

Thailand changes rules for foreigners to report their address/change of address

by

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Background: In 2016, a regulation was issued by the Immigration Bureau requiring all foreigners to file details of their current address with the IB within 24 hours of arrival, duly confirmed by their landlord/the owner of the property in which they reside. The IB are now enforcing this regulation.

This is in addition to the 90 day reporting obligation, whereby a foreigner must confirm his address to the IB every 90 days backdated to the date of last entry to Thailand (the form is TM47).

Filing form TM30: The property owner must sign and confirm details of the address at which the foreigner resides. The property owner has the responsibility to file the form at the IB and must also provide a copy receipted by the IB to the foreigner, who files it when the latter applies to extend their visa/retirement visa/files a 90 day reporting form/or applies for a re-entry visa.

We understand that Chaengwattana Immigration Office has recently started to enforce this regulation, as well as provincial Immigration Offices in Samuthprakarn, Chonburi and Nonthaburi Provinces. They will no longer accept applications to extend visas or 90 day reporting, unless this is accompanied by form TM30 completed and signed by the owner of the property at which the foreigner resides, and stamped by the IB.

Fines: The IB may also levy a fine on the property owner starting from 800 Baht daily for not reporting the address within 24 hours of last arrival in Thailand. Online reports suggest that the maximum fine is 2,000 Baht for an individual and 10,000 Baht for a company. Provided the fine is paid, and the form TM30 signed by the property owner and receipted by the IB is filed, an application for visa extension/90 day reporting etc should be accepted.

Additional obligations for foreigners: A foreigner is also required to file form TM30:

- (a) if there is an address change in Thailand (e.g. a foreigner goes to stay at a hotel in Hua Hin for one week and then returns to his/her usual address in Thailand).
- (b) if a foreigner exits Thailand e.g. for a business trip or holiday, he/she should make a further reporting within 24 hours of return.

A fine of 2,000 Baht may be levied for default.

Interpretation: In our view, reporting would include all cases, even where the foreigner lives at a property owned by their Thai spouse, or in a property owned in the foreigner's own name (e.g. a condo).

Duty of property owners: The obligation is also enforceable against the owner of the property. The owner also must report the address of the foreigner to the local IB office within 24 hours of the foreigner's arrival. This is an extension of the long established procedure under the Hotels Act whereby hotel owners (as defined) were subject to an obligation to report details of all foreigners arriving at the hotel. A fine of a minimum of 1,600 Baht is payable in cases on non-compliance.

See Immigration Bureau webpage <http://bangkok.immigration.go.th/en/base.php?page=alienstay> for further information.

Online registration may be permitted see: <http://extranet.immigration.go.th/fn24online> But there is also online information to suggest that online reporting is only available to hotels.

Which IB offices are enforcing this obligation?: As at 3 April 2019, this procedure is not being adopted at Chamchuri Square One Stop Service Centre and applicants for a visa extension/90 day reporting, etc. there are not required to file form TM30. It may be that this will change in the future.

We do not know what position is being taken by other Immigration Bureau offices in Thailand.

All foreigners residing in Thailand are urged to take advice from a lawyer or immigration advisor on the obligations that apply to foreigners, or to property owners who permit foreigners to rent/occupy their property, regarding the reporting of the residential address of a foreigner.

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