

## No Work and All Play

Published: 5 Jan 2014

Newspaper Section: Spectrum

Those of us who live and work in Thailand or many who just come to the Land of Smiles for a holiday, often dream about retiring on the Southern beaches with a coconut in hand or perhaps being surrounded by nature and rolling hills in the elevated Northern provinces. Though Thailand does not have a formal campaign to attract retirees, such as Malaysia's "*Malyasia My Second Home*" program, an increasing number of expats are deciding to sample the luxuries of retired life in Thailand.



But, what allows these lucky former laborers the legal ability to stay? Today we will examine the ticket to relaxing away your golden years in Thailand: the so-called retirement visa.

Non-immigrant Type O-A visas, also known as retirement visas, are granted at a maximum of one year at a time, with every foreign retiree being required to report to Immigration in 90 days increments to check in. The retiree must be at least 50 years old. If you are actually retiring at 50, I imagine choosing to live in Thailand is but one of the many good choices you made during your lifetime!

In addition, the financial requirements to qualify are as follows:

- Proof of income of not less than 65,000 baht per month; or
- Possession of a Thai bank account with a continuous balance of not less than 800,000 baht during the last three months; or
- Annual income plus bank account balance totaling no less than 800,000 baht as of the filing date of the application

If the application for the Type O-A visa is being made from outside of Thailand, it must include a letter of verification from the country of origin stating that the applicant has no criminal record, and a medical certificate indicating the absence of proscribed diseases. These documents need to have been issued within the preceding three months and be notarized.

One important note is that being employed or otherwise working on a retirement visa is strictly prohibited. Last week we discussed the Alien Working Act and the definition of “work” under that Act as being “exerting energy or using knowledge whether or not in consideration of wages or other benefits.” The broadness of this definition could potentially land you in trouble if you are caught engaging in activities such as doing some landscaping or minor home improvements on a piece of property you own. In Phuket, more than one foreigner found himself being fined and facing imprisonment for building and or refurbishing a boat that belonged to him while on his own property.

Even volunteer work is covered by this definition, which is problematic for many young altruistic gap year visitors and also for many “trailing spouses” who have accompanied their work permit carrying partners to Thailand and want to fill in their spare time in a charitable and rewarding manner. The penalty for engaging in work without a work permit is a fine between 2,000 and 100,000 baht and/or imprisonment for up to 5 years. While requiring these foreigners to have a work permit in order to enjoy a common hobby or give their time for free may sound extreme, that is exactly what the authorities asserted, and technically according to the Act, they are correct.

A comfortable retirement is something we all aspire to; some of us even plan for it financially. By maintaining awareness of the regulations on retirement visas and the types of activities you can and cannot engage in while living in Thailand on such a visa, you will not have to worry about either the comfort of your retirement or your financial cushion being put at risk through a violation of the law. So kick back and enjoy the Kingdom worry free.

Angus Mitchell ([angus.mitchell@dfdl.com](mailto:angus.mitchell@dfdl.com))  
Matthew Christensen ([matthew.c@dfdl.com](mailto:matthew.c@dfdl.com))  
Pavitra Sakulchaimongkol ([Pavitra@dfdl.com](mailto:Pavitra@dfdl.com))



Source: <http://www.bangkokpost.com/news/investigation/387958/no-work-and-all-play>