: 5 Baht/parcel

Remark: (Fee for temple or mosque that receive land for establish as religious place)

2. Fee

- 1) 0.01% of valuation price only the case that receive land for establish as religious place and when combined with existing land it shall not exceed 50 Rai. The exceeded land or land that is not establish as religious place shall be collected fee for 2% of valuation price.

Remark: (Fee for temple or mosque that receive land for establish as religious place)

3. Withholding tax

- 1) Exempt (only land that when combined with existing land it shall not exceed 50 Rai) according to Ministerial Regulation volume 126 (B.E. 2509) issued under the content of Revenue Code on the exemption of revenue no. 2 (49) amended by Ministerial Regulation volume 214 (B.E. 2541)

- 2) The part that is not match with the rule or exceed the regular paid fee.

2.1 If transfer is juristic person, pay 1% of the higher price between valuation price and capital price that applicant showed.

2.2 If transferer is natural person, it shall be calculated from valuation price under the method prescribed in Revenue Code.

Fee 1 %

Remark: 1. Fee for temple or mosque that receive land for establish as religious place.

2. Withholding tax under No 2.2, the fee column is not able to fill as fact because the form is able to be filled only "Baht/Percentage".

4. Special Business Tax

- 1) Exempt (only land that when combined with existing land it shall not exceed 50 Rai) according to Royal Decree (volume 10) B.E. 2500 Section 5 quinquies amended by Royal Decree (volume 326) B.E. 2541

- 2) The exceeded part or not match with the rule and in regulation to paid special business tax shall pay normal business tax for 3.3 % (include local tax) of the higher price between valuation price and informed price (If it is match with the rule that has to pay business tax).

Remark: (Fee for temple or mosque that receive land for establish as religious place)

5. Stamp duty: Exempt under Section 121 of Revenue Code

Remark: (Fee for temple or mosque that receive land for establish as religious place)

6. Power of attorney fee: 20 Baht/case

Remark: (Fee for temple or mosque that receive land for establish as religious place)

7. Witness fee for witness: 10 Baht/person

Remark: (Fee for temple or mosque that receive land for establish as religious place)

8. Application fee: 5 Baht/parcel

Remark: (Fee for temple or mosque that buy land from natural person or juristic person)

9. Fee: 2% of valuation price

Remark: (Fee for temple or mosque that buy land from natural person or juristic person)

10. Withholding tax

- 1) If transfer is juristic person, pay 1% of the higher price between valuation price and capital price that applicant showed.

- 2) If transferor is natural person, it shall be calculated from valuation price under the method prescribed in Revenue Code.

Remark: 1. Fee for temple or mosque that buy land from natural person or juristic person.

2. 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".

11. Special business tax

1. If transferor is natural person, pay 3.3 % (include local tax) of the higher price between valuation price and capital price that applicant showed (If it is match with the rule that it has to pay business tax under Revenue Code).

2. If transferor is juristic person, pay 3.3 % (include local tax) of the higher price between valuation price and capital price that applicant showed.

Remark: (Fee for temple or mosque that buy land from natural person or juristic person)



Temple, Mosque, Christian Foundation Requesting for Land under Section 84 of the Land Code (In the case of land is located in other provinces area)



Fee

12. Stamp duty

- 1) If transferor is natural person, pay 0.5% of the higher price between valuation price and capital price that applicant showed. (If applicant has already paid special business tax, stamp duty is exempt)
- 2) If transferor is juristic person, stamp duty is exempt because applicant has already paid special business tax.

Remark: (Fee for temple or mosque that buy land from natural person or juristic person)

13. Stamp duty for duplicated document. In case there is making instrument which has the same content of original document and the person who make instrument signed as the same as original document, applicant shall pay Stamp duty for duplicated document for 5 Baht.

Remark: (Fee for temple or mosque that buy land from natural person or juristic person)

14. Power of attorney fee: 20 Baht/case

Remark: (Fee for temple or mosque that buy land from natural person or juristic person)

15. Witness fee for witness: 10 Baht/person

Remark: (Fee for temple or mosque that buy land from natural person or juristic person)

16. Application fee: 5 Baht/parcel

Remark: (Fee for foundation related to Christendom that receive or buy land)

17. Fee: 2% of valuation price

Remark: (Fee for foundation related to Christendom that receive or buy land)

18. Withholding tax

- 1) If transferor is juristic person, pay 1% of the higher price between valuation price and capital price that applicant showed.
- 2) If transferor is natural person, it shall be calculated from valuation price under the method prescribed in Revenue Code.

Remark: 1. Fee for temple or mosque that buy land from natural person or juristic person.

2. 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".

19. Special business tax

- 1) If transferor is natural person, pay 3.3 % (include local tax) of the higher price between valuation price and capital price that applicant showed. (If it is match with the rule that it has to pay business tax under Revenue Code)
- 2) If transferor is juristic person, pay 3.3 % (include local tax) of the higher price between valuation price and capital price that applicant showed.

Remark: (Fee for foundation related to Christendom that receive or buy land)

20. Stamp duty

- 1) If transferor is natural person, pay 0.5% of the higher price between valuation price and capital price that applicant showed. (If applicant has already paid special business tax, stamp duty is exempt)
- 2) If transferor is juristic person, stamp duty is exempt because applicant has already paid special business tax.

Remark: (Fee for foundation related to Christendom that receive or buy land)

21. Stamp duty for duplicated document. In case there is making instrument which has the same content of original document and the person who make instrument signed as the same as original document, applicant shall pay Stamp duty for duplicated document for 5 Baht.

Remark: (Fee for foundation related to Christendom that receive or buy land)

22. Power of attorney fee: 20 Baht/case

Remark: (Fee for foundation related to Christendom that receive or buy land)

23. Witness fee for witness: 10 Baht/person

Remark: (Fee for foundation related to Christendom that receive or buy land)



Temple, Mosque, Christian Foundation Requesting for Land under Section 84 of the Land Code (In the case of land is located in other provinces area)



Service Delivery Channels

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

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



Relevant Laws

1. The Land Code B.E. 2497.
2. Department of Lands Rule on Acquiring Land of Temple under Section 84 of the Land Code B.E. 2552.
3. Minister of Interior Order no. 95/2546 dated 20 March B.E. 2546.
4. Ministerial Regulation Volume 47 (B.E. 2541) Issued under the Content of Act Promulgation the Land Code B.E 2497.
5. Ministerial Regulation Volume 7 (B.E. 2497) Issued under the Content of Act Promulgation the Land Code B.E 2497.



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, Rattaprasasanabhakti 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)
- No. 99 , Moo 4, Software Park Building, 2th Floor, Chaeng Wattana Road, Klong Klua Sub District, Pak Kret District, Nonthaburi 11120
- Hotline 1206/Telephone Number: 0 2502 6670 – 80 ext. 1900, 1904 – 7 Facsimile: 0 2502 6132
- 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).



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.