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Order of the Royal Thai Police Headquarters

No.777/2551

Re: Rules and Conditions in the Consideration of Alien Applications for Temporary Stay in the Kingdom of Thailand

Refer to order of the Royal Thai Police Headquarters no.543/2549 dated on August 15, B.E.2549, order no. 56/2551 dated on January 21, B.E.2551 granted authority concerning to the consideration of alien applications for temporary stay basis of section 35 paragraph 3 of Immigration Act B.E.2522 and order no.606/2549 dated on September 8 B.E.2549 to rule and conditions in the consideration of aliens permission to stay in the Kingdom of Thailand on a temporary basis.

Whereas it is expedient to revise the rules and condition are hereby prescribed as guidelines for the Immigration Bureau to follow in granting aliens permissions to stay in the Kingdom of Thailand on a temporary basis. By virtue of Section 11(4) of the Royal Thai Police Act B.E. 2547, the Commissioner-General issued the order concerning to the rules and conditions are hereby prescribed as guidelines for the Immigration Bureau to follow in granting aliens permission to stay in the Kingdom of Thailand on a temporary basis of section 35 paragraph 3 of Immigration Act B.E.2522 as following;

1. The following orders are hereby repealed;

- 1.1 Order of the Royal Thai Police No.606/2549 dated September 8, B.E. 2549.
- 1.2 Order of the Royal Thai Police No. 56/2551 dated January 21, B.E. 2551.

This Order shall supersede all other rules, regulations and orders that are contrary to or contradict this order.

2. The rules in the consideration of Alien applications in the Kingdom in the case of business for a period of not more than 1 year at a time according section 35 paragraph 3 of Immigration Act B.E.2522, it shall follow the rules in the consideration of Alien application in the Kingdom of this order.

3. During the proceedings of the consideration of an Alien application in the Kingdom as clause 2, the alien is allowed to stay temporarily in the Kingdom. The competent official may grant the alien a temporary stay several times if necessary under the circumstances, but the total number shall not exceed 30 days counting from the day after the expiration date.

4. If the applicant does not fully meet the qualifications as prescribed by this order, the competent official shall inform the applicant for his/her denial and he/she departs within 7 days after the permission date ended.

In case the applicant wishes to review the denial by the orders mentioned in clause 1, the applicant shall re-submit an application for another review, citing the reasons for the re-submission in a letter to a competent official holding a rank of a police inspector and higher. This is for the purpose of obtaining a decision in writing on the application. In this case, the applicant may attach all supporting documents to the application for re-submission at the same time. The review shall be carried out within the time limit prescribed by paragraph 1. During the proceeding of the consideration, the competent official shall set the date of result hearing within 7 days after the review application is submitted.

5. If the applicant does not fully meet the qualifications as prescribed by this order or other cases not stipulated herein, the competent official holding a rank of police inspector and higher will consider if there are sufficient reasons to stay in the Kingdom. If so, the competent official shall submit the application to the Command-General or authorized person to consider an alien applicant.

6. If an alien who has entered Thailand before this order came into force and has been continuously granted temporary stay as clause 2.18(6), in case the marriage with Thai lady, is found to lack the qualifications as prescribed in this order, the Commissioner of the Immigration Bureau or competent official shall consider and decide on the particular case based on the prevailing reasons and circumstances within 1 year from the effective date hereof.

This Order is effective from now.

Issued date of 25 November B.E.2551

Pol.Gen. Patcharawat Wongsuwan
The Commissioner-General

Re: Rules in the Consideration of Alien Applications for Temporary Stay in the Kingdom of Thailand according to clause 2 of the order of the Royal Thai Police Headquarters no. 777/2551 dated on 25 November B.E.2551

Cases	Basis for Consideration
<p>2.1 In the case of business such as employment with a company or partnership, etc.: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien must have a temporary visa (2) The alien must have an income consistent with that set out in the Income Table attached hereto; (exhibit a) (3) The business concerned must have a registered capital of not less than Baht 2 million, fully paid-up; (4) The business concerned must have duly submitted its financial statement as at the end of the two fiscal years and certified by an auditor or tax auditor, showing a sound financial condition and an on-going active business as attached order (exhibit b) (5) The business needs to employ the aliens (6) The business concerned must have a ratio of 1 alien to 4 Thai permanent employees. (7) The following businesses are exempted from the requirements of clauses (3), (4) and (5), and the ratio of aliens to Thai employees under clause (6) shall be reduced to 1:1. (a) International trade enterprise (Representative Office) (b) Regional Office (c) Multinational company (Branch Office)</p>

<p>2.2 In the case of working for an investment which entrusted from the concerned Ministry, Department, Division: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM) (2) Confirmation has been given by and request has been made by the concerned Ministry, Department, Division.</p>
<p>2.3 In the case of working for a government agency, state enterprise, or other government agency. Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (2) Confirmation has been given by and request has been made by the particular organization or establishment.</p>

<p>2.4 In the case of tourists: Permission will be granted for a period of not more than 30 days at a time but not exceeding 90 days in total, counting from the entry date.</p>	<p>(1) The alien has obtained a tourist visa (2) The alien must not be of the nationality or type restricted by the Performance Follow-up Committee attached to the Immigration Bureau.</p>
<p>2.5 In the case of an investment: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>A. In case of an investment of not less than 3 million baht (1) The alien has obtained a temporary visa (NON-IM) (2) The alien entered Thailand before October 1, 2006 and has been continuously allowed to remain in the Kingdom of not less than 3 million baht. (3) Proof of money transfer to Thailand of not less than 3 million baht (4) Proof of investment to purchase a unit in a condominium from an agency or government agency concerned at a price of not less than 3 million baht (5) Proof of investment in the form of a fixed deposit of not less than 3 million baht with a bank registered in Thailand with Thai shareholders comprising of more than 50% of its shareholders or; (6) Proof of investment to purchase government or state enterprise bonds with a value of not less than 3 million baht or (7) Proof of combined investments as set out in clauses (4),(5), or (6) having a total value of not less than 3 million baht.</p> <p>B. In case of an investment of not less than 10 million baht. (1) The alien has obtained a temporary visa (NON-IM) (2) Proof of money transfer to Thailand of not less than 10 million baht. (3) Proof of investment to purchase or rent for a period not less than 3 years of unit in a condominium from an agency or government agency concerned at a price of not less than 10 million baht. (4) Proof of investment in the form of a fixed deposit of not less than 10 million baht with a bank registered in Thailand with Thai shareholders comprising more than 50% of its shareholders. (5) Proof of investment to purchase government or state enterprise bonds with a value of not less than 10 million baht or (6) Proof of combined investments as set out in clauses (3),(4) Or (5) having a total value of not less than 10 million baht.</p>

<p>2.6 In the case of a teacher, professor or expert working at a state-owned educational institution: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM) (2) Confirmation and request has been made by the particular educational institution.</p>
<p>2.7 In the case of a teacher, professor or expert working at a private educational institution: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM) (2) The particular educational institution holds a license from the competent authority to operate (3) Confirmation and request has been made by the particular educational institution.</p>
<p>2.8 In the case of enrollment in a state-owned educational institution: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM) (2) Confirmation and request has been made by the particular educational institution.</p>
<p>2.9 In the case of enrollment in a private educational institution: Permission will be granted for a period as confirmed by the institution but shall not be more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM) (2) The particular educational institution holds a license from the competent authority to operate; and (3) Confirmation and request has been made by that particular institution; and (4) That particular institution is accredited by the competent authority (except in the case of enrollment in an international school or university)</p>

<p>2.10 In the case of a teacher apprentice or researcher at a university or research institution: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM) (2) Confirmation and request has been made by the dean of that university or the head of that research institution. (3) In the case of a teacher apprentice or researcher at a private university or research institution, confirmation and request must be made by the government agency concerned.</p>
<p>2.11 In the case of a family member of an alien who has been permitted to stay temporarily in Thailand for study in an educational institution as set out in clauses 2.8 or 2.9 (applicable only to parents, spouse, children, adopted child or the child of his/her spouse): Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); (2) Proof of family relationship; and (3) In the case of spouse, the marital relationship shall be de jure (legitimate) and de facto; or (4) In the case of a child, adopted child or child of his/her spouse, the said person must not be married, must be living with the applicant, and must be less than 20 years of age; or (5) In the case of parents, there must be an account deposit with a local bank made in the name of father or mother of not less than Baht 500,000 as shown in bank account transactions for the past 3 months. For the first year, it should have that said amount in the bank account for not less than 30 days at the submitted date of the application.</p>
<p>2.12 In the case of mass media function: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); (2) Confirmation and request has been made by the Public Relations Department or the Information Department attached to the Ministry of Foreign Affairs.</p>

<p>2.13 In the case of study of Buddhism or religious function: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); (2) Confirmation has been issued by the National Buddhism Office or the National Buddhism Office of the Prime Minister's Office or the Mahachulalongkorn University; and (3) Confirmation has been issued by the abbot of the temple where the applicant is studying or performing the religious function.</p>
<p>2.14 In the case of a missionary: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM) (2) Confirmation has been given by the Religious Affairs Department of by the National Buddhism Office (3) Confirmation and request has been made by the religious organization at which the applicant is stationed.</p>
<p>2.15 In the case of a skilled worker or expert in medicine, nursing or other professional for transfer of technology and knowledge to Thais: Permission will be granted for a period of not more than 90 days at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM) (2) Confirmation and request has been made by the organization or agency concerned.</p>
<p>2.16 In case of installation or repair of machines, aircraft or ocean vessels: Permission will be granted for a period of not more than 90 days at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM) (2) Confirmation and request has been made by the organization or agency concerned.</p>

<p>2.17 In the case of a performer in a show, entertainer, vocalist or musician performing at a hotel or engaged by a company in Thailand in the entertainment business with a registered capital of not less than Baht 20 Million, fully paid-up: Permission will be granted for a period of not more than 120 days at a time.</p> <p>2.18 In the case of a family member of a Thai (applicable only to parents, spouse, child, adopted child or child of his/her spouse): Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); and (2) Confirmation of employment given by a hotel or company engaged in the entertainment business in Thailand with a registered capital of not less than Baht 20 Million, full paid-up</p> <p>(1) The alien has obtained a temporary visa (NON-IM) (2) Proof of family relationship (3) In the case of a spouse, the marital relationship shall be de jure (legitimate) and de facto; (4) In the case of a child, adopted child or child of his/her spouse, the said person must not be married, must be living with the family, and must be less than 20 years of age; or (5) In the case of a parent, one of parents must have an average annual income of not less than 40,000 baht per month or a money deposit of not less than 400,000 baht for expenses within a year.</p> <p>In other necessary circumstances, The Immigration Commissioner or Deputy of Immigration Commissioner may approve on case to case basis.</p> <p>(6) In case of marriage with a Thai lady, the husband who is an alien must have an average annual income of not less than 40,000 baht per month or a money deposit in a local Thai bank of not less than 400,000 baht for the past 2 months for expenses within a year.</p>
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<p>2.19 In the case of a family member of a permanent residence permit holder (applicable only to parents, spouse, child, adopted child or child of his/her spouse): Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM) (2) Proof of family relationship; (3) In the case of a spouse, the marital relationship shall be de jure (legitimate) and de facto; or (4) In the case of a child, adopted child or child of his/her spouse, the said person must not be married, must be living with the family, and must be less than 20 years of age; or (5) In the case of a parent, the said person must be 50 years of age</p>
<p>2.20 In the case of a family member of an alien who has been permitted temporary stay under clauses 2.1, 2.2, 2.3, 2.5, 2.6,2.7, 2.10, 2.12, 2.13,2.4, 2.15, 2.16, 2.17, 2.21, 2.22,2.26,6.29 of this Order (applicable only to parents, spouse, child, adopted child or child of his/her spouse): Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); (2) Proof of family relationship; (3) In the case of a spouse, the marital relationship shall be de jure (legitimate) and de facto; or (4) In the case of a child, adopted child or child of his/her spouse, the said person must not be married, must be living with the family, and must be less than 20 years of age; or (5) In the case of a parent, the said person shall be 50 years of age or over.</p>
<p>2.21 In the case of working for a public charity organization, private foreign organization, foundation, association, Foreign Chamber of Commerce, Thailand Board of Trade, or Thailand Federation of Industries: Permission will be granted for a period of not more than 1 year at a time. In the absence of the official confirmation set out in clause (3), permission will be granted for a period of not more than 90 days at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); (2) Confirmation and request has been made by the authorized officer or head of that organization; and/or (3) Confirmation and request has been made by the chief government officer division level or equivalent and higher or chief of state enterprise or other chief of government agency who deals with that organization</p>

<p>2.22 In the case of a retiree: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) The alien has obtained a temporary visa (NON-IM); (2) The applicant is 50 years of age or over; (3) Proof of income of not less than Baht 65,000 per month; or (4) Account deposit with a bank in Thailand of not less than 800,000 Baht as shown in the bank account for the past 3 months at the filing date of the application. For the first year, the applicant should have that amount in his bank account for not less than 60 days or (5) Annual income plus bank account deposit totaling not less than Baht 800,000 as of the filing date of application (6) For an alien who entered Thailand before October 21, 1998 and continuously allowed to stay in the Kingdom as a retiree, the following shall apply: (a) He/she must be 60 years of age or over and has regular income. His/her bank account deposit shall not be less than Baht 200,000 a year and evidence of the account deposit for the previous 3 months must be shown; or he/she has a monthly income of not less than Baht 20,000. (b) If he/she is under 60 years of age but not less than 55, the alien shall have regular income with a bank account deposit of not less than Baht 500,000 a year and evidence of the account deposit for the previous 3 months must be shown, or he/she has a monthly income of not less than 50,000 baht</p>
<p>2.23 In the case of visiting family or return of a former Thai national or a person whose father or mother is or once was a Thai: Permission will be granted for a period of not more than 1 year at a time.</p>	<p>(1) Proof of original Thai nationality or of his/her parent being a Thai or once a Thai.</p>
<p>2.24 In the case of an alien visiting a Thai spouse or child: Permission will be granted for a period of not more than 60 days at a time</p>	<p>(1) Proof of relationship. (2) In the case of a spouse, their marital relationship shall be de jure (legitimate) and de facto.</p>

<p>2.25 In the case of medical treatment or convalescence or to look after a patient: Permission will be granted for a period of not more than 90 days at a time.</p>	<p>(1) Confirmation and request has been made by a physician responsible for the treatment. The Physician must describe the details of treatment and advised that the illness is a barrier for travelling.</p> <p>(2) In the case of looking after a patient, confirmation and request has been made by the physician responsible for the treatment or by an embassy or consulate.</p> <p>(3) Patient Carer, except parents, spouse, children, adopted children or children of spouse, shall be granted no more than 1 extra person.</p>
<p>2.26 In the case of litigation or judicial proceeding: Permission will be granted for a period of not more than 90 days at a time.</p>	<p>(1) Proof of involvement in litigation or judicial proceedings as complainant, the aggrieved party, accused, plaintiff, defendant or witness.</p>
<p>2.27 In the case of performing a duty or task for a government agency or state enterprise or other government agency or embassy or consulate or an International organization: Permission will be granted for a period of not more than 90 days at a time.</p> <p>Except in special circumstances where individuals need could be granted not more than 1 year</p>	<p>(1) Confirmation and request has been made by a government agency at the level of department or equivalent, or police office or government agency attached to the Commissioner-General of the Royal Thai Police Headquarters, or the Army, Navy or Air Forces, whose rank of Major General, Navy Major General, Air Force Major general or higher or by the international organization.</p> <p>(2) In case of applicant needs to stay longer than 90 days, the competent official will request to the Commissioner-General of the Royal Thai Police Headquarters or Deputy of the Commissioner-General of the Royal Thai Police Headquarters to consider the application.</p>
<p>2.28 In case of a necessary reason, the embassy or consulate certified and requested.</p> <p>(1) Permission will be granted not more than 30 days in case of a necessary reason.</p> <p>(2) Permission will be granted for not more than 90 days if based on training.</p>	<p>(1) Confirmation and request has been made by embassy or consulate.</p> <p>(2) Alien who is on training has obtained a temporary visa.</p>

<p>2.29 In the case that proof of nationality. Permission will be granted not more than 180 days.</p>	<p>(1) Confirmation has been made by concerned government agency.</p>
<p>2.30 In the case of a performer, a singer, a musician, a conductor or a person who works in entertainment or theatrical, for an occasional performance Permission will be granted not more than 90 days</p>	<p>(1) Confirmation and request has been made by concerned private company.</p>
<p>2.31 In the case of vehicle controller and vehicle conductor to a station or an area in the Kingdom and I unable to depart the Kingdom. Permission will be granted not more than 90 days</p>	<p>(1) Necessary reasons to be unable to depart are needed.</p>

ATTACHMENT TO ROYAL THAI POLICE HEADQUARTERS ORDER NO. 777/2551 dated
November 25, 2008 Income Table Referred to Clause 2.1 (2)

Nationality	Minimum Income
1. European countries (except Russia), Australia continent, Canada, Japan, and U.S.A.	Baht 50,000/month
2. South Korea, Singapore, Taiwan and Hong Kong	Baht 45,000/month
3. Asian countries (except Japan, South Korea, Singapore, Taiwan, Hong Kong, Cambodia, Myanmar, Laos and Vietnam), South America continent, Countries in Eastern Europe, Countries in Central America, Mexico, Turkey, Russia and South Africa	Baht 35,000/month
4. African countries (except South Africa), Cambodia, Myanmar, Laos and Vietnam	Baht 25,000/month