



## Application for Dispose Land of Alien who acquired such Land under the Land Code (In the case of land is located in Bangkok area)



### Procedures, Time, and Responsible Section

#### Consideration

#### Detail of Service Delivery Procedures

1

##### ➤ Lodging Application Date

- Verifying evidence/dealing file and land right document.
- Receiving application and checking caveat.
- Investigating party and detail of category of transaction, reason and necessity and other information that related to transferor for asking permission from minister in order to dispose such land parcel.
- Making application (form Tor. Dor. 1) and recording statement of applicant according to notification form of not using the land (Tor. 3)
- Party sign in the application and recording statement.
- Official order to accept the application.
- Paying the application/power of attorney fee (if any).
- Informing applicant about the procedures of asking permission minister and returning land right document to applicant.

1 day

2

Bangkok Metropolitan Land Office or its branch or sub branch who owns the case, summarizes the case with comment and send to Bangkok Metropolitan Land Office.

If lodging application at to Bangkok Metropolitan Land Office, this procedure is exempt.

5 days

3

Bangkok Metropolitan Land Office summarizes the case with comment and sends to Department of Lands for consideration.

3 days

4

Department of Lands' official considers and summarize the case before propose to Director General to give order.

7 days

5

Director General of Department of Lands acting Minister of Interior consider for giving permission.

3 days

6

Department of Lands sends the case back to Bangkok Metropolitan Land Office.

3 days

7

Bangkok Metropolitan Land Office sends the case back to branch office or sub-branch office who owns the case.

If lodging application at to Bangkok Metropolitan Land Office, this procedure is exempt.

2 days

8

Land office where own the case makes official letter to inform applicant and make appointment date for registration.

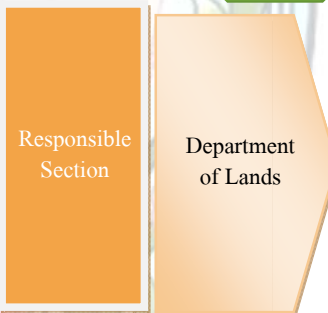
2 days

9

##### ➤ Registration Date

- Verifying the case of receiving permission from Minister and verifying completeness and correctness of all cases.
- Checking caveat.
- Valuating capital price, calculating expenses/applicant pays expenses.
- Making contract and updating record of land right document.
- Party signs contract.
- Chief of land office verifies the case before registration/signs and stamps position seal for registration in contract and land right document and gives to applicant.
- Applicant verifies correctness of land right document and contract before leaving the land office.

1 day



Total of implementation duration 27 days



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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.

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

1.2 Evidences concerning aliens:

- 1) Alien registration book which issued by the local police station where such alien resides or
- 2) Passport shows nationality of alien or
- 3) Certificate from consular officer or embassy officer that such alien subordinated in or
- 4) Emergency Certificate which Ministry of Foreign Affairs issued for temporary aspect

Original 1 copy

Original 1 copy  
Duplicate 1 copy

In case  
transferor is  
natural  
person

#### 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 or reliable official evidence which showed that applicant is authentic owner and etc.

Original 1 copy  
Duplicate 1 copy

2.2 Evidence from government agency shows the changing of first name or surname (If there is any changing of first name or surname and it is not match with name and surname in land right document).

In case  
transferor or  
transferee is  
natural person

Original 1 copy  
Duplicate 1 copy

2.3 Marriage certificate, divorce certificate (if there are marriage registration or divorce registration).

In case  
transferor or  
transferee is  
natural person

Original 1 copy  
Duplicate 1 copy

2.4 Letter of consent for spouse to conduct juristic act (original provided by applicant) together with identification card, 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  
transferor or  
transferee is  
natural person

Original 1 copy

2.5 Death certification of spouse (in case of spouse passed away).

In case  
transferor or  
transferee is  
natural person

Original 1 copy  
Duplicate 1 copy

2.6 Minutes of juristic person which had resolution for conducting such juristic act with relevant detail (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 prepared it).

In case  
transferor or  
transferee is  
juristic person

Original 1 copy  
Duplicate 1 copy

2.7 Power of attorney (applicant prepare it) and the identification card of proxy or copy of identification card and a copy of household registration (photo copied) which proxy certified correctness with identification card and house registration of attorney (original and copy with certified correctness) (in case of person did not perform by himself/herself).

Original 1 copy



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### Remark

1. If document which showing to official were in foreign language, such document shall be translated into Thai which is verified correctness by
  - 1.1 Thai people who have graduated not lower than bachelor degree in the course that uses language which appears in the document or
  - 1.2 Professor in higher education institution and teaching language which appears in the document in the educational institution or
  - 1.3 Foreign embassy or consulate which located in Thailand and that country uses language which appears in the document in official language or
  - 1.4 Thai embassy or abroad consulate (according to Ministerial Regulations (B.E. 2540) issued under the Administrative Procedure Act B.E. 2539 (1996).

### Fee

1. Application Fee 5 Baht/Parcel.
2. Fee 2% of valuation price.
3. Fee 0.5% of valuation price (in case of gratuitous transferring between ascendants and descendants or between spouse)
4. Withholding tax
  - 1) Transferor is juristic person, pay 1% of the higher price between valuation price and capital price of applicant which showing.
  - 2) Transferor is natural person, the fee will be calculated from 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".
5. 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. (if applicant has already paid the specific business tax, stamp duty is exempt).
  - 2) Transferor is juristic person, pay 3.3% (including local tax) of the higher price between valuation price and capital price that applicant showed.
6. Stamp duty
  - 1) 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 the specific business tax, stamp duty is exempt).
  - 2) Transferor or is juristic person, stamp duty is exempt, because applicant has already paid the specific business tax.
7. Stamp duty for duplicated document. 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.
8. Power of attorney fee 20 Baht/case.
9. Witness fee for witness 10 Baht/person.



### Service Delivery Channels

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

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



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### 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/Sub 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, 6<sup>th</sup> Floor, Commemorating His Majesty, Rattthaprasasanabhakti Building, Chaeng Wattana Road, Lakxi 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.
  6. Complaint Center of Corruption in Public Sector (Office of Public Sector Anti – Corruption Commission: PACC)
    - No. 99 , Moo 4, Software Park Building, 2<sup>th</sup> 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](http://www.pacc.go.th)/[www.facebook.com/PACC.GO.TH](https://www.facebook.com/PACC.GO.TH)
- Complaint Center of International Investor (The Anti-Corruption Operation Center)



### Relevant Law

1. Department of Lands Order no. 13/2497 dated 11 December B.E. 2497 concerning Regulations on Land Right of Aliens under the Land Code.
2. Ministry of Interior Order no. 152/2546 dated 21 April B.E. 2546.
3. Ministerial Regulations Volume 8 (B.E. 2497) issued under the content in Act Promulgating the Land Code B.E. 2497.
4. Section 86, 89, 93 and Section 96 Bis of the Land Code.
5. Ministerial Regulations Volume 7 (B.E. 2497) issued under the content in Act Promulgating the Land Code B.E. 2497.



### 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](http://dol.go.th/registry).