

## New Smart Visa Requirements and Procedures

The long-awaited implementation rules of the smart visas have been enacted effective from 1<sup>st</sup> February 2018. The rules are (1) the Ministry of Interior Notification dated 30<sup>th</sup> January 2018 on Special Permission for Foreign Experts, Investors, Executives and Entrepreneurs to reside in Thailand on a Special Basis, (2) the Board of Investment (“**BOI**”) Notification No. Por. 4/2561 dated 1<sup>st</sup> February 2018 re: Qualifications, Terms and Conditions for Smart Visa B.E. 2561, and (3) the BOI Notification No. Por. 5/2561 dated 1<sup>st</sup> February 2018 re: Procedures for Requesting Qualification Certificate for Foreigners to Obtain Smart Visa.

### 1. Who can apply for the smart visa?

Eligible foreigners are (1) experts, (2) executives, (3) entrepreneurs or (4) investors who wish to enter into Thailand to work or invest in any of the “10 S-Curve Industries” in Thailand, which are (1) next-generation automotive, (2) smart electronics (3), affluent, medical, and wellness tourism, (4) agriculture and biotechnology, (5) food for the future, (6) automation and robotics, (7) aviation and logistics, (8) biofuels and biochemical industry, (9) digital technology, and (10) medical hub.

The eligible foreigners must also meet the qualifications specified in the BOI rules in relation to their salaries, educational backgrounds, high ranking positions, investment amounts, etc. The required qualifications are different for each type of foreigners.

Dependents of eligible foreigners (their spouse and children) are also eligible to apply for the smart visa.

### 2. How long is the smart visa period?

No.	Foreigners	Permitted Visa Period	Renewal Period
1.	Experts	As specified in the Employment Contract but not more than 4 years	Same as the originally permitted period
2.	Executives		
3.	Investors	Not more than 4 years	2 years each
4.	Entrepreneurs	1 year	
5.	Dependents	Same as the principle smart visa holders	Same as the originally permitted period

### 3. How to apply for the smart visa?

An applicant must first obtain a Qualification Certificate from the One Start One Stop Investment Center for Visa and Work Permit (“**OSOS**”) of BOI. In case the applicant is residing outside of

Thailand, the Qualification Certificate can be obtained from the Royal Thai Embassy or the Thai Consulate outside Thailand.

After the Qualification Certificate is granted, the applicant must obtain a smart visa from the OSOS or the Royal Thai Embassy or the Thai Consulate outside Thailand within 60 days from the date of the Qualification Certificate.

#### 4. What are the privileges given under the smart visa?

The smart visa holders do not have to obtain a work permit and a re-entry permit. They do not have to file a 90-day report with the immigration authority during the visa term. But they must file a one-year report.

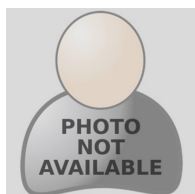
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