

## Marrying a Thai citizen is a straightforward affair

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Thailand is a popular tourist destination attracting millions of foreigners to its vibrant cities and windswept shores each year. While many of these foreigners fall in love with the food, others fall in love with the people. Fortunately for those who are love-struck, getting married in Thailand is an easy process, as the country has a well-established system for foreigners marrying Thai citizens.

To illustrate how the process works, we will look at the lives of David and Suda, a fictional couple who would like to marry under Thai law.

**Background:** David, a US citizen, fell in love with Suda, who is a Thai citizen. As David's time in Thailand was coming to a close, he realised he did not want his relationship with Suda to end. He wanted a real future for the relationship. Suda, upon hearing this, was thrilled. She had been dreading David's departure and hoped to cement their relationship.

In order to move forward with their marriage, David and Suda must comply with certain procedures and requirements and provide certain documents when registering their marriage at the district office.

**Preparations:** David must obtain an Affirmation of Freedom to Marry. This can be obtained at a foreigner's national embassy or consulate in Bangkok. Since David is a US citizen, he must go to the US embassy. David must bring his passport and is required to prove through a divorce or death certificate that any previous marriage has been legally dissolved.

After David obtains the Affirmation of Freedom to Marry, he must go to a translation office to translate it into Thai. Afterwards, this must be approved by a consular official in the Legalisation Division of the Foreign Ministry's Consular Affairs Department.

As Suda is more than 20 years old, she must bring her original ID card and an original Certificate of House Registration along with copies of each to the district office.

**Prenuptial agreements:** David is a cautious person and so wants to enter into a prenuptial agreement before marrying Suda. His parents went through an ugly divorce, as they could not agree on how to divide their assets. David wants to ensure he avoids such a situation.

A prenuptial agreement must be made in accordance with Thai law so that it is enforceable in the event of a divorce. It must be made in writing, written in Thai, signed in front of two witnesses prior to the marriage and registered at the local district office at the time the couple register their marriage.

David and Suda should seek legal consultation to draft their prenuptial agreement in accordance with Thai law as outlined in the Civil and Commercial Code of Thailand.

**The marriage:** After all of the preparatory administrative and legal requirements have been fulfilled, David and Suda can get legally married.

They simply need to go the local district office to register their marriage legally. David must bring his Affirmation of Freedom to Marry, an authenticated translation, his passport and an authenticated copy of his passport. Suda must bring her original ID card and Certificate of House Registration along with copies of each and proof that any previous marriages have been legally dissolved.

However, as much as David and Suda would like to celebrate their marriage with friends and family and embark on their honeymoon, the administrative process is not over yet.

The marriage certificate that is issued to them by the local district office is in Thai. This must be translated into English, and the translation must be certified by the Foreign Ministry. The certified and translated marriage certificate must then be brought to the US embassy to report the marriage.

After registering their marriage at the US embassy, David and Suda can finally take off to Phuket to celebrate their marriage and live happily ever after.