

**Hire Registration under the Hire of Immovable Property for Commercial and Industrial Purposes****Act B.E. 2542 (Hire area exceeding 100 rai) In case of land is located in Bangkok area****Procedures, Time, and Responsible Section****Detail of Service Delivery Procedures****1. In the date of lodging application****Date of lodging application**

- Lodging application.
- Verifying document as evidence/ dealing file and title deed/certificate of utilization or evidence of structure owner.
- Receiving application and investigating party. Checking caveat.
- Conducting application. Party signs in application.
- Official orders to receive application.
- Applicant pays application fee and notification fee (if any).
- Official making notification/letter to send notification/ chief of land office signs (if any).

1 day

2. Asking for comment**Asking for Local Council Comment**

- Making official letter and send the case to local council where such land is located to give comment. (total duration of making official letter/send official letter/send back official letter is 10 days since the date of signing in official letter).
- Local council gives comment within 30 days (if not receive result within 30 days, shall be assumed that local council wish not to give comment).

40 days

3. Consideration

When receive result from local council and notification reached due date (if any), Bangkok Metropolitan branches office/sub-branches who own the case summarize the case with comment and send to Bangkok Metropolitan land office.

3 days

In case of lodging application at Bangkok Metropolitan land office, this procedure is exempt.

4. Consideration

Bangkok Metropolitan land office summarizes the case with comment and proposes to Governor for consideration.

3 days

5. Consideration

Department of Lands' official considers and summarize the case before propose to Director General of Department of Lands to consider for giving approval.

7 days

6. Consideration

Director General of Department of Lands consider for giving approval.

3 days

7. Send the case back

Department of Lands sends the case back to Bangkok Metropolitan land office.

3 days

8. Send the case back

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

3 days

In case of lodging application at Bangkok Metropolitan land office, this procedure is exempt.

9. Inform applicant

Land office who owns the case informs applicant for conducting registration.

3 days

10. Registration Date**Registration Date**

- Lodging title deed or certificate of utilization.
- Verifying the case and checking caveat.
- Chief of land office orders to registration.
- Conducting contract/memorandum of agreement and updating record.
- Party signs in contract/memorandum of agreement.
- Calculating expenses/applicant pays expenses.
- Updating record.
- Chief of land office verifies the case/chief of land office signs and stamp position seal for registration in contract or memorandum of understanding, title deed or certificate of utilization and gives to applicant to verify correctness.

1 day

Total of implementation duration 67 days



Hire Registration under the Hire of Immovable Property for Commercial and Industrial Purposes Act B.E. 2542 (Hire area exceeding 100 rai) In case of land is located in Bangkok area



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 of lessor or hirer is Thai or alien) Original 1 copy
- 1.3 Alien Registration Book or passport or certificate of official or consular official or Embassy official which such person is in subordination or nationality certificate (emergency certificate) which temporarily issued by Ministry of Foreign Affair (original). (In case of hirer is alien) Original 1 copy
- 1.4 Household Registration (original) (Department of Provincial Administration is the government agency who issued such document). (In case of lessor or hirer is natural person or alien) Original 1 copy
- 1.5 Certificate of juristic person which main detail of such certificate is still present (original) and copy of shareholder name list, copy of certificate of juristic person which a person who has power to conduct transaction instead of juristic person(not attorney) certify correctness and seal of juristic person, in case of certificate of juristic person identified that the document has to be sealed. (Department of Business Development is the government agency who issued such document). (In case of lessor or hirer is Thai or alien Juristic person) Original 1 copy Duplicate 1 copy
- 1.6 Identification card and household registration (original) of committee who has power to conduct transaction instead of Thai juristic person (If committee is alien, applicant shall present certificate of alien or passport or certificate of official or consular official or embassy official which such person is in subordination or nationality certificate (emergency certificate) which temporarily issued by Ministry of Foreign Affair (original) and seal of juristic person (In case of certificate of juristic person identified that the document has to be sealed) and example of signature of committee who has power to conduct transaction instead of juristic person (original and copy that certified correctness). (In case of lessor or hirer is Thai or alien 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 land owner 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 and copy that certified correctness). (In case of hire the land with structure) Original 1 copy Duplicate 1 copy
- 2.2 Map showing land boundary attached with hire contract (In case of registering some part of hiring, sublet, some part of sublet) Original 1 copy
- 2.3 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) (original) (Department of Provincial Administration is the government agency who issued such document) (In case of lessor or hirer is natural person) Original 1 copy Duplicate 1 copy
- 2.4 Marriage certificate, Divorce certificate and divorce record (If there is marriage registration or divorce registration) (original) (Department of Provincial Administration is the government agency who issued (In case of lessor or hirer is natural person) Original 1 copy
- 2.5 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 of lessor or hirer is natural person) Original 1 copy



Hire Registration under the Hire of Immovable Property for Commercial and Industrial Purposes Act B.E. 2542 (Hire area exceeding 100 rai) In case of land is located in Bangkok area

2. Other document for additional lodging (cont.)

- 2.6 Death certificate of spouse (In case of spouse passed away) (original)
(Department of Provincial Administration is the government agency who issued such document) (In case of lessor or hirer is natural person) Original 1 copy
- 2.7 Juristic person regulations, memorandum of association and objectives (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) (In case of lessor is Thai or alien juristic person) Original 1 copy Duplicate 1 copy
- 2.8 Minutes of juristic person which had resolution to conduct 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. (In case of lessor or hirer is Thai or alien juristic person) Original 1 copy Duplicate 1 copy
- 2.9 In case of hirer is Thai person or Thai juristic person or alien or alien juristic person, applicant shall present additional evidence as follow: Original 1 copy
- (1) Planning, project concerned with the investment in the commercial or industrial enterprise which the applicant wishes to hire by showing at least details concerned the plan of using the land, source and amount of capital, duration of implementation according to the processes of performing enterprise and detail of labour employment.
 - (2) An environmental impact assessment report under with the Law on Enhancement and Conservation of National Environmental Quality.
 - (3) A certify letter from Provincial Office of Public Works and Town & Country Planning or Industrial Estate Authority of Thailand certified that the land, which apply for hiring, is located in the prescribed area to be commerce or industry categories under the Law on Urban Planning or located in an industrial estate zone under the Law on Industrial Estate of Thailand, as the case may be.
 - (4) Evidence of the lodging application or the receiving of permission or approval by a relevant government agencies or government organization.
 - (5) In case of applicant is the person who used to acquire the right of hiring, applicant shall show the evidence of acquiring the right of hiring as well.
- 2.10 ** The amount of investment money in case of lease registration, sublet, or receive transfer of right of hiring of area exceed one hundred rai for commercial and industrial purpose with evidence of bringing money for investment not less than one hundred million Baht, all this exclude the amount of rental fee and using evidence of bringing foreign currency into the Kingdom or evidence of withdrawing money from a currency deposit bank account in Thai Baht of a person who has domicile outside the country or evidence of withdrawing money from a foreign deposit bank account, applicant shall one or another additional evidence as follow: Original 1 copy
- (1) Foreign Currency Declaration Form which issued by official of the Custom Department.
 - (2) Evidence foreign currency transaction or receipt of purchasing foreign currency which issued by authorized company or person who is authorized as the purchaser of foreign currency and evidence of authorized company or person who is authorized as the purchaser of foreign currency that issued by Bank of Thailand as the attachment or letter from authorized bank that certify the purchasing of foreign currency or bringing foreign currency to deposit into deposit account of foreign currency.
- 2.11 ** Evidence of withdraws money from deposit account in Baht of a person who domicile outside the country to request for lease registration of immovable property for commercial and industrial purpose, both it is the account of alien or not account of alien, applicant shall present evidence of certificate of commercial bank which certify the withdrawal of deposit account in Baht of a person who domicile outside the country. Original 1 copy



Hire Registration under the Hire of Immovable Property for Commercial and Industrial Purposes Act B.E. 2542 (Hire area exceeding 100 rai) In case of land is located in Bangkok area

2. Other document for additional lodging (cont.)

- 2.12 ** Evidence of withdrawal from foreign currency deposit account to request for lease registration of immovable property for commercial and industrial purpose and shall present one or another evidence which are evidence of foreign currency transaction form that commercial bank provides to seller of foreign currency as the attachment when lodging the application of requesting for selling foreign currency or evidence that the commercial bank issued to the customer or bank certificate of accepting for buying foreign currency. (original) Original 1 copy
- 2.13 Document which show one or another evidence as follow: Original 1 copy
- (1) Enterprise which added value for import or support domestic employment.
 - (2) Enterprise which is not exist in the Kingdom or insufficient.
 - (3) Enterprise which has the modern production process or develop technology.
 - (4) Enterprise which is highly benefit to economy and society of the country under the determined announcement of the Minister by the approval of the Cabinet.
- 2.14 Power of attorney (Applicant prepare it) and identification card of proxy or copy of identification card and household registration (photo copied) which proxy certifies the correctness with identification card and household registration of attorney (original) (In case of the person did not perform by himself/herself). Original 1 copy
- 2.15 In case it is prescribed by law that there shall be consent evidence or received permission from any agency or person, applicant shall bring such evidence for showing to official as well, such as in case of juvenile rents out the land which under the law shall ask permission from the court (original). Original 1 copy

Remarks

1. If documents which showing to official were in foreign language, such document shall be translated and certified the 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)



Fee

1. Application fee: 5 Baht/parcel
2. Fee (in case of having capital) 1% of rental price of all rental period (rental price includes gratuity (if any)).
3. Fee (in case of no capital), in case of land: 50 Baht/parcel
4. Stamp duty 0.1% of rental price of all rental period (rental price includes gratuity (if any)). If renting the land for farming, stamp duty is exempt.
5. 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.
6. Notification fee: 10 Baht/parcel
7. Proxy fee: 20 Baht/case
8. Witness fee for witness, in case of land: 10 Baht/person



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) From 08.30 – 16.30 hrs.



Hire Registration under the Hire of Immovable Property for Commercial and Industrial Purposes Act B.E. 2542 (Hire area exceeding 100 rai) In case of land is located in Bangkok area



Relevant Laws

1. Ministerial Regulation Volume 7 (B.E. 2497) Issued under the Content of Act Promulgation the Land Code B.E 2497
2. Civil and Commercial Code.
3. Ministerial Regulation Volume 47 (B.E. 2497) Issued under the Content of Act Promulgation the Land Code B.E 2497
4. The Land Code.
5. Hire of Immovable Property for Commerce and Industry Act B.E. 2542
6. Ministerial Regulation (B.E. 2543) Issued under the Content of Hire of Immovable Property for Commerce and Industry Act B.E. 2542
7. Ministerial Regulation Volume 2 (B.E. 2543) Issued under the Content of Hire of Immovable Property for Commerce and Industry Act B.E. 2542



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, Rathaprasasanabhakti 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).