

Experience with Renewal of Business Visa and Work Permit

I am writing to bring awareness about the difficulties faced by foreigners required to renew Non-Immigrant Business Visas to legally reside in Thailand. I have been living in the Kingdom of Thailand for five years and remain wishful that the renewal of visas and work permits could be more efficient and effective. I hope this letter brings some clarity to my current situation and the potential to improve the visa and work permit process to legally reside and pay taxes in Thailand.

In the past 4 months, I have interacted with the staff of the Pathumthani Immigration Office to renew my business visa. During this time there have been multiple requests for additional documentation such that numerous visits to this office were required. This may be due to my lack of understanding of the renewal process and/or that the government office staff is quite busy such that I experienced a slow turnaround and non-responsiveness. For this, I would like to understand any underlying concerns and reasons as to why this occurred. In all honesty and transparency, with the recent treatment experienced in this business visa renewal process I do question my future to reside in the Kingdom of Thailand under such circumstances. Also, as part of my inquiry, I would seek to obtain clarity about the future ability (August 2018) to hold a Spousal Visa and the possible allowance of my employer to provide myself a work permit. If this is not possible, and the issues in renewing my business visa and work permit continue, I would need to consider to exit the country and move to a more business friendly environment in SE Asia.

In terms of background, I am a Masters educated individual working in the Asian agriculture sector. In the past years, I have executed the visa renewal process through the use of a lawyer/agent and the process was quite smooth and efficient but was still lengthy and did incur considerable fees. At the end of June this year I changed employers and was required to cancel my visa and work permit. In this process, my new employer execute the work permit/visa process. This should have been no more troublesome and I would have hoped that the Bureau of Immigration staff at the Pathumthani Immigration office had been more transparent in how to navigate the process by being more clear and upfront as to the documentation required. In the current situation up to 7 visits to the Pathumthani Immigration office were required plus multiple other trips to government offices to complete this process. After every subsequent visit more and more forms, documents, and meetings were being requested such that over 80 hours were needed to gain approval. As this process was quite lengthy and difficult to explain I have thus summarized and provided the timeline of events in Appendix 1 below and attached spreadsheet. Also, as point of reference and example of other countries visa applications, in past two weeks I recently obtained a 1 year multiple entry business visa with the Indian Embassy in Bangkok and completed this process in under 10 days. I may wish that the Thailand business visa application and renewal would be as timely and efficient.

Overall, I do understand that there are requirements that need to be upheld and a level of security maintained as to those residing in the country. I have made a commitment to the Kingdom of Thailand over the past years and wish to support Thailand as an attractive place

to conduct business. Unfortunately recent events reveal the opposite and something that inevitably needs to be questioned in deciding my future residency and career options. I have been a tax paying net contributor to the Thailand economy for the past 5 years along with a Thai wife and daughter whom we wish to raise in this country. However, after the troubles to do a simple Business Visa renewal, I have to take this experience into consideration when deciding my future employment opportunities and unfortunately have to consider the option of moving my tax dollars and funds elsewhere.

I hope the process can be further improved or refined and I see the following as shortcomings which should be corrected:

- 1) Clearly and transparently identify the requirements about documents up-front (not drip-fed).
- 2) Streamline the process and reduce paperwork and evidentiary requirements; revised the standard of proof
- 3) Align or have similar durations for renewal of work permit and visa process.
- 4) Confirm the circumstances in which a Spousal Visa through Chaeng Wattana Immigration office is available and combined with a work permit in Phatumthani district – looking ahead to August 2018.
- 5) Move to web based or online applications for all companies - not just those supported by the Board of Investment (BOI)? Thailand has spent a lot promoting the digital and 4.0 economy. What are the efforts to bring this process on-line and what is the time frame in achieving?

In closing, I hope an understanding of this situation it can provide the necessary tools and steps to streamline and improve the overall process and make more efficient use of applicant and government officials' time in conducting visa and work permit renewals.

Appendix 1A: Timeline of Visa and Work Permit Renewal Process (page 1)

DATE	ACTIVITY	LOCATION/OFFICE	REQUEST	HRS of TIME (h)
Friday, 30 June 2017	Cancellation of previous employer, Business Visa			
	To Labour Office to Transfer Work Permit	Pathumthani Labour Office	Require Syphilis Test and Notarization of University Degrees	4
	Employer cancelled visa for July 1st but did not cancel work permit at same day. Work permit is cancelled on July 3 so no chance to renew			
Saturday, 1 July 2017	Depart Thailand as visa cancelled. Business travel out of Thailand. Required to stay over 24 hrs.	Kuala Lumpur		
Sunday, 2 July 2017	Return to Thailand. Receive 30 day Tourist Visa	Kuala Lumpur		
Monday, 3 July 2017	To Bumrungrad Hospital for Syphilis Test	Bumrungrad Hospital		3
Tuesday, 4 July 2017	To my Embassy and receive notarization of university degree	Embassy in Bangkok		4
	To Chaeng Wattana Government office (Foreign Affairs) to receive notary stamp by Thai authorities.	Chaeng Wattana - Foreign Affairs Office	If submit documents on this day (Tuesday) will receive back on Thursday. However, if come back Wednesday and submit prior to 9:30 AM can receive on same day (Explain this logic?)	2
Wednesday, 5 July 2017	Return to Chaeng Wattana to obtain Thai notary on University Degrees	Chaeng Wattana - Foreign Affairs Office		8
Thursday, 6 July 2017	To Immigration office and submit documents. Informed of missing documents.	Pathumthani Immigration Office	Degrees need to be translated to Thai - why not informed??	4
	Drive to Foreign Affairs, however, translator requires Marriage Certificate to ensure name is spelled correctly.	Chaeng Wattana - Foreign Affairs Office		3
Friday, 7 July 2017	Go to Express Translation Service(3rd party company), rather than return to Chaeng Wattana and get degrees translated.	Ploen Chit - Express Translation Service Office		2
Monday, 10 July 2017	Buddhist Lent - Government Office Closed			
Tuesday, 11 July 2017	To Express Translation to pick up translation of degrees. Buddhist Lent - Government Offices Closed	Ploen Chit - Express Translation Service Office		2

Appendix 1B: Timeline of Visa and Work Permit Renewal Process (page 2)

Wednesday, 12 July 2017	Go early morning to Chaeng Wattana to be first in line and submit translated degrees for notarization. Cannot receive same day service as they need to re-check the translation	Chaeng Wattana - Foreign Affairs Office	As degrees were translated via a 3rd party company, Foreign Affairs needs to double check the translated version submitted.	3
Thursday, 13 July 2017	To Employer Office for Immigration requirement of photos with employers other staff	Bangkok - Employer Office	Photos to be submitted to Immigration to prove workplace	3
Friday, 14 July 2017	To pick up notarized degrees. Informed that translations are incorrect and need to be re-translated.	Chaeng Wattana - Foreign Affairs Office		2
	Go to Foreign Affairs internal translator and get re-translated.	Chaeng Wattana - Foreign Affairs Office		2
	Documents re-submitted and able to pick up in afternoon.	Chaeng Wattana - Foreign Affairs Office		4
Monday, 17 July 2017	To Immigration office and submit documents. Informed of missing documents. Also requesting copy of university transcripts, however, able to negotiate not to provide.	Pathumthani Immigration Office	Immigration informs that employer shareholder information is missing.	4
Tuesday, July 18	Return to Immigration Office and re-submit documents. Receive extension to Aug 2.	Pathumthani Immigration Office	Receive a 3 week extension and need to get new passport as only have 1 page remaining.	4
Wednesday, 19 July 2017	To Embassy and submit passport renewal application (<i>not counted in total time - own Passport</i>)	Embassy in Bangkok		
Tuesday, 25 July 2017	To Embassy to pick up new passport (<i>not counted in total time - own Passport</i>)	Embassy in Bangkok		
Wednesday, 2 August 2017	To Immigration office and submit documents. Receive multiple entry visa up to October 24	Pathumthani Immigration Office		4
	To Labour Office to Submit Work Permit documents. Office extremely busy with long que and unable to complete as late afternoon.	Pathumthani Labour Office		2
Monday, 7 August 2017	Travel on Thursday/Friday thus, return to Labour Office to Submit Work Permit documents.	Pathumthani Labour Office		3
	Fly to Singapore for first day of employment and training with new company			
Monday, 21 August 2017	Return to Labour Office and pick up work permit.	Pathumthani Labour Office		3
Monday, 4 September 2017	Go to Revenue Department for legalized version of 2016 tax return	Ari - Revenue Department		3
	To previous employer, to get original of Tax Withholding Certificates from Jan-Jun 2017	Bangkok - Previous Employer Office		2
Friday, 15 September 2017	To Immigration office and submit documents. Missing documents once again.	Pathumthani Immigration Office	Need letter and proof of Business Visa cancellation by old employer	4
	Re-submit previous employer proof of cancellation over coming week.			
Friday, 22 September 2017	To meet Immigration officials at new employer TH office	new employer TH Office	Is this normal part of process?? First time experience in 5 years??	1
Tuesday, 24 October 2017	To Immigration office. Notified that missing document to arrive in evening. What document??	Pathumthani Immigration Office	After 4 month process - why missing document and need to return next day??	3
Wednesday, 25 October 2017	To Immigration office. Receive 1 year Non O Visa	Pathumthani Immigration Office		3
	TOTAL			82